



CIVIC FEDERATION NEWS

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Serving the Public Interest Since 1925

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www.montgomerycivic.org

April 2001

Storm Water Management Comes at a Cost

—by Cleonice Tavani, President
Montgomery County Taxpayers League

The above title was used in a recent article appearing in local newspapers by County Councilman Isiah Leggett. It will also be the title for the program at our April 9 Delegates Meeting. Ellen Scavia and Boyd Church of the Montgomery County Department of Environmental Protection will present an overview of the issue of how to finance the maintenance of storm water management facilities in Montgomery County.

“Ike” Leggett, who chairs the County Council’s Committee on Transportation and Environment, will take a break from County Council hearings on the Operating Budget (also scheduled for April 9) to participate in this program. Cleo Tavani, president of the Taxpayers League and the Friendship Heights Village Civic Association will serve as moderator. She was a member of the Task Force created jointly by the County Executive and County Council to develop recommendations on this subject. (See article on “Stormwater Management” in the January 2001 Civic Federation News.)

REMINDER!

**Federation Forum on
Commission on the Future
will be held on
SATURDAY, APRIL 7, 9:00 am to 12:30 pm
3rd Floor Hearing Room
County Council Office Building
100 Maryland Ave Rockville**



Samira Hussein was recognized as a community hero at our March meeting for her work for interfaith understanding.

—Photo by Winnifred Klein.

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Delegate Meeting Minutes March 12, 2001

—by Richard Zierdt, Recording Secretary

Meeting called Meeting called to order by Dr. Dean Ahmad, MCCF President, at 7:53 pm. 726th session of the MCCF.

Announcements. Those present introduce themselves.

Agenda. Request for County purchase of Chestnut lodge. 5 seconds. Amended agenda is accepted.

Minutes. Minutes of the February 12, 2001 delegates meeting are clarified to show that the MCCF will support and work for a charter amendment in the November, 2002, general election to reduce the number of signatures needed for a referendum to 10,000 from the current requirement of five percent of registered voters. Amended minutes are accepted as clarified.

Community Hero Award. Samira Hussein. Dean Ahmad. Samira is honored for her work in interfaith and interethnic understanding. Dean presents certificate, then Samira speaks. Several guests are present.

Program. Transportation Policy Review. Stan Schiff, Dan Wilhelm, TPR Commission Members. 38 members on Commission. Active since about June, 2000. Very open process. Works in sub-groups. Focus groups and workshops. Website: www.movemontgomery.org Causes of congestion: development, low unemployment, affluence, personal choices. 16 year olds feeling that a car is their birthright. Removing the dependency on the private automobile. Strategic look at the AGP. Will look at teenagers driving to school. A growing transportation interdependence within the region. Dr. Weast: look at density levels and quality of surrounding schools. Dan Wilhelm. Presents 5 scenarios which are displayed on poster boards. Q&A. Jerry Garson. Advocates more Potomac River crossings. Questions some of the Committee's figures as too low, particularly cross-river traffic. Alyce Ortuzar: What about 110% school capacity? Land use models and economic development. Will there be enough (local) labor to support this? What about modern transportation technology. Dan: Committee is not looking at school capacity. AGP does not take into account school capacity. Stan: relationship between economic development and transportation. Staff and volunteers are too time-constrained already to look at all issues as well as it would like. Cary Lamari: It would be helpful to educate people in using public transportation.

Richard Zierdt: any car advocacy? Stan: yes. AAA, etc. Dick Strombotne: County has cut bus service. Dan: Committee agrees. Lee Shipman: Streetcars have been removed, sometimes to make room for car lanes. Any lightrail considerations? Dan: Yes. Motion to extend discussion fails.

Old Business.

CPC (Chestnut Lodge). Cary Lamari. CPC is going bankrupt. CPC is the largest provider of mental health services in Montgomery County, and the owner of Chestnut Lodge, 20 acres. Pulte would like to build houses on the site. Cary moves that MCCF ask Montgomery County to explore the possibility of purchasing the Chestnut Lodge for public services. 5 seconds. Discussion. Motion passes 11-1-3.

Bylaw change. Article II, membership. Permit member organizations to appoint delegates who are not a president of the member organization. Passes unanimously.

New Business.

Nominating Committee. Dean asks for nominations to chair the committee. Charles Wolfe, Chuck Lapinski are nominated. Seconded. Chuck is voted chair of the committee. Charles Wolfe is nominated as a member, as are Selma Poritzky, George Sauer, Jorge Ribas, Dick Kauffunger, and Stuart Rochester. These six members are elected to the committee as a slate.

Return of Surplus State Revenue. Chuck Lapinski. Surpluses in State income taxes should be returned to the taxpayers. Chuck moves that MCCF support H.B. 477, which would place on the ballot a constitutional amendment to return surpluses to the taxpayers. Seconded. Passes on voice vote with two abstentions. Repeal of the State Inheritance Tax. Chuck Lapinski. Moves that the MCCF support H.B. 90 to repeal the Maryland State Inheritance Tax. Seconded. Passes with one abstention.

School Infrastructure Tax. Stan Schiff asks if a quorum exists. The president determines that the meeting does not. Discussion ensues. Stan moves that the meeting adjourn, and, in the absence of a quorum, president does so.

Meeting adjourns at 9:55 pm.

Respectfully submitted,
Richard Zierdt, MCCF Recording Secretary

Ex-Comm Meeting Minutes March 22, 2001

–by Richard Zierdt, Recording Secretary

Meeting called to order by MCCF president Dean Ahmad at 7:50 pm.

Announcements. CITPAC made an analysis of the new population numbers in the 5 councilmanic districts.

Agenda. Add: Chestnut Lodge, Publishing the CITPAC report, Electoral process. Agenda approved.

Minutes from February ExCom meeting are approved.

No treasurer's report. Dean reports about \$5000 in assets.

Financial Audit Committee. Charles proposes that Bob Jones be named chair of this committee.

Snow Removal bill. Jeanne Goldstein. Snow would have to be removed within 24 hours of a snowstorm. Jean is opposed to this as a health risk. The issue will be placed on the agenda at the April delegates meeting.

Political Campaigning on County Property. Dean sent a letter to the county attorney previously approved by the ExCom. Dean is awaiting a reply.

Sierra Club. Betsy Johnson, MC Sierra Club. Two initiatives: (1) "Parks, not pavement." ICC and Techway are two major roads that have been proposed and would cause significant damage to adjacent streams and wetlands. (2) "Car Free Day" on Thursday, April 19, 2001. Moved that articles on these two ideas be published in the MCCF Newsletter. Seconded. Passes. Dick Kauffunger moves that **the Sierra Club be given 5 minutes at the next delegates meeting.** Seconded. Passes.

Quorum. Richard Zierdt. Quorum requirements more often than not thwart legitimate action on issues, rather than protecting the MCCF from a small minority of MCCF members passing motions without input from a majority. Zierdt proposes reducing the number of MCCF members required to satisfy quorum, and once met, keeping quorum until 10 PM unless extended by a substantial majority. Stan Schiff: Loosening quorum requirements might allow an issue of great importance to be decided by a small number of delegates. Fifa Northrup: Facts (membership count and attendance) would be helpful

here. Dick Strombotne: Could a combination of delegate and member counts be considered as satisfying quorum?

Clarification requested of Tom Degraba's article in the March MCCF newsletter, which Tom felt was harsher than he intended. **OK to print clarification in the April newsletter.**

Someone questioned the term "ethnic cleansing" in the president's message and its perceived implications in the March MCCF newsletter. The ExCom considered options for clarifying the matter and accepted Dr. Ahmad's offer to print a statement in the next newsletter that it was not his intention to offend anyone, and the Civic Federation itself has no position on the issue.

Planning Board Appointment(s). Dean Ahmad. In Mr. Hussman's departure, the MCCF should look at replacement candidates. Dean asks that a committee be formed to review proposed candidates, when they arise.

Community Hero: Victims Rights Foundation, Gregory Wims. Dean Ahmad proposes that **Mr. Wims be recognized as a Community Hero in April.** Jeanne Goldstein questions whether or not an award need be given every month. Passes with one nay.

Permethrin Spraying. Dean received a call from a member Manor Lake association. Reportedly, permethrin will be sprayed by the County. Moved that the MCCF president be directed to forward this issue to Steve Howie, who works in the EPA.

Programs. Storm Water Management. Moved that **30 minutes be allocated to Storm Water Management and County operating budget for the April delegates meeting.** Seconded. Passes. Dick Kauffunger moves that Bill Hussman be the program for May. Seconded. George Sauer moves an amendment that Hussman be invited for June. Seconded. Fails on tie vote. Original motion then passes.

Environment. Charles Pritchard. Matthew Henson trail—whether or not to pave it. Charles testified in opposition to paving at a (contentious) County Council hearing. This is MCCF's position.

Land Use and Planning. Stan Schiff. MCCF Forum will be held on April 7th at 9:30 AM, County Council building, 3rd floor conference room. Will be televised live on County TV. Stan requests \$100 for refreshments expenses. Seconded. Passes.

Legislation. Dick Strombotne. Passes out a fact sheet from the State of Hawaii defining the terms "initiative" and "referendum."

Membership. Jeanne Goldstein. A steady trickle of membership checks have been coming in. Richard Zierdt asks for a membership list.

Chestnut Lodge. Jeanne Goldstein. Bullard family has made the highest bid for the property (20 acres) to date to the bankruptcy court. Recommends that the MCCF urge the County and the State to preserve the programs and facilities at Chestnut Lodge. Cary Lamari recommends that the entire facility be used for institutional purposes. Jeanne moves that the **MCCF president write to the County Council, State delegates, and the governor.** Seconded. Passes.

Citizens PAC. Charles Wolfe distributes a report on demographic changes in the County written by the Citizens PAC. Moved that it be published in the MCCF newsletter. Seconded. Passes. Dick Strombotne: Montgomery County is likely acquire another state delegate.

Electoral changes. Fifa Northrup. Suggests that MCCF ask someone from board of elections to address the MCCF.

Meeting adjourned 10:13 pm. Respectfully Submitted,
Richard Zierdt, MCCF Recording Secretary

Civic Federation Forum on Shaping the County's Future

–by Stan Schiff
Land Use Committee Chair

To the County Council which created it, the Commission on the Future addressed these words: "Make no mistake about it, we will not be able to sustain or enhance our quality of life unless you, the decision-makers, make some very difficult choices. The time for those choices is now."

Clearly the county confronts a daunting array of social, economic and ultimately, political problems, many of which are inseparably related to each other. But the matter of choices is as much within the province of the public as its elected officials. That is what prompted the Civic Federation to sponsor a

forum where those issues might be discussed. The format for the discussion is designed to permit a "trialogue" engaging County Council, Commission members as well as the civic community.

THE COMMISSION'S VIEW OF THE FUTURE

The Commission's 17 county residents, under the Chairmanship of Dr. Robert E. Parilla, recently retired President of Montgomery College, eschewed crystal ball gazing. They did not try to conjure up a vision of the county in some distant future. Instead they focused on the major trends of the past decade or two and framed their advice to the Council "on dealing with today's issues so that they do not become the problems of tomorrow".

Among the more significant trends they identified:

- An aging process at work—people, housing and infrastructure;
- Increasing diversity—ethnic, racial, religious and language—with a major impact on the school system;
- Growth in the economic base not keeping pace with our needs; and
- A failure to implement plans with the facilities needed to support growth.

The report is unabashedly strongly growth-oriented. The rationale for growth—the need for an expanded tax base. And the need for the expanded tax base comes with a familiar justification—to provide the services and amenities "that define our quality of life." A legitimate point of view, but the reasoning is not shared by all. In fact, the report does a bit of retreat from its own thesis. "If we find that we are unable to provide community facilities, we should adjust the pace of growth to a level we can realistically service."

Perhaps the most provocative statement comes in the discussion of transportation. What will it take to solve the "transportation crisis?" the Commission asked. Its answer: courageous leadership on the part of elected officials. And with this answer comes a prescription for courage. "There will always be environmental considerations and citizen opposition; neither can be used as an excuse for inaction." Nor should ideology be allowed to get in the way of action. In sounding the call for decision-making, the Commission stated: " We must have a complete transportation system that offers genuinely functional

and acceptable alternatives to the single-occupancy automobile."

The Commission had neither the time nor the resources to get deeply into transportation matters, and with the formation by the county of a Transportation Policy Task Force, less incentive to do so. Nevertheless, it still came up with a broad range of recommendations. Among them were several quite specific ideas relating to links between I-270 and I-95 and between Shady Grove and Georgia Avenue near the Norbeck area. It was less than lukewarm to a bridge crossing, and although it supported transit as a "significant part" of improving east-west transportation in the down county area, it ducked making a recommendation on technology or route.

On education, the Commission strongly recommended a commitment of extraordinary effort with the required resources to ensure that "every student [is able] to read and write English at grade level or above throughout the educational experience." Literacy for children and adults must be the universal goal. It underlined the need for special efforts to assist children from lower income and non-English speaking families.

Another major item of interest was the Commission's call for a comprehensive housing policy with "measurable targets" for affordable housing. It called access to affordable housing "the most critical housing issue confronting the County". Improving water quality in streams that drain into the Chesapeake Bay, the Commission termed the highest single priority in the environmental area. And it emphasized the importance of storm water runoff, especially in the down county area. On grounds that many other environmental issues, while important to the county, are beyond its effective control, the report said little on environmental matters.

You may find the Commission's ideas thought-provoking or just plain provocative. But you'll want to hear what the Council has to say about them and also listen to the views of several Civic Fed members, and then, perhaps, add your own views. Don't miss it. And if you can't attend, catch it live on community cable.

Quorum: Process Protector or Participation Phrustrator?

–by Richard Zierdt

The purpose of this article is to introduce the idea of quorum reform and to propose general bylaw changes which, hopefully, will be made specific and published in the May and June newsletters, based on ideas and discussion that this article may generate.

Quorum requirements are necessary to prevent a meeting of any organization from being conducted by a small number of people making major decisions for a much larger group, or, who by dragging a meeting on and on, wear everyone out until only their compatriots remain. So far, so good.

Unfortunately, quorum can also be used to stop legitimate deliberation by dedicated volunteers who want to explain a policy or take a position on an issue. MCCF volunteers (no MCCF officer or delegate receives any financial compensation) spend many hours, even days and weeks on various issues and concerns that are relevant to Montgomery County. However, such volunteer participants may see their efforts thwarted by non-participating delegates in the civic process, who simply **do not attend** a meeting, or leave a meeting before it has officially adjourned. When quorum fails in this manner, non-participation trumps participation.

On the other hand, some issues are so important that any organization would want as much representation as possible present at a meeting so that no one would feel left out of the decision-making process. But where does personal responsibility come in? What if an issue, especially a critical one, generates little turnout at a meeting? Does the organization then take no position or no action? Does non-participation trump participation?

[Continued on Page 7]

20 March 2001

REDISTRICTING & DEMOGRAPHIC CHANGES IN MONTGOMERY COUNTY:

A BRIEF REPORT BY CITIZEN PAC (www.citpac.org)

CITIZEN PAC has completed its initial analysis of the new census data and its implications for redistricting in Montgomery County. Redistricting will affect all five Council districts. CITIZEN PAC has identified several dozen neighborhoods that may shift into a new district. Several quite likely to be affected are in: Germantown, Gaithersburg, White Oak, Kemp Mill, Olney, and Darnestown. Also, some dramatic demographic changes during the last ten years are tabulated.

POPULATION IMBALANCES

The five single member districts for County Council are each supposed to have the same population. After the 1990 census, the district boundaries were adjusted such that the average deviation from exactly equally populated districts was 1.37%. But the census of 2000 shows that the districts now vary widely.

Population of County Council Districts

District	Population 1990	Population 2000	Ten year Increase	Excess	Councilmember	General Location of District
1	153,679	166,689	13,010	- 7,979.	Howard Denis	Bethesda, Potomac
2	150,903	192,764	41,861	+18,096.	Nancy Dacek	North County, Laytonsville, Olney
3	149,444	179,075	29,631	+ 4,407.	Phil Andrews	Rockville, Gaithersburg
4	153,820	167,556	13,736	- 7,112.	Marilyn Praisner	Fairland, Colesville, Layhill
5	149,181	167,257	18,076	- 7,411.	Derick Berlage	Silver Spring, Takoma Park
TOTALS	757,027	873,341	116,314			

BOUNDARY CHANGES

The population of each district will have to be readjusted to satisfy federal and county legal requirements. The ideal district population should be 174,668 people. The last column of numbers, titled "excess", shows by how many people each district exceeds the desired average. Council District 2 is now overpopulated by 18,096 people which means 9.4% of its population should be transferred to another district. In contrast, Districts 1, 4, and 5 are underpopulated and will have to gain an average of 7,500 people each during the upcoming redistricting .

To balance the population in each district, many neighborhoods will have to be transferred out of District 2 and added to Districts 1, 4, and 5. Unless there is a radical redrawing of all five districts (unlikely), parts of the following neighborhoods near the southern boundary of District 2 are prime candidates for transfer out of the district: **Ashton-Sandy Spring, Olney, North Gaithersburg, West Montgomery Village, Darnestown, and Seneca.**

In terms of neighborhood civic and condominium associations that might be affected, the following organizations are on or near the southern border of District 2:

Ashton Pond	Ashton-Sandy Spring	Bowie Mill	Brighton Knolls/Ridgefield Cedar
Creek	Cherrywood	Cinnamon Woods	East Village
Farmingdale	Fox Chapel	Fox Chapel N.Homes	Goshen Run
Grover's Forge	Hadley Farms	Heritage Green	Heritage Gate
Heritage Preserve/Park	Heritage	Hollow Tree Farm	Horizon Run
Knolls at North Lake	Lakeside Terrace	Martins Landing	Maryland Place

Middlebrook Hills	Mill Creek Towne East	Norbeck Meadows	Normandie on the Lake I
Northgate/Stewart Town/Patton Ridge Homes		Seneca Park	Sharon Woods
South Village	Southeast Rural Olney	Stoneridge Community	Sycamore Acres
Thomas Choice	Upper Rock Creek	Waring Station	West Fairland
Whetstone Home	Williamsburg Square-Ashton Place		Woodlake

Neighborhoods that are likely candidates for transfer into District 5, in whole or in part, are: **White Oak, Northwood-Four Corners, Kemp Mill, and Aspen Hill** (all presently in District 4).

DEMOGRAPHIC CHANGES

The demographic makeup of the county has been undergoing rapid change—especially in Gaithersburg and Silver Spring. The percentage of minorities has nearly doubled in ten years and now represents 40.5% of the population. This is an extraordinary rate of change for a large county of almost 900,000 people.

A simple, rough index of this change is the percentage of people who are not members of the majority group (Caucasian, non-Hispanic). The table shows the percentage of all such minorities in each of the five districts and compares it with the 1990 census.

Percentage of Minority Population by Council District

District	1990	2000	
1	11.6%		20.8%
2	15.7	31.4	
3	24.0	44.1	
4	29.1	50.8	
5	36.4	56.7	
County Avg.	23.3%		40.5%

Sometimes, one of the stated goals of redistricting is to achieve a racial or ethnic balance that is perceived as fair, or at least not considered plainly unfair by any group. The last table breaks down the population of each Council district (present boundaries) into its four largest groups.

The Four Main Population Groups in Montgomery County (percent)

Council District	Caucasian Non-Hispanic	Hispanic Any Race	Black Only	Asian Only
1	79.2	5.7	3.4	9.5
2	68.6	7.4	12.7	8.7
3	55.9	13.3	11.2	16.9
4	49.2	11.5	23.5	13.2
5	43.3	20.2	25.5	8.1

For the first time, the census has allowed people to classify themselves of mixed race or ethnicity and 3.4% of Montgomery County's population chose to list themselves as being of more than one race. These people are not included in the above table unless also Hispanic.

By authority: Montgomery County Citizens PAC for the Future, Martha Jones, Treasurer.

Obviously, a fully-informed membership is critical to organizational legitimacy. That is why, whenever

possible, issues are written about in the MCCF Newsletter, as is every meeting agenda. The

Newsletter is also posted on the MCCF website, montgomerycivic.org. Furthermore, as previously announced in this newsletter, I email a one-line notification to anyone who has provided me with their email address as each Newsletter is posted on the website. There is little reason not to be informed of matters before the MCCF.

The dirty little secret is that even when a quorum is present at the beginning of a meeting, it is often gone 2/3 of the way through, just as new (and sometimes old) business is being discussed. This non-participation cannot continue to de-legitimize the MCCF. What follows are general ideas, meant to instill thought towards a specific by-law change proposal in May and June.

1) The MCCF must adopt a serious attitude towards itself and towards personal participation and responsibility in MCCF deliberations. First, the MCCF must expect that delegates will read the newsletter. It is written by civic volunteers with years, even decades, of experience in land use and planning, transportation, finance and taxes, etc. Second, the MCCF must expect that delegates will attend meetings, and that meetings will normally last until 10 PM. If a delegate does not attend, then the MCCF must assume that the delegate made a decision not to come to that meeting. Don't get me wrong. I'm not saying that delegates do not have other responsibilities. I am saying that it cannot cause the MCCF to waste the time of these delegates who do prepare, attend, and participate.

2) A quorum, once established at the beginning of a meeting (approximately 7:45 PM—the bylaws currently stipulate 8 PM), should remain established until 10 PM, regardless of attendance fluctuation. There is work to be done. If a delegate leaves before adjournment, then it is assumed that (s)he made a considered decision to do so, but the meeting continues.

3) At 10 PM, a quorum vote is taken, if the meeting is still in session. Only by a super-majority, say two-thirds or three-fourths of those present, will the meeting continue. I understand that the number of delegates present may be small at 10 PM, but if an issue needs additional time, it will be possible to continue.

4) At 11 PM, if the meeting is still in session, another quorum call is made. However, quorum will require that 1/4 of the MCCF membership to be present and a supermajority of those members vote to extend the

meeting beyond 11 PM. Quorum calls must then be made every 30 minutes. In no event will meetings be extended by a suspension of the rules.

Note that the quorum requirements **increase** at 10 PM, and substantially again at 11 PM. This ensures that a meeting will not wear on unless there is very significant organizational will to do so. Currently, the by-laws stipulate that 1/5 of the membership constitutes quorum (at 8 PM). At 11 PM, 1/4 of the membership must be present (remember, 1/4 is greater than 1/5).

5) Roberts Rules of Order suggest that a choice of quorum should reflect typical attendance. As such, I suggest that the current one-fifth rule be reduced to one-sixth or one-seventh. As membership increases, it becomes more difficult to meet quorum.

Keep in mind that membership is the number of member organizations (civic associations), **not** the number of delegates. Although I have not seen a list, I am told that the MCCF has about 95 paid member organizations. One-fifth of 95 is 19; one-fourth is 24. Again, these counts must be from separate civic associations.

Another thought: there is nothing to prevent a call for adjournment at any time, by simple majority vote. This could be used to stifle deliberation—a sort of adjournment until 10 PM, or require a super-majority to do so before 10 PM.

At the March ExComm meeting, there was a suggestion to **increase** quorum requirements (the opposite of what I've just argued), at least for "important" proposals. While the idea is well-intentioned, I do not believe it would increase attendance, and would subject MCCF meetings to even more early adjournments. Also, I don't know how an "important" proposal would be defined—as opposed to an "unimportant" one.

Another idea was to define quorum as a combination of the number of delegates present and the number of member civic associations represented. This may be a useful tool.

By the way, controversial topics, which sometimes may divide an organization, can also strengthen it. My experience within my own civic association has been that controversy increases participation at meetings. Maybe it's because residents know that if they don't show up, their voice (and vote) will not be heard. I generally give no weight to the argument

that the MCCF should avoid “controversial subjects.” Debate and viewpoints must be respectful, but we cannot hide in the sand.

Both Sides Now: Residential Snow Removal Mandate

Shoveling Snow

-by Jeanne Goldstein

Our County Council is still considering a bill that could compel residents to shovel snow from sidewalks that abut their property within 24 hours of a snowfall. Evidently, council members have not given adequate thought to the consequences if this bill were to be enacted into law. Do they really want to kill off grandparents?

The bill is based on an inaccurate assumption: that shoveling snow from sidewalks always provides greater safety for pedestrians. Almost always, however, traction—and therefore safety—is better on snow-covered walks. This is so even when the top layer of snow freezes into an icy crust. When walks are shoveled, it is almost impossible not to leave a residue that freezes into a treacherous icy film. Walking on snow requires one to wear boots and is a slow process, but walking on a slippery coat of ice, which can be difficult to see, is far more dangerous.

Earth Week Hike and Park Cleanup

Come Rally for
“PARKS not PAVEMENT”

featuring

Council President Blair Ewing
Councilmember Phil Andrews

Rally at 10AM on Saturday, April 21 in the field near the Lake Needwood Visitor’s Center—end of Beach Drive off Needwood Road in Rockville. After the rally we’ll join a naturalist for a hike and cleanup in a forested park at risk for pavement. Kids’ activities included!!

Most county residents are able to adapt to snow, even to severe snowstorms. We plan ahead so that we won’t run short of essential groceries and household items, and can stay indoors during the worst of the weather. Schools are closed. If necessary, residents alter their usual modes of travel to and from their jobs. It isn’t unusual for the snow to melt within 48 hours.

Snow-cleared sidewalks are not an entitlement. If the County wants all sidewalks cleared immediately after a snowfall, even when a change in the weather will take care of the matter within a few days, it must fulfill its responsibility. Sidewalks, and their maintenance, belong to the county. Homeowners pay for this maintenance with their property taxes.

In Montgomery County the proportion of senior citizens to school-age children is rising. In many neighborhoods there is no one to hire to clear sidewalks. The risk of a heart attack from shoveling snow is very high. For the elderly, the risk of a life-threatening fall or a case of pneumonia is also high. A law that would force people to shove sidewalks would mandate an increased number of heart attacks, illness and serious accidents disproportionately affecting the elderly.

Eis und Schnee: An Opposing Viewpoint

-by George Sauer

There is discussion within the Civic Federation as to whether we should endorse Phil Andrews’ bill to require homeowners to shovel their walks after it snows. While I favor this concept I feel that the county could do a lot more before they put any more burden on homeowners. They feel a responsibility to plow the streets but no responsibility to clear the walks.

They seldom even mention the responsibility of commercial and multifamily property owners to clear their walks. Worse yet, the county has paved over the grass strips between the streets and the sidewalks so that when they plow the streets the snow is placed on the walkways.

While many county residents are elderly and too feeble to shovel snow, many of them have lawn contracts. These could be extended to cover snow removal. The workers would be glad to have year around income. Ice covered walks discourage people

from using transit and this carries over, worsening congestion. And there are some people in Montgomery County who take transit because they cannot afford a car much less a taxi to get to work.

Planning Board and Board of Appeals Appointments

–by George Sauer

Mindy Hurwitz, a Democrat, has resigned from the Board of Appeals. Since she is a Democrat, her position must be filled by a member of the same party. Bill Hussman has declared that he will not seek another term as chair of the Planning Commission. While his position could be filled by a member of any party, a very hot place will freeze over before the county council appoints anyone but a politically well connected Democrat to this position. As is our custom, the Civic Federation will set up a committee to evaluate candidates for these positions. As is also our custom, we will invite members of the Allied Civic Group to participate.

ELECT M-CC/PPC THE DIRECTOR?

–by Tom DeGraba

Willows and Neighbors Citizens Association

[An edited version of this proposal by Tom DeGraba was published in the March newsletter. The author feels that the edited version did not represent his views. As agreed at the ExComm Meeting on March 22 (see minutes), the unedited text is printed here.–Ed.]

A vital activity for the growth and viability of a community that supports a good quality of life for its citizens is participating in the planning and approval process for new development. In Montgomery County, three major regulatory bodies—the County Council, the Planning Board and the Maryland National Capitol Park and Planning Commission Planning Board staff—participate intensely in the process. A critical element of the process is the

accurate information generated by the planning board staff with respect to the developers' requests and determining the impact of a development on traffic, environment and the citizens' quality of life. From this information the Planning Board and the Council form opinions as to optimal density and land use balance. The Director of the MNCPPC has an enormous potential to influence this process by having the capability to assign and remove staff from a given project, set departmental policy that directs what information is given to the Planning Board, and even modify staff reports prior to presentation.

The concern, however, is that the developers' interaction with the staff far exceeds that of a citizen's group in providing input regarding development. In addition, if pressure from developers is placed on the Director to move a project through, a bias could be created through direction to the staff, thereby pre-empting the citizens from having an equitable opportunity to present their case. The current sequence of accession for the Director is that the citizens elect the Council, the Council appoints the Planning Board and the Planning Board appoints the Director. Given that this position represents an appointment twice removed from direct citizen input, the position could be under potential influence. In order to assure parity in the consideration of opinions and priorities, it has recently been proposed that an amendment to the County Charter be placed on the ballot to provide that the Director of the Montgomery County division of the Maryland National Capitol Park and Planning Commission be an elected, non-partisan position with a term of office of 4 years. This would serve to provide a level of protection to the Director and accountability to the citizens at a very critical level of the land development process. It would allow the staff the ability to present an opinion based on good land use management with the assurance of support from the Director, even if the opinion is not desired by the developer. Also, by making the Director an elected post it may afford greater opportunity for open, interactive and constructive dialogue among the County, developers and citizen groups. This change would also provide a level of job security not afforded the director at this time.

Given the potential implications of making the Director's position an elected post, serious discussion and consideration must be given to this proposal. It is clear this new designation would create changes in the interaction in the process and the effects of these changes must be weighed. At a minimum a

committee should be formed to study the potential benefits and ramifications of such an action. Any views and insights from the membership are strongly encouraged.

Community Hero: W. Gregory Wims

—by I. Dean Ahmad, President

In April we shall recognize W. Gregory Wims, founder of the Victims Rights Foundation, Inc. as our community hero. Mr. Wims has been a community activist for 32 years instituting and leading, among other things, the Social Concerns Committee at Goshen United Methodist Church where he set up a prison ministry program, and President of the Boys & Girls Club of Greater Washington, Montgomery County region. Among his efforts has been volunteer assistance for people victimized by violent crime. He founded the Victims Rights Foundation in 1997 to provide support to children who are the victims of violent crime. In doing so, he has rallied to this cause support not only from other community activists, but from corporate sponsors funding his efforts. Among the cases which this organization has assisted have been Byron Lewis, Jr., who was struck by a hit-and-run driver in Silver Spring, Maryland, and County teenager Alfred Tello, who was brutally murdered and his body mutilated by two other County youths.

In March Mr. Wims was one of twenty persons inducted into Montgomery County's Hall of Fame for community activists. His energetic and tireless efforts have certainly made him one of our community's heroes.

From the President

Some concerns have been raised about the phrase I used in the previous issue of this newsletter characterizing the reasons for last month's community hero's refugee status. I welcome the opportunity to go on the record stating that it was not my intention to offend anyone, and the Civic Federation itself has no position on the issue.

William Hussman has announced that he will be stepping down from the Chairmanship of the Planning Board. The County Council has not yet

decided whether he will be replaced by someone from outside the existing board or from within, but either way, there will be a new appointment made to the Board. It is thus important for the Civic Federation to once again assemble a committee to interview candidates and propose recommendations from the Federation with respect to this appointment as well as the vacancy on the Board of Appeals due to Mindy Hurwitz's resignation. I urge all who are interested in land use issues and planning issues such as come before the Planning Board to advise me of your interest in serving on this committee and to arrange for someone to nominate you to serve on the committee. We particularly need someone to chair this committee.

We have a split program at the next meeting. Cleo Tavani has prepared a program on storm water management, and Chuck Lapinski has arranged a program on the operating budget. Both are important and potentially complex issues, so we shall have to work efficiently to cover them in the half-an-hour that each has been allocated by the ExComm.

One issue that has suddenly become controversial is the question of the quorum at the general meetings. Now that the issue has arisen, I have no choice but to strictly enforce our quorum rules unless and until they are amended. This makes it of primary importance that our member associations try to have at least one delegate present at our general meetings. If your organization's president is not interested in attending Federation meetings, please have him or her make use of the new change in our Bylaws that allows an association president to appoint a substitute. Let the substitute come to the April meeting with a signed and dated appointment from your associations' president and we shall seat the substitute immediately for the rest of the membership year.

There is an unfortunate tendency among some delegates to attend only meetings that address an issue of special interest to them. But the fact is that most of our issues are of general interest and your association is not served well if you do not make sure that at least one of your two to four delegates is at every meeting. For example, the storm water management funding and the operations budget to be discussed at this next meeting will affect every one in the county both directly (in terms of taxes and quality of services) as well as indirectly (e.g., should the non-profit that you support share in the cost of storm water management?) We can't do business unless at least 20% of the paid member organizations are represented at the meeting, so please do come. I will do my best to make sure you get an interesting (and tightly run) program.

—I. Dean Ahmad, Ph.D.

Delegates Meeting

Monday, April 9–7:45 p.m.

First Floor Auditorium

County Council Office Building, Rockville, MD

AGENDA:

- 7:45 Call to Order, I. Dean Ahmad presiding
7:46 Announcements, Introductions
7:52 Adoption of Agenda
7:55 Approval of Minutes, Officers' Reports
8:00 Community Hero: W. Gregory Wims (p. 9)
8:10 Program #1: Operating Budget
 - To Be Announced**8:40 Program #2: Storm Water Management (p. 1)**
 - Cleo Tavani, Montgomery County Taxpayers
 - Ike Legett, Montgomery County Council**9:10 Program #3: Sierra Club** (Betsy Johnson)
9:15 Old Business
 - School Infrastructure Tax (p.6, previous issue)
 - Home Depot on Rockville Pike (p. 7, previous issue)
 - Election of MCPPC Director (p.8, previous issue)
 - Light Pollution (p.11, previous issue)9:45 New Business
 - Planning Board/BoA Committee9:55 Adjourn

The **Montgomery County Civic Federation**, a nonprofit, educational, and advocacy countywide group, was founded in 1925 to serve the public interest. The monthly Delegates Meeting is open to the public and it is held on the second Monday of each month (except for holidays, July, August and December) at 8:00 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." Deadline for submissions for the next issue 5 p.m. Saturday, April 21st. Attach submission to e-mail to: Hotyakkher@aol.com as a Word document file in fully justified 11-point Times Roman font.

Please send all address corrections to Steve Howie, P.O.Box 325, Clarksburg, MD 20871, 301-972-2736, stevehowie@aol.com.

Next Executive Committee Meeting

Thursday, April 19, 2001, 7:45 p.m.

Bethesda-Chevy Chase Services Center

4805 Edgemoor Lane in downtown Bethesda

(Note: there are two entrances to the parking garage—one on Edgemoor Lane and another on Woodmont Avenue.)

Montgomery County Civic Federation

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