



Civic Federation News

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Serving the Public Interest since 1925

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April Program: The County's FY2010 Budget By Marvin Weinman, Public Finance Chairman

The program for our April 6 meeting will focus on the County's proposed FY 2010 budget. Please note the change in date from April 13 – our regular date – to the 6th. We had to make this change to accommodate our speakers.

The Civic Federation and the Montgomery County Taxpayers League have arranged for a panel of the most knowledgeable elected and appointed officials to both inform us on the issues concerning the FY 2010 budget and answer our questions. This outstanding panel will consist of Councilmember Duchy Trachtenberg, Chair of the Management and Fiscal Policy Committee; Jennifer Barrett, Director of the Finance Department; Joseph Beach, Director of the Office of Management and Budget; and Dr. Marshall Spatz, Director of Management and Planning for MCPS. In these difficult times our

elected officials recognize that there is no magical solution to our fiscal problems. We are probably facing a multi-year budget squeeze. The Executive's approach to the FY 2010 budget clearly recognizes that when revenue is declining, "business as usual" is not a viable option. He had many factors to consider in putting together his proposed budget.

As we look at our own personal financial situations, most of us are examining our expenditures to find areas of potential savings. It is logical then that the Executive has done the same. As a result, he has recommended a responsible, "hold-the-line" budget that limits the tax supported budget increase to 1.1%. This should keep property taxes within the Charter Limit guidelines.

Some Councilmembers are wondering about the actual availability of some of the committed revenue sources identified in the budget which are intended to be used to meet the growing needs of county residents. The County Council, which has the final authority for identifying and appropriating the county's financial resources, has a difficult job ahead of it.

The Council's challenge becomes greater as they attempt to set spending priorities while providing the required balanced budget for FY 2010. Priorities must focus on providing adequate revenue to support the county's most critical needs while simultaneously holding off the pressure from those who advocate for nice "wants" which are unaffordable at this time.

Montgomery County Civic Federation's 2009 ANNUAL AWARDS BANQUET honoring

THE STAR CUP - Luella Mast

To a MCCF delegate or individual for outstanding public service to Montgomery County

THE GAZETTE AWARD - The Parents' Coalition

To an individual or group for outstanding public service to the people of Montgomery County

THE SENTINEL AWARD - Stormwater Partners Network

To an individual or group who makes a significant contribution to good government at the local level

Friday, May 15, 6:00 to 9:30 p.m. Make your reservations now using the form on page 11.

Contents

April Program: The County's FY2010 Budget	1
Community Hero Award for Neighborhoods Seeking	
Creation of a Local Park	2
President's Message	3
Environmental Warriors Wanted	4
Environment Committee Report	5
Roadside Tree Bill headed for Senate Floor	6
Stormwater Partners Update	7
Minutes of the Regular Monthly Meeting, March 9	7
Minutes of the March 18 Executive Committee Meeting ..	9

To their credit, both the Council and the Executive have joined in an effort to expand the accountability and audit functions. The initial effort will focus on areas of government that offer the greatest opportunities for cost savings due to policy changes and greater efficiencies in operations. It is important that the public be updated in a timely manner on the results of these efforts.

Many in county government believe that in previous years the public has not been an active participant in matters related to budget decisions. The public's concern with fiscal matters became readily apparent during the last election when, after many years of defeating similar efforts, voters approved Question B requiring nine votes on the Council to override the Charter Limit.

In most instances, John Q. Public doesn't have adequate information to become a knowledgeable participant in the deliberations over the County's budget, funding and appropriation issues. The public might be a significant source for ideas on potential budget savings, but most citizens have limited knowledge about these areas. While we spend billions on public education, we spend very little on public education about the fiscal matters that directly affect the lives of residents. And those who are knowledgeable are sorely constrained by the three minute time limit on public testimony.

We encourage you to attend the April 6 meeting and take advantage of this unusual educational program to learn more about the County's budget process and its impact on you. Hopefully the benefits of this presentation will encourage you to take a more active role in your county's governance. There is no better time to become a civic activist. The information provided could be invaluable as we prepare for the public hearings on the recommended FY 2010 Budget from April 13th thru April 16th. And if you would like to testify at one of the upcoming hearings, remember to sign up in advance by calling the Council Office at 240-777-7931. For full information on testifying, visit the Council's website: www.montgomerycountymd.gov, then click on "County Council", then click on "Public Participation".

Community Hero Award for Neighborhoods Seeking Creation of a Local Park by **Wayne Goldstein, Immediate Past President**

For some 40 years, the Maryland College of Art and Design (MCAD) was located in the Carroll Knolls subdivision on the west side of Georgia Avenue at Evans Parkway. Throughout this time, the 4 acres of MCAD grounds, including rights-of-way, was used and enjoyed by residents of Carroll Knolls as well as those living in adjacent McKenney Hills and Plyers Mill Estates, as informal, open and recreational space.

Some years ago, Montgomery College was invited to take over the MCAD programs. In 2004, Montgomery College transferred the programs to its Takoma Park campus and transferred the MCAD land for free to its Montgomery College Foundation. The recreational use of the MCAD land by local residents continued even after the MCAD building was essentially abandoned.

In what hardly appeared to be an arms-length transaction, the Montgomery College Foundation contracted in 2006 to sell the land to a builder who initiated both a road right-of-way abandonment and a rezoning application to build townhouses. The contract-purchaser was successful in these efforts. The local communities were not informed of their right to contest such actions, and by the time they realized that they could do so, it was very late in the process. When the developer, however, sought to overturn the covenants of Carroll Knolls that did not allow for townhouses, the community fought back and went to court.

After the Circuit Court granted summary judgment in favor of the contract-purchaser, the community appealed that decision to the Maryland Court of Special Appeals, asking that the protections guaranteed by their 60-year old covenants be preserved. On 2/9/09, the three-judge panel, in an unpublished opinion, ruled in favor of the community, noting that: "It is clear from the evidence presented that the covenants at issue in the case at bar have not outlived their usefulness and... there is little, or no, evidence that the development described [MCAD Building] in this

case has caused any significant deterioration of Carroll Knolls' residential character."

The affected communities also acted to nominate the MCAD property for the Legacy Open Space (LOS) program and were thrilled when LOS staff recommended that MNCPPC purchase it for parkland. While the Planning Board did not accept this recommendation in 2008, the community, in light of the court ruling, is again asking for this designation.

There is a renewed urgency to take action because the College and its Foundation have all but abandoned their responsibility to maintain and protect the MCAD building and grounds. Grass was allowed to grow waist high last summer and a growing number of broken windows have resulted in glass shards being scattered across the asphalt area where neighborhood children play and ride their bikes. The College/Foundation's response is to board up the broken windows and to offer to board up everything, thereby creating multiple canvasses for graffiti.

These communities have gotten letters of support from federal, state and local officials asking that MNCPPC purchase the MCAD land for parkland. Last September, their district councilmember wrote to the Director of Parks and also joined the company of two other councilmembers in writing to the Planning Board in support of the parkland purchase.

For their persistent refusal to give up in their efforts to get this badly-needed parkland for their communities, MCCF gives its Community Hero Award to the civic associations of Carroll Knolls, McKenney Hills and Plyers Mill Estates.

See their website <http://greenspaceongorgia.org/node> for more details

President's Message by Arnie Gordon

County Budget

These are critical times for our County and in his recent budget message Ike Leggett spelled out the steps needed to carry us through a budgetary crisis of large proportions. It's time for all of us to step

up to the plate and make the sacrifices these hard times call for, and this is not the time for some special interests to stand in the way of the welfare of our taxpayers and the need to fund only essential services. At our April 6th meeting I will introduce a resolution to endorse the budget steps called for by Ike and ask the delegates to vote in favor of the resolution supporting:

- No COLAs for county employees
- Elimination of 400 positions
- Reduced expenditures in the Capital Budget
- Holding increases on property tax rate to the charter limit, and retaining the promised tax credit of \$690
- An Emergency Transport Fee - raising \$14 million at no expense to taxpayers- the funds to be dedicated to the Fire and Rescue Service
- A modest increase in tuition at Montgomery College
- Holding the line on public safety by raising the police budget 2.6 %
- Keeping essential health and human services budgets largely intact.

You will hear much more about the fiscal crisis and the proposed budget at our April 6 meeting as arranged by our Public Finance Committee Chairman Marv Weinman. Suffice it to say that Ike's budget brings the County Government's tax-supported growth rate down from a 14.1% increase in FY 07 to less than zero, and this is exactly what the doctor ordered.

Fire and Rescue Commission

Powerful interests have united to advocate for the abolition of the County's Fire and Rescue Commission. That Commission is being attacked because it allows citizens to exercise oversight on the operations of these services and advocate for responsible stewardship. The fiction being spread is that the Commission is too expensive. This is just plain nonsense. In truth this is an action to minimize the influence of the volunteer associations without whom our fire and rescue services would be much more expensive. I will ask the delegates to endorse the position recommended by the MCCF Executive Committee - to fight this attempt to minimize public knowledge and oversight on the bureaucracy.

MCCF Elected Positions

A number of elective positions in the MCCF will fall vacant this Summer and we need people to step up and assume responsibility for the extra effort required to represent our neighborhoods and communities before the halls of power. As you may know, I will not be a candidate for re-election to the Presidency due to other demands on my time. There is a desperate need for a Recording Secretary, and there are several vacant Vice-President positions as well. Please consider these opportunities. I do intend to remain active in the MCCF and will seek to chair the long vacant Transportation Committee.

Saturday Seminars

Our Seminar on March 9 was another great success with Francoise Carrier, County Hearing Examiner, and Marty Klauber, County People's Counsel, presenting a very stimulating seminar on "Special Exceptions". Kudos to Dick Kauffunger for making these arrangements and to his wife Fran for help in organizing the refreshments and registration.

Star Cup

I am most happy that Luella Mast is being recognized this year with the award of our Star Cup Award. Luella has served for many years as our Treasurer, Acting Recording Secretary, Chair of our By-Laws Committee, and organizer extraordinaire for the Annual Awards Banquet. She has served in each post with great distinction and proven to be the person most likely to come up with novel ideas for strengthening and improving this organization. The silver trophy couldn't go to a more deserving recipient!

Environmental Warriors Wanted by Carole Ann Barth, Parks Chairman

Inch by inch, our parks are being invaded. Exotic invasive plants threaten to overwhelm the 24,912 acres of county parkland set aside for environmental protection. Invasives threaten both undeveloped and landscaped areas. Across the U.S., in fact, invasives swallow up 14 million acres every year.

An invasive plant is one that escapes cultivation and runs rampant damaging native ecosystems. It's not necessarily a plant that aggressively spreads in the garden. For example, switch grass is a native plant which, in the garden, may crowd out slower growing plants. However, switch grass is a normal part of this region's ecosystem. It provides important winter habitat for birds and produces food for birds and mammals. It's part of our natural balance.

On the other hand, consider the ubiquitous commercial landscape shrub, Japanese barberry. This shrub may never spread in the garden, but its seeds are carried into the woods by birds and mammals where it alters soil pH, nitrogen levels, and biological activity in the soil. Raising the soil pH (i.e., making it more basic) threatens the entire acid-soil loving plant community and the wildlife which depends upon those plants. Barberry has also been shown to reduce the depth of the litter layer. Leaf litter is where salamanders and wood frogs overwinter. Many of our forests are already losing leaf litter due to the invasive European earth worm, so this is doubly bad for the amphibians.

So, how do you know which plants are invasive? A guide to Mid-Atlantic invasive plants is available for download from the web at

<http://www.nps.gov/plants/alien/plantinvasaders.htm> .

You can also request a copy of the booklet by calling Jil Swearingen at the National Park Service: 202-342-1443, ex. 218. This booklet also suggests native alternatives you can plant instead of invasives. Handy fact sheets on individual invasive species can be found at the Plant Conservation Alliance website:

<http://www.nps.gov/plants/alien/factmain.htm> .

In 1999, Carole Bergmann, Montgomery Parks Forest Ecologist, created the innovative "Weed Warriors" program. This was one of the first such volunteer programs in the region, and it has since become a model. In ten years more than 500 citizen volunteers have been trained as certified weed warriors and have logged more than 23,000 hours controlling invasives in Montgomery County's parks. Currently, 359 active weed warriors provide the equivalent of 11 staff years.

What you can do to help save our parks:

- Get educated and share the knowledge

- Take Weed Warrior training and be certified to work anywhere in the park system on your own schedule. The next field training class will be held Wednesday, April 29th. To register, call the Volunteer Coordinator at 301-942-4709, or e-mail mcp-weedwarriors@mncppc-mc.org. The full training schedule is available at <http://tinyurl.com/bgwp8e>.
- Once trained, you can also work on special projects in some of our conservation parks
- Volunteer for a special project day. Contact Lynette Scaffidi at 301-949-0223 or email her at Lynette.Scaffidi@mncppc-mc.org.
- Compete for prizes in the garlic mustard challenge (<http://tinyurl.com/dym9wt>) Last year volunteers pulled over 11,000 pounds of garlic mustard out of 25 parks.
- Organize a weed whacking day in you community.
- Don't plant invasives, and when you can, replace those already in your landscape.
- Do the same for any common areas in your community

In 1962, Rachel Carson warned that the indiscriminate use of pesticides could lead to a "silent spring" where no birds sang. Today, after outright habitat destruction, exotic invasives are the second-leading threat to biodiversity. Bugs eat plants, and frogs and birds eat bugs. In 2007, Douglas Tallamy's book, *Bringing Nature Home* documented that exotic plants cannot support enough native insects to preserve our birds and amphibians. Thus, we truly are at risk of a silent spring. This is especially poignant here in Montgomery County, where Rachel Carson lived and where she and her nephew always made a point of listening to the frogs calling each spring.

Let's keep the birds chirping, the wood frogs quacking, and the spring peepers peeping. Enlist as a Weed Warrior this spring.

Environment Committee Report By Caren Madsen, Environmental Committee Chair



Many thanks to Caren Madsen for a superlative job as Environment Chair

Note to Readers: I will be taking a hiatus from my post as the MCCF Environment Committee Chair for a period of time. I am moving from my federal position and into a temporary assignment to the White House Council on Environmental Quality (CEQ). I am looking forward to supporting the environmental goals of the new administration, but I anticipate a workload too heavy to juggle with volunteer activism and family life at the same time. It's time to step aside so others can get more involved. I want to thank Arlene Bruhn, Wayne Goldstein, Cynthia Fain, Peggy Dennis, Diane

Cameron, and Jim Humphres for supporting the work of the MCCF Environment Committee over the past several years. And thanks to Councilmembers Marc Elrich and Roger Berliner for the work they have done for the environment since their 2006 election to office. I encourage all member civic and homeowner associations and individual MCCF members to stay aware and involved with county environmental issues so you can help protect our local natural resources which are such an important part of the larger regional ecosystem. The price of inaction on these issues is high – poor air and water quality and land use planning decisions based more on the bottom line than the health of the environment. You remember the bumper sticker: "Think globally but act locally!" Go for it, MCCF members.

Update on the Forest Conservation Law Amendments

The long-awaited County Forest Conservation Law (FCL) amendments are now on hold while the executive branch crafts a compromise to County Bill 37-07 and what has become known as the Elrich amendments. Bill 37-07 was driven by the Maryland-National Capital Park and Planning Commission's (M-NCPPC) desire to write the legislation two years ago after a year-long review by an M-NCPPC appointed Forest Conservation Task Force.

More than a year after the M-NCPPC review, a Forest Conservation Advisory Committee was established by the County Executive and began its own review. When the committee issued its report and the FCL stalled once again on its way back to the County Transportation, Infrastructure and Environment Committee, managers within the County Department of Environmental Protection and Department of Permitting Services stepped in.

"We wanted to start meeting with members of the community to rethink how we were approaching the FCL," said County Arborist Laura Miller, with the Department of Environmental Protection (DEP). "After the Forest Conservation Advisory Committee had reviewed the differences in the sets of amendments to the FCL, we didn't seem to be making the progress everyone had hoped for to retool our forestry law."

DEP and the County Department of Permitting Services will recommend a strategy for the executive branch to pursue based on a series of meetings with M-NCPPC and members of the environmental and business communities. The goal is to craft a more comprehensive set of amendments that will remedy the county's outdated and complicated FCL. Miller said a compromise offered by the executive agencies should be compatible with the Montgomery County Climate Protection Plan released last January by the 26-member Montgomery County Sustainability Working Group.

Roadside Tree Bill headed for Senate Floor By Arlene Bruhn, MCCF Environment Committee Co-chair

The Maryland General Assembly will consider two bills to revise the State Roadside Tree Law. Enacted in 1914, the existing law governs the care and maintenance of street trees in the County right of way (ROW). SB 581 and HB 800 were introduced in February by State Senator Brian Frosh (D-Dist.16) and Delegate Tom Hucker (D-Dist.20), respectively. The bills are enabling legislation giving local governments the ability to develop ordinances and regulations for closer supervision of trees on the grassy planting strips along the public ROWs. Most local jurisdictions in Maryland lack authority to enact protective ordinances regarding these trees.

The passage of either version of these bills for Montgomery County will provide many opportunities for local tree protections. For example, the County would be able to require the installation of tree protection barriers in the ROWs and prohibit the storage of heavy materials such as bricks or roofing shingles in the ROWs. What the County actually develops by way of ordinances is yet to be determined. Nevertheless, there are a number of County staff and members of the Council who favor additional regulation of trees in the ROW. There is strong justification for new protections to be developed in connection with the County's Climate Protection Plan.

The public ROWS will remain the jurisdiction of the State Foresters. The State Department of Natural Resources (DNR) will continue to enforce tree trimming and permitting/planting activities in the ROWs, grant permits, and regulate activities of utilities in the ROWs. Egregious damage to trees will be enforced by citations and stiff fines from DNR. However, the new law will allow Montgomery and other counties to issue stop work orders if property owners or builders violate its ROW tree ordinances. An objective is for a stop work order to be an effective deterrent to those who persist in knocking down tree barriers, bashing tree trunks and dumping slurry on tree roots.

The MCCF Executive Committee voted unanimously to support the adoption of SB 581 with a letter of endorsement. MCCF Environmental Committee Chair Caren Madsen submitted written comments supporting HB 800 to the House Environmental Matters Committee on March 13. The Senate Education, Health and Environmental Affairs Committee has passed SB 581 with amendments. They adopted two sets of amendments offered by Senator Frosh and struck provisions of the bill stating that a tree cannot be removed solely for aesthetic purposes. The two sets offered by Senator Frosh included an amendment to exempt utilities from local or county ordinances and an amendment to eliminate language requiring the DNR to approve local or county ordinances. The Senate bill was anticipated to be moved onto the floor for a vote the week of March 23rd. Questions regarding this bill should be addressed to Arlene Bruhn at a.p.bruhn@verizon.net.

Editor's Note: Arlene was instrumental in spearheading this project and has been working closely with DNR and our county arborists on this issue for many months.

Stormwater Partners Update By Diane Cameron

The Montgomery County Stormwater Partners Network is a network of 22 organizations with a commitment to protect and restore Montgomery's waters. We first organized to speak out for more accountability in Montgomery County's stormwater permit, issued to the County by the Maryland Department of the Environment. After three years of coordinated advocacy by the Partners, MDE in early 2009 published a draft final permit for 2009-2014, with new provisions requiring Environmental Site Design Code changes, inclusion of MCPS, and the cleanup of heavily-polluted waters through use of rain gardens and other retrofits.

On March 19, the Waterkeepers and Earthjustice filed an appeal of the permit called a "Contested Case Hearing," with stated reasons including that the permit "fails to ensure compliance with Maryland's water quality standards." The letter also requested that the final permit not be stayed,

but be issued without delay while the appeal is being heard.

Meanwhile, the Montgomery County DEP has requested several new staff hires for FY2010 to begin implementing the new permit, and the Stormwater Partners strongly supports this needed ramping-up of DEP's stormwater work. The costs of not increasing on-site stormwater low-impact practices are high and growing. These include WSSC's cost of a \$23 million intake pipe to reach farther into the Potomac in order to avoid stormwater pollution from Watts Branch.

Citizens are urged to retrofit their own yards, and work with their PTAs; civic associations, churches and temples to help retrofit properties with rain gardens and other ways to harvest the rain and protect our streams. For information on how you can apply for a rebate of up to \$1,200 for residential projects and \$5000 for institutional projects, go to: www.rainscapes.org

Diane Cameron is Coordinator of the Montgomery County Stormwater Partners Network, Conservation Program Director for the Audubon Naturalist Society and a consultant to the Natural Resources Defense Council.

Minutes of the Regular Monthly Meeting, March 9, 2009 By Peggy Dennis, Acting Recording Secretary

Meeting called to order at 7:47 p.m. by President Arnie Gordon with attendees introducing themselves.

Program: Representatives from the Maryland Public Service Commission were unable at the last minute, to present the program. Instead, Ms. Susan Buffone, Legislative Aide for Councilmember Roger Berliner, made a presentation about his energy-related Bill 6-09 to establish the Home Energy Loan Program. The bill would create a revolving loan fund to provide homeowners, on a first come/first served basis, with loans at a 0% or 1% interest rate to finance residential energy efficiency improvements or install renewable energy devices such as solar panels. Improvements would be approved after a home energy audit

carried out by a certified auditor. Repayment would be made on the homeowner's annual real estate tax over a 15 year period and be linked to a lien on the property and convey with the property. This will enable homeowners to make improvements knowing that if they have to move, the loan will convey with the home. The money to establish this fund is expected to come from the federal stimulus package. A similar bill is being introduced at the federal level by Congressman Chris Van Hollen. The bill which has 5 co-sponsors (Elrich, Ervin, Trachtenburg, Leventhal and Floreen) is due for a public hearing on March 24 and is expected to pass. Complete information is on the Council's website at

<http://www.montgomerycountymd.gov/csltml.asp?url=/content/council/leg/bill/2009.asp>

Ms. Buffone's presentation was followed by a presentation on the Public Service Commission by Chuck Lapinski, the MCCF Public Utilities Chairman. Mr. Lapinski explained how the state's deregulation of the power generating capacity of electrical companies in 1999 has been a disaster. It takes 8-12 years to bring new capacity on line. Additionally utilities will not invest in new plant capacity since a new plant will cost at least \$3-5 Billion and more depending on the energy form (eg nuclear, coal etc). At that cost and time to bring the capacity on line, represents too much financial risk to ever realistically have true competition in energy production. Competition following deregulation was supposed to bring about lower prices but this has never happened because of the high financial and to some extent environmental risks. Also, the distribution companies such as PEPCO and BG&E, are limited to contracting for power for one year at a time. They are now locked into high prices resulting from the high cost of oil last summer when oil hit \$4 a gallon, and the price of oil drives the market for power from any source.

Agenda was approved with addition of two emergency resolutions for consideration.

Minutes of the Feb. 9 regular meeting were approved unanimously.

Committee Reports

Saturday Seminars: Richard Kauffunger reported that 20 attended the seminar on Special

Exceptions on March 7 by Francoise Carrier and Martin Klauber. It went well.

Planning & Land Use: Jim Humphrey related schedule for hearing on the Growth Policy and urged delegates to check MCCF website for his February 26 Federation Corner column on the growth policy and adequate public facilities. On March 26 the Planning Board will receive staff recommendations for changes to the growth policy, then hold a public hearing on June 25 prior to sending their final version to the Council by August 1. The Council hearing will likely be in September, with November 15 the deadline for approval of the new policy.

Historic Preservation: Wayne Goldstein reported that Montgomery Preservation, Inc. and local area residents have filed a law suit against the Council challenging their arbitrary and capricious decisions concerning the designation of historic resources in Damascus. There will be another hearing on historic designation of the Falkland Apartments complex on March 10. Mr. Goldstein introduced an emergency resolution stating that "MCCF opposes Historic Preservation Amendment 09-1, the Knapp Amendment". The resolution received needed 5 seconds, was discussed, and unanimously approved: Yeas - 21, Neas - 0, Abstentions-0.

Parks: Carole Ann Barth reported Council is continuing to discuss issue of whether recreation programs which are now run by the MNCPPC Parks Department, the County's Recreation Department and MCPS should be consolidated within one agency. With some exceptions, Parks Dept. does reasonable job of managing park grounds and natural areas. Efficiencies and improvements are needed in all areas of programs and services.

Public Finance: Marvin Weinman reported that bill to reform the county employees' disability retirement system is stalled and being bounced back and forth between the Executive and the Council. A \$38 million dollar bill would cover all county employees with disability retirement. Fire Fighters are still negotiating over their "give backs" to lessen the budget deficit.

Environment: Peggy Dennis introduced an emergency resolution: "That the MCCF support

HB 1210, the “Chesapeake Bay Restoration Consumer Retail Choice Act of 2009” as introduced by Delegate Al Carr”. Bill will require retailers to charge 5 cents for each carryout bag offered to shoppers. Proceeds will be divided between the merchants and the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund. Discussion followed focusing on desirability of encouraging shoppers to provide their own reusable bags or reuse disposable bags rather than routinely taking unneeded bags, the environmental benefits of having fewer carryout bags carelessly discarded, and the benefit of providing a dedicated source of revenue for cleaning up the Chesapeake Bay. Charge will not constitute a tax because it will be voluntary and paid only if shopper wants a bag. Resolution passed: Yeas - 14; Neas - 8; Abstentions - 1.

There being no old or new business, the meeting adjourned at 9:54 p.m.

Minutes of the March 18 Executive Committee Meeting **By William Schrader, Acting Recording Secretary**

Attendees: Arnie Gordon, Peggy Dennis, Jim Humphrey, Bill Schrader, Marvin Weinstein, Dan Wilhelm, Charles Wolff and Richard Zierdt

Call to Order: Mr. Gordon called the meeting to order at 7:50 p.m.

Minutes of the February 18 ExComm meeting as published in the March newsletter were approved unanimously.

Treasurer’s Report: Mr. Schrader presented the Treasurer’s Report, identical to that presented at the March 9 regular meeting. The current account balance is \$10,777.45.

President’s Report: Mr. Gordon noted that the March 7 seminar on Special Exceptions was very successful, drawing 21 attendees, and that the next Saturday Seminar will address 501C3 and 501C4 civic associations tax-exempt status, legal liabilities of association officers, liability insurance, etc. He also reported that he had written a letter to the chairman of the Maryland House Environmental

Matters Committee expressing MCCF support of House Bill 1210.

Dan Wilhelm was asked to send out special reminders to all members about the change in date for April’s regular meeting.

After discussion Mr. Gordon agreed to add an item to the regular meeting agendas entitled “Issues of Community Concern” wherein members can voice problems they are experiencing in their communities.

Committee Reports

Nominating Committee: Mr. Wilhelm discussed results of the Committee’s efforts to identify candidates for officer and committee positions. Historically, vacancies often exist in District VP positions, some for consecutive years. Speaking for the Committee, Mr. Wilhelm recommended modifying the officer structure to provide for a President, Vice President, Secretary, Treasurer, and up to five Directors to be assigned various as needed. The position of the Second Vice President was not mentioned, but if it is eliminated the membership recruitment function will suffer and the normal “training period” for new presidents will be significantly reduced. As a willing candidate for Recording Secretary has not been identified, Mr. Wilhelm recommended that Executive Committee members be assigned this function on a rotational basis. A vote on the recommendation was not taken, but off-hand comments of those present seemed favorable. Mr. Gordon noted that if the modification is approved, he is willing to serve as a director position and as Chairman of the Transportation Committee. Mr. Wilhelm also recommended Bob Bartol, Greater Colesville Civic Association, for Chairman of the Public Safety Committee (currently vacant); Mr. Bartol has already agreed to work on that committee.

Programs: Ms. Dennis reported that the April program (rescheduled to April 6 because of conflict with budget hearings on April 13) organized by Marvin Weinman will address the FY 2010 County budget. She will organize the May 11 program on water issues: stormwater permits and impacts, rivers and Chesapeake Bay. Mr. Humphrey is arranging a program on County’s Growth Policy for the June 8 meeting.

Planning and Land Use Committee: Mr. Humphrey submitted testimony for March 3 County Council hearing on proposed one year deferral of impact taxes and permit fees. Developers oppose a requirement that liens be placed on the properties until the permits, taxes and fees are paid. He also reported that a committee member attended a meeting with Carla Reid, Rick Nelson and Tom Street on the subject of housing code violations. On March 26 he will be testifying at the Planning Board on Gaithersburg West Master Plan, and on the 31st to Council on Councilmember Knapp's Historic Preservation Law Amendments.

Awards committee: Ms. Dennis reported that the following are recommended to receive the MCCF awards at the May 15 Awards Banquet:

- Star Cup -- Luella Mast
- Gazette Award -- Parents Coalition
- Sentinel Award -- Stormwater Partners

The recommendations were approved with Wayne Goldstein to coordinate with the Parents Coalition and Jim Humphrey with Stormwater Partners.

Public Finance Committee: Mr. Weinman reported that the following have confirmed their participation as panelists in the April 6 Delegates Meeting program on the FY 2010 Budget Overview:

- Councilman Duchy Tractenberg, Chairman of the Management and Fiscal Policy Committee
- Jennifer Barrett, Director of the Finance Department
- Joseph Beach, Director of the Office of Management and Budget
- Dr. Marshall Spatz, Montgomery County Public Schools

He distributed and discussed a comprehensive list of potential issues to be addressed by the panelists. Following discussion it was generally agreed that the list was too comprehensive for the 60-75 minutes available for the program and must be substantially reduced, preferably to issues of interest to citizens and likely to generate tough questions, e.g., an open and informative and fiscally responsible government, operating within

approved reasonable budgets, proper infrastructure maintenance, control of development, strict adherence to approved plans, etc.

Public Utilities: Mr. Gordon reported that there is a new executive at the Washington Suburban Sanitary Commission and suggested that one or two MCCF officers meet with him at his office to discuss issues of concern and invite him to present a program at an MCCF meeting in the 2009-2010 year, after he has been in his new job for a few months.

Environment Committee: In the absence of the committee chair, Mr. Humphrey reported that the Court of Special Appeals overturned a Circuit Court decision, and upheld enforcement of the covenants on the former campus of the Maryland College of Art and Design. The Executive Committee agreed that Mr. Gordon will write a letter to Planning Board Chairman Royce Hanson stating MCCF support for creating a park on the former MCAD campus near Wheaton, rather than allowing the building of townhouses on that site.

Public Safety Committee: Mr. Gordon will send a letter to the County Council expressing opposition to the proposed abolition of the Fire and Rescue Commission. This matter will also be raised at the April regular meeting for a ratifying vote by the delegates.

Adjournment was voted at 9:55 p.m.

Reserve Your Tickets for the Montgomery County Civic Federation's

2009 ANNUAL AWARDS BANQUET

Friday, May 15

Cocktail Reception 6:00 to 7:00 p.m.

Banquet Dinner & Awards 7:00 to 9:30 p.m.

\$30 per person or \$50 per couple if reserved by Wednesday, May 13

\$35 per person or \$60 per couple after May 13 or at the door

\$10 per person for reception only, 6:00 to 7:00 p.m.

“Tabitha Table” available for small children who order (and pay) a la carte

Price includes wine and sodas at the reception. Cash bar available for beer & mixed drinks

Dinner Menu: Dumpling Appetizer, Soy Sauce Chicken, Beef Chow Foon, Chinese Broccoli with Oyster Sauce, Fried Tofu with Vegetables, Twice-cooked Pork, Singapore Noodles, Boiled Rice, Cantonese-style Steamed Fish, Orange Wedges

New Fortune Restaurant

16515 S. Frederick Avenue, Gaithersburg

Directions: New Fortune is in the Walnut Hill Shopping Center on Route 355, one block west of Shady Grove Road, on the northern side of Route 355.

Please cut off and fill in this stub. Mail with a check payable to the **Montgomery County Civic Federation** to:
Mr. William Schrader, MCCF Treasurer, 12824 Middlevale Lane, Silver Spring, MD 20906

I/We will attend the banquet _____
(Please print name(s) as you wish them to be on your name badge at the banquet)

Association or Organization (if applicable) _____

Contact information _____
(Telephone) (Email)

You may reserve a table for ten. Please list those sitting at your table if you wish to do this.

Federation Meeting

Monday, April 6, 2009
7:45 1st Floor Auditorium
County Council Office Building.
100 Maryland Avenue
Rockville, MD

Agenda:

7:45 Call to Order
7:46 Introductions and Announcements
7:50 Adoption of Meeting Agenda
7:55 Treasurer's Report
7:58 Approval of March 9 Minutes
8:00 Program on County's FY 2010 Budget
9:20 Committee Reports
9:45 Old Business
9:55 New Business
10:00 Adjournment

The **Montgomery County Civic Federation** is a county-wide nonprofit educational and advocacy organization. It was founded in 1925 to serve the public interest. Its monthly Federation meetings are open to the public and are held on the second Monday of each month September through June at 7:45 p.m. in the First Floor Auditorium, County Office Building, Rockville, MD.

The **Civic Federation News** is published monthly. It is mailed to Delegates; associate members; news media, and local, state, and federal officials. Permission is granted to reprint any article provided proper credit is given to the "**Civic Federation News of the Montgomery County Civic Federation.**"

Submit contributions for the next issue by: **Midnight, Saturday, April 25**. Prepare submission as an MS Word, Word Perfect or text-only document, **attach** it to an e-mail, and send it to:

hotyakker@comcast.net

Please send all **address corrections** to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or djwilhelm@verizon.net.

NEXT EXECUTIVE COMMITTEE MEETING

Wednesday, April 22, 7:45 p.m.

Venue

To be Announced



**Official Publication of the
Montgomery County Civic Federation**

Dan Wilhelm, Database Manager

904 Cannon Road

Silver Spring, MD 200904

DJWILHELM@VERIZON.NET

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