



Civic Federation News

April 2013

Serving the Public Interest since 1925

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Montgomery County Civic
Federation

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April Program: Countywide Transit Corridors Functional Master Plan

By Dan Wilhelm, Transportation Chairman

Our program on Monday, April 8 will be on the staff draft of the "Countywide Transit Corridors Functional Master Plan". Larry Cole, the lead planner for this master plan, will be making the presentation.

The staff draft was presented to the Planning Board on March 18 with a recommendation that a public hearing be set for May 2. The Board directed that more rationale for the recommendations be added to the plan. The material is being added and the revised staff draft will be presented to the Planning Board again. I expect the hearing date will be set at that time and my guess is that it will be set for the middle of May.

The draft master plan recommends ten corridors for bus rapid transit (BRT), not counting the Corridor City Transitway (CCT) and the Purple Line. The Veirs Mill and Georgia Ave North corridors, which are two of the corridors, are already included in area master plans and study efforts were started on them by the state and county last summer. The draft master plan recommends two phases: the first is to support what is in existing master plans; the second should reflect what could be considered in future master plans. The White Oak Gateway Master Plan is the first area master plan that would fall into the second phase. Its tentative schedule calls for a public hearing on the staff draft on May 23. Three of the

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Reserve Your Tickets Now (form on p 11) for the Montgomery County Civic Federation's 2013 ANNUAL AWARDS BANQUET Friday, May 3, 2013

Honoring

THE WAYNE GOLDSTEIN AWARD - awarded to an individual or group for outstanding public service to the people of Montgomery County:

Steven J. Kanstoroom

THE SENTINEL AWARD – awarded to an individual or group who makes a significant contribution to good government at the local level:

Montgomery County Taxpayers League

THE STAR CUP – awarded to the MCCF delegate or committee for outstanding public service to Montgomery County:

Virginia Sheard

Community Heroes: Safe Healthy Playing Fields Coalition

By Peggy Dennis, Civic Federation News Editor

In May, 2012 the Civic Federation held a program by Dr. Kathleen Michels, Amy Stephan and Bailey Condrey on artificial turf (AT) playing fields. We learned from Bailey, an enthusiastic adult soccer player, that many players dislike playing on AT fields because, although these fields are reliably green in color and never muddy no matter how much rain has fallen, players routinely experience more injuries and more severe complaints than when they play on natural turf fields. Of far greater concern, we learned about the invisible problems: medical problems directly caused by the excessive heat on AT fields;

long term health risks associated with the toxic gases, particulates and nano-particles coming from the pulverized used tires ("crumb rubber" used as infill between the strands of plastic carpet), all of which are concentrated in the breathing zone of players and spectators; stormwater runoff carrying

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these toxic particulates into our streams and ultimately into the Potomac and the Chesapeake Bay where they will poison fish and aquatic life.

Following our program, the MCCF passed a resolution opposing the construction of additional AT fields because of the “known and yet to be identified long-term negative environmental and public health impacts.” Building on this resolution, the MCCF has been working with our original three program presenters in what has grown in numbers and has become the “Safe Healthy Playing Fields Coalition”. We have lobbied (unsuccessfully) to defeat approval of the conversion of the main playing field at Wooten High School from natural to AT. We have worked closely with Delegate Aruna Miller who authored HB 1262 which would have required public health warning at the entrances to AT fields warning users of the heat and health risks associated with AT fields. Bill HB 1262 was withdrawn when it became clear that it lacked sufficient support. We hope to work with Delegate Miller before the 2014 session to craft an even better bill and build support for it before the 2014 session begins. We have also worked with State Delegate Jeff Waldstreicher on Bill HB 896 and its companion bill, SB 877 sponsored by Senator Roger Manno to proscribe the use of Program Open Space funds for constructing AT fields. At this time, both bills are still in play and we should know their outcome on April 8 which also happens to be *sine die*, the end of the state legislative session. Each bill has been fought hard by lobbyists and public relations professionals for the AT industry generally and for FieldTurf/Tarkett which has a virtual monopoly on AT projects in Maryland.

It has been a pleasure for me to work with Kathy, Bailey, Amy, Gail Dalferes Condrey, Diana Conway, Carol Van Dam Falk and many others as this issue gains greater exposure. We believe that, like DDT, smoking and drunk driving, this issue may take a while to get the attention and the backing of the public. But it definitely has legs. AT fields have a high potential to adversely affect the health and safety of the athletes and spectators who use the fields, the air and streams of the communities around them, and the fiscal health of the public sector which so often funds their construction. Please help us honor the hard work and dedication of the individuals who make up the Safe Healthy Playing Fields Coalition.

April Program

(continued from p 1)

ten corridors are in that plan. Essentially, these two master plans will be worked concurrently, which I think will result in both plans being better.

Let me provide some history to set the context for the transit plan and to address some of the points made last month by Carole Ann Barth. Last month Carole raised the question in the president’s message of whether BRT is where we should be investing our transportation dollars. She said “I’m wondering if other existing (or emerging) technologies for providing transit and/or reducing congestion hold more promise.” She speculated about congestion reduction techniques such as adaptive signal control technology, driverless cars, and transportation demand management systems. She stated that none of these alternatives were explored by the Transit Task Force (TTF) and that they only considered BRT versus building highways or doing nothing.

The TTF was charged by the County Executive to develop a plan for the implementation of a comprehensive and effective transit system. We didn’t compare BRT with building highways or look at other congestion reduction techniques. The study on those subjects was completed in 2002 and was known as Transportation Policy Report (TPR). It looked extensively at road options, CCT, Purple Line and a number of other light-rail alternatives. It also looked at transportation demand management systems which includes good signal coordination. The study showed that even if \$12B was spent in 2002 for about 110 projects, congestion would be substantially worse by 2030 – congestion lasting some 14-15 hours each workday and even extending into the weekend. (The \$12B in 2002 could very well exceed \$24B now). The idea of BRT was introduced in the TPR report as one way that should be considered to address congestion since no other alternative existed.

Let’s look at the problem of congestion. Some possible alternatives for addressing congestion are: provide more roads or lanes; improve the operating efficiency of our existing roads; provide transit service, and substantially reduce the amount that people travel by means other than walking. As demonstrated in 2002, more roads are not the answer, even if we had space to put them, which we don’t. There is only so much that can be done to improve road efficiency. Demand Management

helps a little. Providing grade separated interchanges at congested intersections provides a good improvement, but it only improves traffic flow at those few intersections where the change is made and there is no improvement elsewhere. It is not practical to think people will substantially reduce their travel. It is also not realistic to think large numbers of additional people will walk or take a bike. That leaves transit. Heavy and light rail are good alternatives but they are too expensive for more than a few lines. The cost of Metrorail is in the ballpark of \$250M per mile, and light rail in the ballpark of \$75M per mile. BRT cost is in the ballpark of \$17M per mile. (The ballpark BRT cost developed by the TTF was about \$12M per mile and that includes the vehicles, which each cost about \$1.2M.) The TTF decided against the use of the term BRT but rather opted for the term Rapid Transit System (RTS). The RTS would provide service quality equivalent to Metrorail which is much better than people have experienced with buses. I also think that the BRT/RTS will reduce the need for a number of the road projects, and therefore be a more cost effective approach.

From 1999-2003 MCCF looked at transportation alternatives. We had two members of the TPR Task Force, and I was one of them. During the last year of the TPR, about 20 people from multiple county organizations were meeting four days per week. After the TPR report was issued, MCCF had a number of all-day sessions on Saturday and a number of membership meetings were devoted to the subject. I estimate that MCCF members spend about 40 hours in meetings spread over a year. The membership supported nearly all the projects but did oppose 5 of them (ICC being at the top of the list). We also prioritized the projects by category with transit being at the top of the list and new roads at the bottom of the list. Other than supporting Metrorail, CCT and Purple Line, we supported what the draft transit master plan is now calling BRT. The TPR identified a number of corridors in an illustrative network and those matched closely the corridors proposed in the TTF report. MCCF membership supported the BRT concept. The transit master plan brings 10 of the TTF corridors forward at this time.

As with any draft master plan, the one for transit will have a public hearing before the Planning Board. The Board will make its decisions and provide a revised draft to the Council. The Council will hold hearings

and make its decision, which will be reflected in the approved master plan. After that, detailed studies will be undertaken to determine how to build each corridor contained in the master plan. The decisions from that process could be similar to what finally ends up in the master plan or could be substantially different. There are a number of other studies required relative to implementation. One such study that is just getting started is how to integrate local Ride On and Metrobus with BRT/RTS, the Purple Line and CCT. The TTF report envisioned changing the local buses so that they better collect and distribute people from residential, commercial, business, and activity centers to the RTS and Metrorail lines. Such a change is expected to substantially increase transit ridership.

The point of this message is that the transit master plan is but one step in a long process. There will be opportunities for public comment during each step of the process. The next opportunity for public comment will be in May before the Planning Board and Council in the fall. The presentation on April 8 will help you understand what is being proposed.

How Much Development Is Enough? Lessons from the Left Coast

By Carole Ann Barth, President

In recent years, planners, politicians, developers, and bloggers have been singing a sad refrain about MoCo. It goes something like this: "We'll never get the jobs and tax revenues we need until MoCo communities are forcibly transformed from old-fashioned suburbs into shiny, hip, ultra-dense urban enclaves modeled after the world's great cities." Imagine my surprise, while vacationing recently in one of the world's great walkable, transit-rich cities (San Francisco), when I heard the same refrain.

Tourism is a major industry in San Francisco, with 16 million visitors generating \$8.5 billion annually. Diverse neighborhoods, each with unique architecture, culture, and street life are in large part responsible for this allure. Houses, apartments, businesses, restaurants, and cafes are all densely packed within these neighborhoods.

Even with such density, however, the city retains a human scale - another big part of its attraction. Telegraph Hill, North Beach, Chinatown, Downtown, and Fisherman's Wharf are all within walking distance of each other. Transit options abound,

including BART (the subway), frequent buses (both gas-powered and electric), cable cars, and even street cars that have been recycled from cities all around the country. (I especially enjoyed the opportunity to ride one of the old DC trolleys.)

In short, San Francisco epitomizes the urban vision planners and developers everywhere say they are trying to achieve. And yet, planners and developers are busily trying to replace those unique neighborhoods with cookie-cutter mixed-use complexes and a new subway which, while it serves no transit need, (and doesn't even connect to BART) would be used to justify even greater densities. As one neighborhood activist put it, "If uncontested, the threats . . . will repeat - diminishing diversity, affordability, and the City's poetic composition of variety, scale, and character."

So how is San Francisco's experience relevant for us in MoCo? I think it teaches us three things:

- (1) No matter how much density is achieved, and no matter how much unmet development capacity exists in current zoning, it'll never be enough for the growth-mongers. Even if MoCo *could* become another Manhattan or San Francisco (which is highly doubtful, given our limited water resources) the pressure to develop would not lessen.
- (2) The short-sighted pursuit of development profit has the potential to "kill the goose that laid the golden eggs". In San Francisco's case, homogenizing the city's character would diminish its appeal as a tourist destination. In MoCo's case, de-stabilizing communities would diminish the quality of life that attracted residents to the county in the first place.
- (3) Neighborhood activism and citizen involvement in land-use battles play a vital role in shaping and preserving "the sense of place". Without the vigilance and commitment of citizens who fought against demolition, relocation, and transportation boondoggles, San Francisco would have lost its Victorian houses, Chinatown, the cable cars, and Telegraph Hill. It's a good reminder that when we stick up for our communities, we are really fighting for the future of our County.

Planning Board Continues Work on New Zoning Code

by Jim Humphrey, Planning & Land Use Chair

The Planning Board continues to work on the Zoning Code Revision Project, which is modernizing and updating the county's zoning ordinance. The Board held final worksessions in February to consider definitions, parking, and other outstanding issues. On March 13 the Revised Preliminary Planning Board Draft Zoning Code was publicly released.

The Board is now undertaking an implementation review to evaluate and make recommendations on how best to apply zone changes, following County Council approval of the new zoning code. This review will occur weekly at the Board with a goal of transmitting both the draft revised code and implementation recommendations to the Council in May.

If the Board keeps to its proposed schedule then the Council could hold its public hearing as early as the week of June 10, with committee sessions planned to take place over a minimum six week period. Full Council worksessions are set to take place after the August recess, with the goal of Council approving the new code and accompanying implementation legislation by the end of the year.

The Council Planning, Housing and Economic Development Committee (PHED) has scheduled an update on the Zoning Code Rewrite Project for April 5 at 9:30 a.m. This session will be televised live on County Cable Montgomery.

The latest Planning Board draft of the new zoning code is available via the internet at www.zoningmontgomery.org (note--existing Overlay Zones are contained in new Article 59-4. Euclidian zoning). This webpage also contains a link to an interactive zoning map tool allowing users to enter any county address and view a map with the current and proposed zoning for that property, although users have discovered many mistakes.

Why you should care: I cannot overstate the importance of county property owners and residents paying attention to work of the Zoning Code Rewrite Project. It will change zone names, and many of the current standards, for virtually every property in the county.

Alternative Transportation Tips

From Peggy Dennis, Immediate Past President

If you're fed up with time spent commuting to work in your car, and you wish you had more time for daily exercise and recreation, try doing what my husband and I did for years. We drove in with our bikes on the bike rack, parked on a non-restricted residential street and biked the final 5 miles of the trip. We saved on gas and parking, spent little more time than if we had driven all the way, and arrived at work charged up and invigorated. If you're hesitant about trying this, consider joining other tentative cyclists and old hands at "Bike to Work Day". From the Washington Area Bicyclist Association (WABA) website, I pass on the following information:

Bike to Work Day. On Friday May 17, 2013 Commuter Connections and the Washington Area Bicyclist Association invites you to join over 10,000 area commuters for a celebration of bicycling as a clean, fun and healthy way to get to work. Attend one of 70 pit stops throughout D.C., Maryland, and Virginia to receive a free T-shirt, refreshments, and be entered into a raffle for a free bicycle! More complete information is at <http://www.biketoworkmetrodc.org/>.

Adult Bicycle Education: Do you need help in building bike skills and self-confidence? WABA offers frequent education programs that encourage more cyclists to ride to work by hosting Learn to Ride and Confident City Cycling series of on-bike classes on most weekends from late March through November. Complete information is at <http://www.waba.org/education/adult.php>.

The next Confident City Cycling course in Montgomery County will be in Bethesda on Sunday, May 5, 10am – 1pm meeting at the Bethesda-Chevy Chase Rescue Squad, 5020 Battery Lane, Bethesda, MD 20814. For detailed information and registration for this class, go to: https://salsa.democracyinaction.org/o/451/p/salsa/event/common/public/?event_KEY=79367

Bicycle Safety Tips (Compliments of the AAA website):

- Help drivers to see you. Wear light or brightly colored clothing. Make sure your bike is equipped with reflectors.
- Ride on the right side of the road, with the flow of traffic.
- When riding in a group, form a single line on the right-hand side of the roadway. Be sure to leave plenty of room between you and the bike in front of you, in case you need to stop suddenly.
- Don't take chances, and don't wear headphones. Watch and listen to what is going on around you. Safe bicycle riding requires your full attention.
- When available, bicyclists should use designated bike paths.
- Bicyclists should always be on the watch for turning and parked motor vehicles.
- Bicyclists should be encouraged to clearly communicate their intentions to motorists by using proper turn signals.

If you must stay in your car, remember the following tips from the AAA:

Sharing the Road - How We All Can Make a Difference

Each year, there are more than a half-million collisions between motor vehicles and bicycles in the United States. Many of these incidents are the result of the motorist failing to properly yield to bicyclists. The following safety tips can make a difference:

- Be patient. Remember, cyclists are moving under their own power and can't be expected to go the same speed as cars.
- Motorists need to increase their awareness of bicyclists when making turns and remember to look for bicyclists when traveling in a straight line.
- Check for bicyclists along the edge of the traffic lane before opening car doors so you do not cause a collision when exiting your vehicle.
- Allow for at least three feet of passing space between your car and the cyclist. This is state law in Maryland. Tailgating or honking can startle or fluster a bicyclist, causing them to swerve further into the driving lane.

- Pay special attention to blind spots. Due to their size and the location of bike lanes, bikes can often get lost in a car's blind spot, so double check before changing lanes, making right-hand turns or before opening your car door on the traffic side when parked.
- Be attentive on side streets and neighborhoods. Children are especially at risk in residential areas. Follow the speed limit, avoid driver distraction and always be aware of your surroundings. It is particularly important to be cautious when backing out of a driveway and onto the street.
- Use good common sense. For example, in inclement weather, give cyclists extra room.

An Update on State Legislation

by Dan Wilhelm Legislative Chair

The state legislature is down to two weeks remaining in the session (until April 8). Of the bills MCCF took positions on, the ones with an unfavorable vote (in committee) or passed by one chamber are as follows:

Supported HB29/SB46 to Prohibit the Public Service Commission from authorizing an electric company to adjust the electric company's rates or impose any for company's failure to make investments in reliability. House vote was unfavorable.

Opposed HB165/SB807 that would require a school resource officer in each public elementary and secondary school as an unwise use of funds and taking police away from addressing crime. House vote was unfavorable.

Supported HB146/SB174 that would make public charter schools eligible to receive State funds for school construction. All public schools should be considered when decisions are made on where to spend state funds. House vote was unfavorable.

A number of bills are related to registration and voting at polling places. **Supported HB224/SB279**, the Governor's plan, for early voting. Passed in House; with Senate.

Opposed HB49, HB729/SB367 which would require petition signer information be kept confidential. The process needs to be open so public can verify it is being run fairly. House vote was unfavorable

Supported bills HB1269/SB240 and HB2333 to study the redistricting process. Many of us think the congressional districts approved last year are an abomination in that they are not compact and don't group people from the same geographic area together. Senate vote was unfavorable

Supported HB103/SB245 that would require design documents for the construction or renovation of school buildings to include information relating to the use of solar technology. Supported as a means of increasing energy efficiency and reducing pollution. Passed in House; now in the Senate.

Supported HB337/SB514, HB341/SB413 HB1274 and SB513 dealing with prohibiting hydraulic fracturing. This bill will protect the environment and safeguard ground water from being contaminated. House vote was unfavorable. See Washington Post editorial of 3-24 where Environmentalist and industry groups have come to an agreement on fracturing.

A number of bills dealing with open meetings. **Supported SB230** that would expand the list of education-related meetings. Passed in Senate; with House

Supported HB331 that covered violations and penalty . Passed in House; now in the Senate.

Supported H484 since it authorized the Attorney General to enforce the law in this area. Open meetings are critical to effective operation of our society. House vote was unfavorable

Supported HB160 that changed from "where allowed" to "unless prohibited" a person may ride a bicycle, play vehicle, or unicycle on a sidewalk. Sidewalks are the preferred place where young children should be allowed to ride the bikes. House vote was unfavorable

There were a number of bills following the shooting in Sandy Hook Elementary and other places. The MCCF membership voted to **support the Governor's bills – HB294/SB281** and its eight parts (see minutes). Passed in Senate; with House

Supported HB107/SB539 requiring maximum ammunition capacity of 10 rounds (we asked why it couldn't match the New York law of 7 rounds). Senate vote was unfavorable

Supported HB575/SB228 removing the 1-year statute of limitations for use of a firearm in the

commission of a crime of violence or felony. Passed in Senate; with House

Opposed HB394 and HB436 that would allow people other than the police to carry weapons on school property. We think that is more dangerous than not having them on the property at all. House vote was unfavorable.

Supported HB292 to retain the statewide DNA data base. Passed in House; with Senate

Supported HB31/SB377 that would alter the definition of “person in a position of authority” as it relates to fourth-degree sex offense. It extends those covered to include part-time employees and contractors. We think everyone in a school must be covered by the law. House vote was unfavorable.

Supported HB1230/SB490 that increased the number of relationships that a domestic violence restraining order can cover. Domestic violence is a problem for many women and this would be one small step to addressing this problem. Passed in Senate; now in the House

Supported HB1136/SB523 to allow legal notice requirements to be posted on the web rather than in a newspaper. This is more cost effective and it reflects the way most people search for information today. Senate vote was unfavorable

Supported HB574 to establish a state level office of inspector general. The inspector general investigates waste, fraud and abuse of an organization (in this case the state gov’t). Such an office is an effective way to identify and have such problems addressed. House vote was unfavorable.

Opposed HB223 to increase the speed limit on the ICC to 70 mph. The state has already announced it will increase it to 60 mph. The state DOT has said the ICC is not designed to safely have the posted speed at 70 mph. (Most people drive over the speed limit.) We feel that safety engineers should be setting the speed limit, not elected officials. House vote was unfavorable.

We **supported** the idea of placing a constitutional lock-box on the state Transportation Trust Fund (TTF) so the funds can only be used for transportation except in an emergency. New bills **HB1515/SB1054** were introduced that included funding. The bill included the lock –box provision but as law not a constitutional amendment. Passed House, now in the Senate.

Supported SB205 that allows a motorist whom the police are attempting to pull over from an unmarked vehicle to precede directly to a police station or other lighted public location before stopping. This provides the public protection against someone impersonating a police officer. Passed in Senate; now in the House

Open Government and the Maryland Open Meetings Act

By Peggy Dennis, Immediate Past President

We like to think that our government – particularly our county government which has the greatest impact on our daily lives – is there for us. It’s supposed to be government of the people, by the people and for the people. But sometimes our relationship to “the government” evolves into a murky, painful and frustrating relationship. Sometimes the government behaves in a secretive manner, working out deals behind closed doors that benefit one party or another over and above the public interest. To restrict this kind of chicanery, the State legislature passed the Open Meetings Act (OMA). Most of us know nothing about this law, but we should be informed because it’s an important guarantor of openness and transparency.

To learn about this law, I went to the website of the Office of the Attorney General: <http://www.oag.state.md.us/Opengov/Openmeetings/Overview.pdf> . I quote from the preface because it is written in clear English and easy to understand.

“When the bill that later evolved into Maryland’s 1977 “Sunshine Law” was endorsed by the House and Senate committees, they wrote of the need to find the “proper balance between ... two imperatives”: “securing the public’s right to know public business,” and yet preserving the “confidentiality [that] is indispensable to the efficient, effective and fair conduct of government.”

The 1977 Open Meetings Act tried to find that necessary balance. It represented a major advance over prior law, which essentially left the matter up to the agencies and therefore encouraged closed-door government. Then, in 1991, the Legislature returned to the issue and shifted the balance more clearly in favor of the public’s right to know, including an advisory process, through the Open Meetings Compliance Board, as an alternative to litigation. Since that time, the Legislature has

periodically amended the Act largely in the interest of increased government transparency. “

Citizens may take what they perceive to be violations of the OMA to the State Open Meetings Compliance Board. For example, the Board found that the Montgomery County Board of Education had repeatedly violated the OMA when meeting in closed sessions to discuss the lease of the Brickyard Road school site. That finding weighed heavily in the public deliberation of Circuit Court Judge Greenberg on February 8. Judge Greenberg stressed that government, to be trusted by the governed, must be open and transparent. The case he was hearing was ultimately dismissed when the County Executive turned the lease back over to the Board of Education and the case became moot.

What is not moot is the fact that under the existing law public entities seem to violate the OMA with impunity. Although current law allows for a small financial penalty, fines are rarely imposed. So “public entities” like the Board of Education continue to ignore the law, and we, the citizens grow increasingly cynical and distrustful of our government.

A bill pending in Annapolis, HB 331 “Open Meetings Act - Violations and Penalties” authored by Delegate Dan Morheim of Baltimore County would change this. Among other things, the bill would increase the civil penalty “for meeting in violation of the Act from up to \$100 to (1) up to \$250 for the first violation and (2) up to \$1,000 for each subsequent violation occurring within three years after the first violation.”

The Montgomery County Civic Federation voted to support HB 331. The bill is co-sponsored by Montgomery County Delegates Kumar Barve, Heather Mizeur, Bonnie Cullison, Ariana Kelly and Kirill Reznik. We thank them for their support. The bill was passed by 125 yeas to 10 nays in the House of Delegates but it appears that it will die in the Senate where it has received an “unfavorable” report from the Education, Health and Environmental Affairs Committee. We should all be contacting our state senators and urging them to support this bill. It’s a step in the right direction.

But it is only the next step; not the last. One problem will still remain. “When determining the amount of a fine, the court must consider the financial resources of the public body.” Moreover, if the “public body” which violated the OMA must pay a fine, then we, the taxpayers, are paying the

fine. The individuals who make up the public body will still be unaccountable for the violation that they caused. Until the individuals serving on the board or department are individually accountable and penalized for transgressions of the law, there may be little incentive for the “public bodies” to discipline themselves and insure that the “public bodies” they constitute remain as open and transparent as a democracy demands.

Minutes of the March 11 Meeting

By Sue Schumacher, Secretary

Call to Order: President Carole Ann Barth called the meeting to order at 7:45 pm. Introductions followed.

Agenda: The agenda was amended to add 2 emergency resolutions: one addressing SB 1055 on Maintenance of Effort for almost all parts of the county’s budget, and the second on SB 631/HB 815 on the Hotel Tax on the Lockheed Martin Training Facility. The amended agenda was approved.

Announcements: President Carole Barth announced that both the Nominating Committee and the Awards Banquet Committee need volunteers. It was announced that Arnie Gordon was named Olney Citizen of the Year for 2012. Paula Bienenfeld announced that this week was “Sunshine Week”.

Minutes: It was moved and seconded to approve the minutes of the February 11 meeting as they appeared in the Newsletter. The minutes were approved.

Treasurer’s Report: Bill Schrader reported that there are 2 new individual members, one of whom was a previous member who had re-upped after a several year absence. There are currently 52 local associations, 3 umbrella associations, 2 county-wide associations, and 9 individual members.

Community Hero: Carole Ann introduced the South Four Corners Civic Association and Harriet Quinn, from the Woodmore area. The SFCCA had successfully fought a developer who wanted to put in a daycare center for 150 children in a place where the Master Plan clearly discouraged this use. It was a 5 year fight, but both the citizens of SFCCA and the Master Plan won out.

Program: Charles Lapinski, Chair of the Public Finance Committee, introduced the presenters for the discussion on the Montgomery County Operating Budget for FY 2014. Jennifer Hughes,

Director of the County's Office of Management and Budget spoke first. She explained how the mortgage that the county pays is actually the debt service on the bonds the county issues for construction. The debt service is the third highest county expense after public schools and public safety. She also stressed that the rating agencies look at the debt service to determine the bond ratings for the county. In addition, she said that the county's income is primarily from property and income taxes. There was then a Q and A on her presentation.

Joe Beach, Finance Director, spoke next. He reported that the county's revenues are getting back to pre-recession figures. He provided an Economic Indicator Dashboard that showed improvements in every category. The next speaker was Steve Farber, Staff Director to the Montgomery County Council. He explained how the Maintenance of Effort for the school system works and that it is State law for all counties, not just Montgomery. MOE means that the county cannot spend less per pupil than it spent the previous year. This year the schools are asking for an addition \$10 million over the MOE requirement. He also spoke about the Energy Tax and that it was set to "sunset" at the end of 2 years. However, it has been integrated into the county budget. The County Executive's budget will be introduced to the Council on Friday, March 15. A spirited question and answer period followed.

Resolutions: Dan Wilhelm introduced a resolution for the MCCF to oppose SB 1055 which would require just about all county services to be put under a Maintenance of Effort requirement. It was seconded by the required number of members (5 or more associations). The vote was 15 yes, 0 no, 2 abstentions.

Jim Zepp introduced a resolution to oppose SB 631/HB 815, which would require Montgomery County to stop charging a hotel tax on room rentals at the Lockheed-Martin Training Facility located in the county and to reimburse Lockheed-Martin the taxes that have been collected over the past 3 years (over \$1 million). The motion was seconded and discussion ensued. A motion to table was introduced, seconded and the motion to table the resolution passed 13 yes, 6 no, 1 abstention.

Committee Reports:

Legislation: Dan Wilhelm asked that members please write letters on the Executive Committee's position on proposed State legislation.

Education: Paula Bienenfeld reported that MC schools are being re-organized.

Public Finance: Chuck Lapinski reminded everyone that the County Executive's budget will be released on Friday, March 15, 2013.

Parks and Recreation: Carol Ann Barth announced that there is a new ball field use policy.

Adjournment: The meeting adjourned at 9:45 pm.

Minutes of March 21 Executive Committee Meeting

by Jim Humphrey, acting Recording Secretary

Meeting called to order at 7:49 p.m. via teleconference, with 1st Vice President Paula Bienenfeld presiding, Peggy Dennis, Dan Wilhelm, Jesse Cantrill, Jim Humphrey, Bill Schrader, Max Bronstein and Sandy Vogelgesang participating.

Approval of minutes of the February ExComm meeting was tabled.

Treasurer's Report: Bill Schrader delivered the report, noting one additional association has joined. He has reserved 1st floor auditorium of Council Building for 2013-14 MCCF monthly meetings for second Monday of each month (September through June); except for the December meeting which will be on December 2nd as another group already reserved the second Monday.

Announcements: Ms. Bienenfeld attended a panel discussion on Freedom of Information Act (FOIA) process, held at the National Press Club--will look into MCCF doing something on freedom of information as related to county Executive Branch and Board of Education to recognize Government in Sunshine Week next year. Jim Humphrey noted the report "Silver Spring Transit Center Structural Analysis of Superstructure" was just released and concludes there were problems with the design, construction, and inspection--there is a link to the report on the MCCF website homepage. Sandy Vogelgesang attended a water quality summit on 3/16 held by County Department of Environmental Protection--should look for similar event being held next year at which we could staff an MCCF information table.

Programs: Dan Wilhelm will coordinate the program for the April meeting on the staff draft of the Countywide Transit Corridors Functional Master

Plan, with transportation planner Larry Cole from Planning Department as speaker. Vote was taken to pursue split program for May on Parks Department Ballfield Study and Urban Parks initiative, with Carole Ann Barth coordinating. Mr. Humphrey will look into program for June on implementation of the proposed new zoning code.

Community Hero: Nomination made and vote taken to honor the Safe, Health Playing Fields Coalition as a Community Hero at the April meeting.

MCCF Annual Awards: Peggy Dennis presented recommendations for 2013 recipients of the Star Cup, Sentinel Award and Wayne Goldstein Award, and a preliminary decision was made pending notification of absent ExComm members. Decision on pricing for the May 3 banquet must be made in time for inclusion in the April newsletter.

Nominating Committee: A preliminary slate of MCCF officers for 2013-14 was discussed, pending notification of President Barth and other absent ExComm members. Ms. Vogelgesang has offered to split duties of Recording Secretary with Sue Schumacher and take minutes of ExComm meetings.

Committee Reports

Planning and Land Use--Mr. Humphrey reported that timetable calls for transmittal to County Council in June of Planning Board's recommended new zoning code and draft legislation to implement the code, and Council public hearing in July with PHED Committee worksessions in the fall.

Transportation--Mr. Wilhelm reported that Planning staff is still working on changes to the Countywide Transit Corridors Functional Master Plan, which will likely delay the Planning Board hearing and worksessions on the plan.

Legislation--Mr. Wilhelm reported that he, President Barth and Peggy Dennis) have sent emails to county delegation and committee chairs in MD General Assembly transmitting MCCF comments for each bill on which we adopted a position.

Education--Ms. Bienenfeld mentioned Office of Legislative Oversight Report "Updating the (student) Achievement Gap in Montgomery County." And the night of this meeting, 3/21, the Board of Education presented its budget, and signed the collective bargaining agreement with the union (MCEA).

Old Business: none.

New Business: none.

Next meeting of ExComm will be Tuesday, April 16 at Dan Wilhelm's home unless otherwise decided..

Newsletter assignments were listed by Ms. Dennis, and meeting adjourned at 9:20 p.m.

Reserve Your Tickets Now For The
Montgomery County Civic Federation's
2013 ANNUAL AWARDS BANQUET

Friday, May 3, 2013

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

Banquet Dinner Buffet 7:00

Awards Presentations 8:15 - 9:30 p.m.

Golden Bull Grand Cafe

7 Dalamar Street, Gaithersburg 20877

\$40 per person includes wine reception (beer, soda & cocktails at cash bar) and dinner. Reservations and **payment must be received by Friday, April 26**

\$10 for wine reception only 6:00 to 7:00 p.m.

Directions: Restaurant is in the center of Gaithersburg. From Route 355/Frederick Avenue, heading north, turn left onto Dalamar. Restaurant has plenty of free parking.

Questions? Call Peggy Dennis: 301-983-9738

Please cut off and fill in this stub. Mail with a **check** payable to the **Montgomery County Civic Federation** to:

Mr. Jesse Cantrill, MCCF Banquet, 5617 McLean Drive, Bethesda 20814

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 (as applicable) _____

Contact information _____

(Telephone)

(Email)

Federation Meeting

Session 846

Monday, April 8, 2013
7:45 1st Floor Auditorium
County Council Office Building.
100 Maryland Avenue
Rockville, MD

Agenda:

7:45 Call to Order & Introductions
7:50 Approval of Agenda
7:51 Announcements
7:53 Approval of Minutes of March 11 meeting
7:54 Treasurer's Report
7:55 Community Heroes: Safe Healthy Playing Fields
Coalition
8:10 Program: Countywide Transit Corridors
Functional Master Plan
9:25 Committee Reports
9:45 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. 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 Council Office Building, 100 Maryland Avenue, Rockville, MD. Free parking in garage accessed from Monroe St. or from Jefferson St. heading east from I-270.

The **Civic Federation News** is published monthly, except in July and August. It is mailed or emailed 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: **Sunday, April 21** . Prepare submission as an MS Word, Word Perfect or text document, **attach** it to an e-mail, and send to **mccfnewsletter@gmail.com**

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

DATE: TUESDAY, APRIL 16, 7:45 P.M.

AT THE HOME OF DAN WILHELM

904 CANNON ROAD, COLESVILLE. 20904



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

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