



Civic Federation News

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February Program: "311" and New Design Guidelines

Our Program on February 8 will be split between two topics and presenters. Thomas J. Street, Assistant Chief Administrative Officer for the County Executive, is responsible for overseeing the implementation of the County's new "311 Telephone System". We understand that this system will be rolled out on March 11. Get it? 3/11? It is patterned after the 311 telephone number implemented some years ago by Mayor Martin O'Malley in Baltimore. We understand that this will be the phone number to call for any and all nonemergency complaints, requests and questions relating to county programs and services. If the pothole on your cul-de-sac has gobbled up your SUV, dial 311. If the street light outside your bedroom window is out, dial 311. If the garbage haulers are leaving more than they're taking away, dial 311. Burning house: dial 911 – burning question: dial 311. One-stop shopping for the services you need. Come learn all about it!

The other half of the February 8 program will focus on the new approval process for design guidelines which will accompany some master plan revisions. Planning Department staffers John Carter and Karen Kumm requested this opportunity to address Federation delegates in order to present the reasons the Planning Board and their department, with apparent consent of the County Council, have decided to create design guidelines in separate documents from their accompanying master plans.

Mark Your Calendar Now
for the
Montgomery County Civic Federation's
2010 ANNUAL AWARDS BANQUET
Friday, May 14, 2010
6:00 to 9:30 p.m.
Conference Center
at the
Universities at Shady Grove

While the Council is the only body authorized by State law to approve the zoning that is applied to properties through master planning, this new process allows the Board only to approve a set of design guidelines to augment a master plan. The speakers will explain the purported benefits of the new process, including the flexibility for the Planning Board to approve changes to design guidelines without seeking a master plan amendment from the Council.

Jim Humphrey, Chairman of the MCCF Planning and Land Use Committee, recently testified before the Board on the draft Germantown Design Guidelines, the first master plan to use the new process. He recommended any design guidelines seeking to insure that development is compatible with uses on adjacent properties be included in the master plan itself, and considered and approved by the Council. He also suggested that a single set of design guidelines be created which could be applied countywide, while still retaining site-specific design recommendations within the applicable master plan. These and other aspects of this issue can be addressed by attendees in a question and answer session with the speakers following their presentation.

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Resolution on Bill about Sidewalks Hearings up for vote at February Meeting

by Jim Humphrey, Chair, MCCF Planning and Land Use Committee

A bill was introduced in County Council on January 19 that would, under certain circumstances, waive the required public hearing before sidewalks or shared paths are approved for construction. At our February 8 meeting, Federation delegates will be asked to consider adopting a resolution regarding this legislation (see below) which was recommended unanimously by our Executive Committee at our January meeting.

The purpose of Expedited Bill 3-10 is to speed up the administrative approval process and allow quicker construction of sidewalks and hiker-biker paths that are noncontroversial, have substantial community support, would be placed entirely in the public right-of-way, and don't require a detailed engineering design. MCCF ExComm members are concerned that the "noncontroversial" provisions contained in the bill, under which a sidewalk hearing could be waived, would limit public participation by those most impacted by the decision in the decision making process. The language of those provisions reads that a public hearing need not be held if:

"49-53(d)(2)(A) a civic association, homeowner's association, or other organization, which includes a substantial number of property owners who would be benefited by construction of the sidewalk or path, has filed a notice of its support for the sidewalk or path with the Executive or a designee; or

"(B) if no such organization has filed a notice of support, a petition signed by a substantial number of property owners who would be benefited by construction of the sidewalk or path has been filed with the Executive or a designee; "

The MCCF draft resolution recommends substitute language to replace the "noncontroversial" provisions in the bill. If adopted, the resolution will be submitted to the Council at their public hearing on February 9 at 1:30 p.m. Please look over the draft, and come prepared to discuss and vote at the February 8 meeting.

Proposed MCCF Resolution on Expedited Bill 3-10, Sidewalks - Hearings

Whereas the Montgomery County Civic Federation believes the conditions in Expedited Bill 3-10, under which a public hearing on a sidewalk or path project

could be waived if the project is determined to be noncontroversial, are too broad and vague; and,

Whereas the language proposed in Section 49-53(d)(2)(A) does not consider the positions of the homeowners with properties that abut or confront the proposed sidewalk or path, those who would be most impacted by such a project and, therefore, whose opinions we believe ought to carry more weight than persons who would simply benefit from the project; and,

Whereas Section 49-53(d)(2)(B) refers to a petition but does not specify that it be in support of the project, and contains the vague, undefined phrase "substantial number";

Therefore, the MCCF urges the County Council members to adopt substitute language for Section 49-53(d)(2) that reads "One hundred percent of the property owners whose properties abut or confront the proposed sidewalk or path have filed a petition of support for the project with the Executive or a designee;"

Maintenance of Effort Waiver Bill By Dan Wilhelm, Legislation Committee

Bill MC 14-10 has been introduced in Annapolis as emergency legislation to provide a one-year waiver to the "maintenance of effort" requirement that affects Montgomery County Public Schools. State law requires public schools to spend at least as much per student each year as they did the year before. Last year Montgomery County applied for a waiver in light of the massive budget cuts they had to make, but the waiver was denied by the State Board of Education. Without the waiver, the Council would have had to add \$79M to the MCPS budget and reduce other parts of the budget further by the same amount.

To address the problem, the Council applied \$79M of the \$111M the County pays in debt service for the cost of constructing school buildings. The State Board rejected that approach and has threatened to fine the county. The amount of the fine is not clear but amounts ranging from \$24M to \$79M have been discussed. The State Board appears to be saying that schools must be funded at the expense of all other government services even during extreme economic times such as those we have encountered during the last two years. Over the years, the County has often increased the annual spending per student to improve education, but the State Board failed to consider that fact.

Bill MC 14-10 would grant a one-time waiver for the current fiscal year. We understand another bill will be

introduced to correct problems with the current law to cover future years and all counties.

Related Resolution The Executive Committee encourages the membership to approve the following resolution:

“Be it resolved that Montgomery County Civic Federation supports Bill MC14-10 to waive the requirements of state law for FY10 that requires the County to maintain the spending level per student at the same level as that spent in the previous fiscal year”.

New Third District Police Station and Affordable Housing Project Proposed For White Oak **By Elizabeth Molloy, President, Sherbrooke Homeowners Association and Barry Wides, President, North White Oak Civic Association**

Montgomery County Government has filed a Mandatory Referral with the Planning Board proposing to move the Third District Police Station from downtown Silver Spring to 4 acres of the 13 acre wooded area on Milestone Drive near the northeast intersection of Columbia Pike and New Hampshire Avenue.

Although the White Oak Master Plan identifies this area as R-90 TDR, the County is proposing to squeeze both the police station and as many as 175 units of affordable housing (either workforce townhouses or affordable rental units) onto this site. Despite a request from local communities to present the County's dual purpose plan at the same time so that the consequences of both proposals could be considered simultaneously, the County maintains that because the housing plan is about a year behind the police station in development, the two uses cannot be considered at the same time. We believe that the whole picture – both uses – should be examined together.

If taken together, the dual use proposal will result in the unnecessary removal of nearly all of this ecologically sensitive forested area less than one-half mile from the Paint Branch.

We are proposing that for the police station project, 100% of the forest conservation be done on-site, significantly expanding the proposed forest conservation area.

The County claims that the forest on the site is "not worth saving." They claim that, except for a few significant trees, the stand is mostly invasive species. Their solution is to remove all but about nine trees from the 13 acres. We oppose this plan as it will result in

significant stormwater and sediment runoff, particularly from the part of the property which is being saved for future county land needs. We are also concerned that more than 2 acres of forest conservation will be done off-site. The forest already exists onsite. Its needless destruction will not only damage but will stand in direct contradiction of the plan's claim to be "green".

Sherbrooke HOA and North White Oak Civic Association have raised a number of other points about the development proposal and have developed an alternative plan for the police station portion of the site that will allow for more forest conservation.

We are very concerned that the planned police station is located so close to existing homes and without an adequate buffer between the two different land uses. In some places the fence surrounding the police station is less than 30 feet from adjoining homes, and the fence is literally right on the property lines of these homes. The proposed police station would be built on land which is currently zoned R-90 TDR. If this construction were subject to Park and Planning "compatibility" rules, a much larger buffer would be required in order for a commercial developer to obtain a rezoning to build a 40-foot commercial building immediately next to residential homes in an R-90 neighborhood.

As an alternative to this proposal, our civic associations are proposing that the police station be moved 200 feet away from existing homes and closer to the intersection of Columbia Pike and Stewart Lane. By moving the police station away from neighboring homes, the county could accommodate all the forest conservation on-site as well as create an additional 4 acre forest preservation area. This is a very sensible approach which maximizes the County's goal of forest conservation and simultaneously providing the necessary buffer between the police station and adjoining residences

Our civic associations propose that this forest preservation area be dedicated to the memory of Rachel Carson who wrote *Silent Spring* while living in the nearby Quaint Acres community. Our proposal also recommends the establishment of a privately-funded educational exhibit about Rachel Carson at the nearby White Oak Library and self-guided walking tour to the Rachel Carson home in Quaint Acres and the Rachel Carson Greenway in the nearby Northwest Branch.

We will be presenting our alternative plan at the MCCF's February 8 meeting at which we will be seeking approval of a resolution in support of our proposal. We look forward to seeing you at the February 8th meeting.

Proposed MCCF Resolution on Development of the Milestone Site in North White Oak

Whereas the 13 acre forested parcel on Milestone Drive, in the northeast quadrant of the intersection of Columbia Pike and New Hampshire Avenue, is the proposed site for a new Third District Police Station and possible residential development; and

Whereas the site is located in the Paint Branch watershed, approximately one-half mile from that stream which has been designated as a "Use III" water resource by the State of Maryland in order to protect this high quality, cold water stream system; and

Whereas the retention of a significant portion of the existing forested area would not only mitigate the negative effects of the impervious surface area being proposed for the site, acting as a natural stormwater filter to protect nearby Paint Branch by augmenting the green building standards anticipated to be used for the police station project, but would also serve as a buffer to enhance compatibility between any proposed uses and the existing adjacent single-family residential neighborhood;

Therefore, the Montgomery County Civic Federation urges the Planning Board and the Executive Branch to approach development of this site in a holistic manner, and review both the planned police station use together with any possible residential development, while preserving a significant portion of the property in its natural state for the reasons mentioned above.

Montgomery County Public Schools Proposed Operating Budget **By Paula Bienenfeld, Education Committee Chair**

The Montgomery County Public Schools (MCPS) Fiscal Year (FY) 2011 Operating Budget is now out and online at <http://bit.ly/mcschsup>. It should also be available in hard copy form at our libraries. I urge everyone to read through this budget carefully. This is quite a slog but don't forget, this budget makes up half of our County's annual budget. As library hours and staff are cut, as meals to seniors and after-school programs for our most vulnerable youth are being cut, as bus routes are proposed for cuts, please remember all this money is going to MCPS instead. MCPS is unique too in that there is no oversight or accountability for this budget because MCPS is not a state agency, and at the same time it is not a County agency.

The basic budget information is this: our FY2010 operating budget is \$2,200,927,000 for 140,500 students. The proposed FY2011 budget anticipates 143,309 students, an increase of 2,809 students. The proposed FY2011 budget is \$2,226,134,843, an increase of \$25,207,843. While most other programs and services are taking significant hits, MCPS has irresponsibly decided not to cut administration, travel, PR or perks and is asking for a \$25 Million budget increase.

As the budget season has arrived the cries from MCPS have grown louder and cuts to core programs have been threatened, including closing Monocacy Elementary School (no longer on the table, apparently); and cutting buses for magnet students. Rather than cut core programs, teachers, and classroom support, I would urge taxpayers to tell the Council that the Board of Education (BOE) should be looking at the extras at the administrative level. As two examples, the Office of Communications (the office that mails out costly, glossy magazines each year to households extolling the wonders of the MCPS schools) budget is proposed to increase by over three percent. If our priority is really the classroom then why would the Board of Education propose increasing class size before cutting this overhead? This \$10 million office should be decreased substantially. Second, Total Administration, Central and Mid-Level, is about 8.5% of the budget. This is the same percentage it was 15 years ago. Cuts should be made to the administration and central offices rather than to the classrooms and teachers. If Administration were held to the same budget as FY2010, \$6 million would be saved. A three percent cut would yield another \$5 million.

Disparities in salaries are also seen in the budget. For example, the Department of Enriched and Innovative Programs at Carver (MCPS Headquarters) has 5 FTEs (full-time equivalent, i.e., full-time employee), and a proposed budget of \$555,645, with salaries accounting for \$543,939. At 5 FTEs, that is an average salary of \$108,787.80 per FTE. The Department of Curriculum and Instruction has 51.1 FTEs, with a total proposed budget of \$6,890,205. The salary line item is \$5,356,020, so the average salary in this administrative Department is \$104,814.48. By comparison the Pre-Kindergarten and Head Start Programs Office has a proposed budget of \$12,497,975. For this office, there are 179.085 FTEs, and the salary line item is \$10,805,756, for an average salary of \$60,338.70. Most of these full time employees are teachers.

Each year at budget season MCPS attempts to whip up the troops by threatening our most important resources – classrooms and teachers. This year, please do not succumb to the MCPS message that the MCPS budget, so much of which goes to Carver Administrative

Headquarters, must be increased. Please write to the Board of Education at boe@mcpsmd.org; to County Executive Isiah Leggett at ocemail@montgomerycountymd.gov, and to the County Council, county.council@montgomerycountymd.gov and tell them that the MCPS budget should not be increased; that there must be significant oversight by the County Council, of the spending of billions of our tax dollars; and that prudent cuts should be made to administrative offices and not to classrooms and teachers. As the Education Chair for the Civic Federation, I plan to write a letter stating such, to our County officials. Our most valuable future citizens deserve better.

Awards Committee

The Civic Federation's Annual Awards Banquet on May 14 is just around the corner, freezing, thawing and weird weather notwithstanding! Jim Humphrey has volunteered to chair the Awards Committee, and he is looking for others - delegates and associate members - to help him in this pleasant task. The work of this committee - accepting nominations for award recipients, evaluating those nominations and making final recommendations on the awardees - should be of short duration and may not require any face-to-face meetings. The committee will be confirmed at the February Executive Committee meeting on February 17, so this is the last call for volunteers.

Please also start thinking now about individuals and groups you would like to nominate. Here are the descriptions of the awards and the justification for which each is awarded.

The Gazette Award - sponsored by the Montgomery Gazette newspapers and to be awarded to an individual or group for outstanding service to the people of Montgomery County.

The Sentinel Award - sponsored by the Montgomery Sentinel newspaper and to be awarded to an individual or group for a significant contribution to good government at the local level.

The Star Cup - sponsored by the Federation and to be awarded to a Delegate or Committee of the Federation for outstanding public service on behalf of Montgomery County.

Please contact Jim at 301-652-6359 or by email at theelms518@earthlink.net to volunteer to serve on the committee with him or to nominate someone for an award. We cannot do this without help!

Oh Deer! (Part 2) by Carole Ann Barth, Parks & Recreation Chairman

In part one (see December News), we talked about why the deer population has grown beyond the carrying capacity of our remaining natural areas and the effect this is having on forests. In this article we will examine different methods people have tried to discourage deer from damaging gardens and forests.

Discouragement is sort of like installing an alarm system, deadbolt, and steel door. It won't stop a determined thief, but it can make your property less inviting when compared to an easier target. Similarly, gardeners select less appetizing plants, use repellents, and/or install fencing to encourage deer to move on to a more attractive property.

There are plant choices that deer do not ordinarily relish. These include perennials such as wild columbine (*Aquilegia canadensis*), butterfly weed (*Asclepias tuberosa*), and goldenrod (*Solidago* species.) The spicebush (*Lindera benzoin*) is a shrub that deer really don't seem to like—in fact, in some forested areas, spicebush is practically the only shrub left. However, as deer populations continue to increase, their preferred food becomes scarce. Starving deer (like humans in a besieged town) will eventually eat anything they can find. For lists of deer-resistant plants try the following links:

<http://njaes.rutgers.edu/deerresistance/>

<http://www.nps.gov/plants/pubs/chesapeake/>

<http://www.hgic.umd.edu/content/onlinepublications.cfm>

Deer repellents include many different commercial products as well as a variety of home made concoctions. One can even purchase tiger poop or coyote urine. There is little reliable data on the effectiveness of these commercial products, which can be very expensive to use and labor-intensive to apply. The results may depend on factors such as time of year applied, weather conditions, application rate, following exact label directions, and suggested re-applications. Some products must be re-applied after rain. Maryland Cooperative Extension did test some commercial products, and published their results in Fact Sheet 810, which can be downloaded from the Home and Garden Information Center, <http://bit.ly/coopextpub>. The Illinois Walnut Council also tested a number of repellents at a butternut reforestation site. While these were not scientifically replicated tests, they at least provide some comparative data. Results of their tests can be found at <http://bit.ly/walnutdeer>.

There are plenty of colorful anecdotes recommending various home-made repellents. These include hanging bars of Irish Spring or Dial soap or bags of human hair, sulphur/egg mixtures, hot pepper sprays, and garlic juice. There are even gardeners who urinate around their yard's perimeter to discourage deer. The Walnut Council tests did include Dial soap.

It is probably too expensive and labor intensive to use repellents for an entire wooded area or even a moderately-sized garden. And of course, repellents are unlikely to discourage deer that are truly desperate for food. However, in situations where browsing is light and a gardener wants to protect one or two special trees for a couple of years, a repellent could be useful.

Exclusion fencing is one of the most effective techniques for protecting natural areas from browsing (as well as keeping bucks from rubbing the bark off saplings.) Once the deer are excluded, in many cases the forest begins to regenerate as saplings, shrubs, and herbaceous plants recreate the understory. Ground nesting birds, salamanders, butterflies and turtles once again have a functional habitat.

However, deer have an amazing ability to jump. They can jump as high as ten feet (some sources claim 15 feet.) They are also quite strong, able to push through holes or sagging fencing. Thus, the most effective fences are tall, sturdy, and expensive. Even the best fences, however, can be gotten around by determined deer who are habituated to humans.

When Brookside Gardens was first equipped with deer fencing and automatic gates, most deer were excluded. But some deer who regularly fed in the gardens figured out that people cause the gates to open. These deer would simply wait near the gate and dash through as soon as it opened. Similarly, a friend in Chicago told me about deer living in a cemetery near her house. At night they jump over the wall and roam through neighborhood gardens, eating as they please. However, they do not jump back into the cemetery when they are done, because they are afraid of landing on a tombstone. Instead, they wait at the gate for the caretaker to open things up in the morning.

Still, exclusion fencing can be quite effective in areas with less human traffic. Naturally, there is a great deal of interest in finding less-expensive fencing options. The Cacapon Institute tested the effectiveness of solar-powered electric fencing. They found it does provide protection for newly planted trees. Read more at <http://bit.ly/cacadeer>.

In our next installment, we will look at various population control strategies.

Please Spread the Word

All members of the Civic Federation are encouraged to forward the electronic version of this newsletter to friends, neighbors and others in their associations. Information is like manure – it's better if you spread it around, far and wide!

Montgomery County's Public Events Centers

By Peggy Dennis, President

How many residents know about the County's "Event Centers"? Probably very few. I didn't have a clue until the uproar erupted over Rockwood Manor Park. That caused me to visit the Parks Department's website where I found the following information:

"Montgomery Parks owns and operates four distinctive venues perfect for hosting your next business or social gathering. Choose from the historic elegance of Woodlawn Manor, the fragrant vistas of Brookside Gardens, the handsome charm of Seneca Lodge, or the wooded landscapes of Rockwood Manor. Each venue is surrounded by some of Montgomery County's most beautiful parkland yet easily accessible by car and with ample on-site parking. The facilities are available for rental throughout the year at affordable rates."

I had known for years that Brookside Gardens is a favorite location for outdoor, garden weddings. You can't visit Brookside during balmy weekends and not trip over spritely bridal groups and romantic string quartets, but I wasn't aware of the other venues. The fact that Rockwood Manor was not maximizing its rental capacity and operating in the red made it vulnerable to the takeover attempt by the "National Outdoor Center" group.

The Parks Department has now hired a marketing specialist to get out the word about these wonderful, publically owned event venues. Of particular interest is the "Open House" at Rockwood Manor on Sunday, January 31 from 2:00 to 5:00 p.m. Come meet the staff, tour the house and enjoy refreshments at 11001 MacArthur Boulevard, and see if it might meet your needs for a family reunion, wedding reception, bar or bat mitzvah or a business conference or gathering. If the weather is nice, visit the C & O Canal National Historic Park and walk along the canal towpath or the river while you're in the area.

If you can't make it to the Open House, learn more at www.ParkEventCenters.com or call Laura Gosse, Event Centers Marketing at 301-650-2881 or 301-299.5026 for more information.

Redistricting the County Council By Charles Wolff, Delegate, Seven Oaks/Evanswoods Citizens Assn.

After the 2010 census results are available, the County Charter requires that a nine member Redistricting Commission (RC) be appointed to propose new borders for the five councilmanic districts. The two big political parties dominate this process by nominating slates of party members for the RC. The County Council then appoints four from each slate and adds a ninth of its own choosing.

This gives no representation to the 24% of the electorate that is not registered as a Democrat or Republican unless the Council fills the ninth seat with such a non-affiliated person. There are few qualifications for membership, beyond having at least one member from each district and no elected office holders.

To see if all this could be made less partisan and more fair by adding extra guidelines, I proposed to the Charter Review Commission (CRC) that it study what is done in other places and recommend whatever seems appropriate for Montgomery County as an amendment to our charter. A few results of their study follow.

Think tanks on the left (Brookings) and right (Cato) agree with most "good government" groups that a more neutral process is needed. For example, the American Bar Association said, "...the redistricting power must be removed from partisan hands and assigned to independent commissions".

About a dozen states (AZ, CA, FL, HI, ID, IA, MN, MT, NJ, OH, WA) now use redistricting commissions that have varying degrees of independence from politics. Virtually all require that districts be compact, contiguous, and of equal population. These three are the only conditions used by the Montgomery County RC. Valuable additional criteria that many of these states require are:

1. Draw no lines to help or hurt an incumbent, a party, or a group.
2. Don't split cities, counties, or towns if possible.
3. Align boundaries with natural geographic features.
4. Encourage political competitiveness.

Surprisingly, the qualifications for serving on an RC are few to none in most cases, including our county.

Disqualification of those holding an elective office is common.

After the CRC had the full results of the study, I suggested some ways they might wish to amend the County Charter:

1. Add standards for district lines (numbered items above)
2. Set qualifications for being appointed to an RC
3. Choose RC members broadly representative of society at large with only a few primarily identified with politics.

On January 13th the CRC voted to do nothing. Some felt that there was insufficient need for reform even though I reminded them of the probable gerrymandering in 1990 that put two incumbent council members, Betty Ann Krahnke and Nancy Dacek, in the same district. That almost certainly would not have been done if they had belonged to the majority (Democrat) party. The potential for similar mischief still exists between the two factions of the present council, and this division could affect future primary elections.

All is not lost. Redistricting likely will not occur until 2013 because the census results come out too late for the 2010 elections. A new Charter Review Commission will be appointed next year. There is time for it to act. Alternatively, citizens could take action on their own initiative and place an item on the 2012 ballot by petition.

Civic Federation Leadership, 2010-2011 Nominations Committee

It's YOUR turn to volunteer to serve on the MCCF Nominating Committee. There is no better way to help highlight shared County concerns and provide more clout for citizens and their civic associations. The Committee is looking to fill the elective positions on the Executive Committee: President, First Vice President, Second Vice President, Secretary and Treasurer. Most of the work will be done by telephone. No travel! No meetings! Please contact Cary Lamari, Nominations Committee Chairman and Past President, at 301-924-2746 or by email at carylamar@yahoo.com to sign on and help with this important task.

Minutes of the January 11 Meeting By Dan Wilhelm, Acting Secretary

Call to Order: President Peggy Dennis called the meeting to order at 7:48 PM. Everyone then introduced themselves.

Announcements ; Jim Humphrey announced that the third and last Planning Staff forum on streamlining the development process is scheduled for 7:30 PM on January 20. Charles Wolff announced that the Charter Review Commission (he is a member) is looking at how the process of determining district boundaries after each census might be made less political. He welcomes our input.

Agenda, Minutes, and Treasurer's Report: The meeting agenda and minutes of the December 14, 2009 meeting were approved. Bill Schrader indicated that copies of the treasurer's report were available.

Program: Carole Ann Barth introduced the program on senior-friendly communities and the speakers. Dick Ramsey and Lee Shipman spoke about the Bannockburn Civic Association experience and Harry Rosenberg spoke about the Burning Tree Village experience. Both groups have set up an all-volunteer organization within the last two years to help seniors age in place. Both groups also help others in the neighborhood, be they the disabled or families with young children who need emergency child care. For seniors, they offer a range of services including transportation, shopping, friendly visits, and light home-based chores (like changing light bulbs). Research has shown that social interaction for widows and widowers is important, especially for dinner.

Both groups are incorporated and have obtained 501c (3) status from the IRS. One of the big factors for Burning Tree is liability. They are covered by Senior Connection, a faith based organization that receives a grant from the County for senior services. Neither organization presently has a paid executive director or other staff as some other similar organizations have. The criterion of whether to have a paid staff depends upon the amount of requests for service.

Committee Reports

Land Use: Jim Humphrey, Planning and Land Use Chair, reported that the Global Mission Church is appealing the Frederick County denial of their subdivision plan, which would have sole access from a Montgomery County rustic (dirt) road. They would also receive police and fire protection from Montgomery County. Jim also reported the Planning Board had reduced the trip generation rates for metro station areas. Finally, Jim

reported that the Planning Board is set to approve the change to the growth policy to remove three school clusters from development moratorium. That decision is based upon funding for additional school capacity which the Council approved.

Education. Paula Bienenfeld, Education Committee Chair, reported that the proposed operating budget for MCPS is now available on their web site. Approximately half of the budget is for administration, not classroom teachers. The FY10 budget is for \$2,200.9M to educate 140,500 students. The proposed FY11 budget is for \$2,226.1M to cover an additional 2809 students.

Legislative. Dan Wilhelm, Legislative Chair, reported that the County is facing a \$600M shortfall for the next fiscal year. The state is also facing a \$2B shortfall and depending upon how they solve that problem will determine how much further the county's shortfall increases. In both cases, the less painful reductions have been taken over the last two years. Dan also reported that legislation will be introduced to grant a waiver to the MCPS Maintenance of Effort for 2010, which the state board disapproved and has indicated the County would be fined. The waiver will negate the state board action. Another bill will be introduced to make changes to the Maintenance of Effort law that would cover future years and the entire state.

Utilities and Budget. Chuck Lapinski reported that the County Executive will release the proposed Capital Improvements Program (CIP) on Jan 15.

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Old Business: Peggy Dennis reported that following up on the Rockwood Manor Park fiasco, the Parks Department has hired a public relations officer to advertise and increase usage of the County's four profit-generating event centers.

Adjournment: with no new business, the meeting was adjourned at 9:50.

Minutes of the January 20 Executive Committee Meeting By Virginia Sheard, Acting Secretary

Attendance: President Peggy Dennis, Ginny Barnes, Carole Ann Barth, Jim Humphrey, Chuck Lapinski, Bill Schrader, Virginia Sheard, and Dan Wilhelm. Guests: Barry Wides, North White Oak Civic Association and Elizabeth Malloy, Sherbrooke Home Owners Association

Call to Order: President Dennis called the meeting to order at 7:45 pm at Dan Wilhelm's home. The agenda was distributed and approved and guests introduced

Guest Discussion on Proposed Milestone Development

Mr. Wildes and Mrs. Malloy presented their communities' analysis of the proposed Milestone Development affecting 13 wooded acres in their area. County owns the property and proposes to develop the new Third District Police Station on 4 acres and collocating affordable housing on the remaining 9 acres, clear cutting and destroying the heavily forested area. Site is at intersection of New Hampshire Avenue and Columbia Pike. It is part of the Paint Branch watershed and has other valuable environmental features.

Issue came before Council when Marilyn Praisner was serving, and she was strongly against the proposal. After death of Don Praisner and Executive's commitment to not go forward, the issue was revived. The County purchased the land and development proposal is now proceeding.

Neighborhood groups strongly oppose public housing component. Want the site preserved as part of a Rachel Carson teaching trail and the police station sited to maximize forest preservation. Rachel Carson home is within walking distance across New Hampshire Avenue. Neighborhood associations are seeking MCCF support to remove the housing component and maximize forest preservation. They will coordinate with Parks Department, Audubon Society, Rachel Carson Foundation, and others to plan and implement the teaching/hiking public use option. Issue will come before Planning Board for mandatory referral hearing on February 18.

They will submit an article for the MCCF newsletter and a resolution for the February 8 general meeting to discuss and vote on.

Minutes of January 20 ExComm meeting were discussed and approved.

Treasurer's Report: Bill Schrader reviewed financial status, membership totals, etc.

Committee Reports

Education – Paula spoke on the Board of Education (BOE) budget, Weast is asking for \$26M increase over last year. Paula noted Weast's ability to shift funds around without public input or oversight, etc. She will develop a statement on fiscal irresponsibility and like issues for further MCCF discussion.

Environment –

- Ginny reported on forest conservation laws and how they do or do not apply to school

construction. Executive plans to cut funding for Legacy Open Space Program;

- Peggy reported on **'Stormwater Partners'** activities related to Department of Transportation (DOT) failure to use of best management practices when designing new or improving old roads. MCCF should be advocating for "green streets".
- Carol reported on recent Council of Governments (COG) conference on highways and lessons learned from other communities across the country. Also reported on discussions on resubdivision of non-residential lots and Green Space Guidelines for the Silver Spring Central Business District.

Land Use – Jim Humphrey gave an update on the proposed White Flint Sector Plan now before the PHED committee. Glen Orlan, Council Staff Advisor, reported that proposed density will never be adequately supported by enough infrastructure to avoid intersections at level of service E, which the council has said is unacceptable. Committee rejected his recommendation to reduce density to levels commensurate with the supporting infrastructure, and tasked Orlan to come up with another solution to create balance of density and infrastructure.

Legislative Affairs – Dan Wilhelm distributed long list of proposed legislation for state representatives to address during current legislative session in Annapolis. Brief discussion on several, he will provide additional in-depth information if anyone has specific bills they would like to address. SB 14-10 is to remove Department of Education requirement that school spending must be equal to that of previous year (Maintenance of Effort). Montgomery and Prince Georges asked for a waiver but were denied, counties now liable for big fines (Montgomery County fine is about \$45M)

County Executive Bill 3-10 would establish that public hearings do not need to be held on proposed sidewalk construction if project is perceived as being non-controversial. One resident can request a sidewalk segment even if many other neighbors do not want it. One issue is destruction of root zones and/or removal of significant street trees. Jim will draft a resolution on topic for MCCF newsletter to oppose the bill. Hearing is scheduled for February 9th.

Public Utilities – Chuck reported on discussion about whether Maryland should have a constitutional convention this year as required every 20 years by law; noted lack of transparency by Governor and state house, particularly on financial matters.

- County Capital Improvement Program (CIP) Budget for next six years includes \$216M increase.
- Residential water and sewer bills may increase by 9.5%

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Programs: February will be split program on County's 311 telephone system and MNC/PPC's new design guidelines; March will be proposed CIP Budget; April topic will be the Operating Budget that will be before the Council in April/May; May will be on the problem of deer.

Newsletter Assignments: Paula –MCPS budget issues, Ginny – Legacy Open Space Program, Jim – proposed sidewalk legislation; Dan – State Maintenance of Effort on school spending, and Chuck – first impressions of the proposed CIP budget.

Adjournment: The February ExComm meeting will be at Sandy Vogelgesang's home. Meeting adjourned at 10:20 PM.

Parking at the Rockville Library By Peggy Dennis, President

Are you confused about where to park and how to get free parking to access the Rockville Public Library? Here's the complete information.

Library patrons may park for free at any of the three Rockville Town Square Garage locations. If you are visiting the library, select the 15 minutes free for library patrons option at the garage pay station, then go to the pay station in the library where free parking can be accessed for up to two hours. Patrons who wish to stay longer at the library can register again for up to two hours.

Town Square Garages are located at:

1. 215 North Washington Street Garage
2. 355 Garage
3. 30 Maryland Avenue Garage

State-of-the-art signs guide drivers to available parking spaces at each of the three Town Square garages. Inside these garages, signs at each end of the lanes and lights above each space guide drivers quickly to open spaces. Garages have on-site personnel and security cameras. Please visit the City of Rockville website for more information.

Photographs By the Production Editor

We are interested in digital photographs of interesting and beautiful places in Montgomery County to put in the newsletter as space permits. Aside from obvious ones such as Great Falls, we would like pictures of things in your neighborhood, such as historic buildings, natural objects and unusual places that could be of interest to other people in Montgomery County. For instance, did you know there is a slave museum in Sandy Spring?

Please email photos with a separate caption or description and your name to the editor's email address listed on the masthead. It will be understood that you have given permission for any pictures you send to be published—so please don't email any pictures for which you don't have rights. We give no guarantee that every photo submitted will be published, but, the more, the merrier!

MCCF Officers & Committees

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Federation Meeting

Monday, February 8, 2010
7:45 1st Floor Auditorium
County Council Office Building.
100 Maryland Avenue
Rockville, MD

Agenda:

7:45 Call to Order
7:46 Introductions & Announcements
7:56 Approval of Meeting Agenda
7:57 Approval of Minutes from Jan.11 meeting
7:58 Treasurer's Report
8:00 Program: Part I – 311 call system
8:30 Part II – New MNCPPC Design Guidelines
9:10 Resolutions for discussion & voting
9:40 Committee Reports
9:50 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, February 20.** 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, February 17, 2010, 7:45 p.m.

At the home of Sandy Vogelgesang

9009 Charred Oak Drive

Bethesda, 20817



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

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