

# **Chevy Chase Village Board of Managers' Meeting**

## **June 12, 2017**

*Note: These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance.*

### **BOARD OF MANAGERS**

Michael L. Denger, Chair	Absent
Elissa A. Leonard, Vice Chair	Present
David L. Winstead, Secretary	Present
Minh Le, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Robert C. Goodwin, Jr., Assistant Treasurer	Present
Richard M. Ruda, Board Member	Present

### **STAFF**

Shana R. Davis-Cook, Village Manager	Present
John M. Fitzgerald, Police Chief	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present
Tamu Tucker, Community Liaison/Administrative Assistant	Present

### **COUNSEL**

Suellen M. Ferguson, Village Counsel	Present
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Ms. Elissa Leonard, Vice Chair of the Board of Managers, called the meeting to order at 7:30 p.m. Mr. Denger was absent.

Ms. Leonard stated that prior to the Board's regular meeting, the Chevy Chase Village Board of Managers convened in closed session beginning at approximately 7:00 p.m. in the Village Hall pursuant to Section 3-305(b) (1) of the General Provisions Article, Annotated Code of Maryland, to discuss personnel matters that affect specific individuals; and pursuant to Section 3-305(b) (7) of the General Provisions Article, Annotated Code of Maryland, to consult with Counsel to obtain legal advice on a legal matter. Ms. Leonard reported that no actions were taken by the Board during its closed session.

### **Oath of Office Ceremony**

Ms. Delores Riggs, Assistant Chief Deputy, Clerk of the Circuit Court for Montgomery County, administered the Oath of Office to Ms. Minh Le, Mr. Gary Crockett, Mr. Richard Ruda and Mr. David Winstead.

### **Election of Officers**

*Ms. Leonard moved to elect Michael L. Denger as Chair of the Board of Managers.* Mr. Crockett seconded the motion. Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.

*Ms. Le moved to elect Elissa A. Leonard as Vice Chair of the Board of Managers. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

*Mr. Ruda moved to elect David L. Winstead as Secretary of the Board of Managers. Ms. Leonard seconded the motion. Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

*Ms. Le moved to elect Gary Crockett as Treasurer of the Board of Managers. Ms. Leonard seconded the motion. Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

*Mr. Crockett moved to elect Robert C. Goodwin, Jr. as Assistant Treasurer of the Board of Managers. Ms. Leonard seconded the motion. Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

*Mr. Ruda moved to elect Minh Le as Assistant Secretary of the Board of Managers. Ms. Leonard seconded the motion. Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

#### **Board Appointment of a Member to Serve as Building Officer**

*Ms. Leonard moved to appoint Gary Crockett as Building Officer. Ms. Le seconded the motion. Ms. Leonard, Mr. Winstead, Ms. Le, Mr. Crockett, Mr. Goodwin and Mr. Ruda voted in favor of the motion. The motion passed.*

#### **Approval of Minutes from the Board's Regular Monthly Meeting: May 8, 2017**

Minutes of the Board's regular meeting held on May 8, 2017 were circulated to the Board prior to the meeting.

*Ms. Le moved to approve the minutes of the Board of Managers' regular meeting held on May 8, 2017, as drafted. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Winstead, Mr. Crockett, Ms. Le, and Mr. Ruda voted in favor of the motion. Mr. Goodwin was absent from the May 8, 2017 meeting and did not participate in the vote. The motion passed.*

#### **Treasurer's Report**

The Treasurer's Report was distributed to the Board and posted to the Village website prior to the meeting. Discussion followed. *No formal action was taken by the Board.*

#### **Matters Presented for Board Consideration**

##### **Request for the Removal of a Section of Sidewalk abutting 110 Primrose Street**

*Mr. Ruda moved to approve the request to remove the public sidewalk located between the driveway and the private front walkway at 110 Primrose Street at the abutting property owners' expense, provided that the Village retains the bricks for use elsewhere throughout the Village. Ms. Le seconded the motion. Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Goodwin, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.*

**Resolution No. 06-01-17—FY2017 Budget Amendment No. 2:**

An Ordinance to amend the fiscal year 2017 budget to transfer \$5,000 from the “Department Services; Professional Services” category to the “Facilities, Fleet & Infrastructure; Village Hall” category in the operating budget to fund the replacement of the air conditioning system that serves the Mary Anne Tuohey Conference Room in the Village Hall.

*Mr. Crockett moved to approve Resolution No. 06-01-17, as drafted.* Ms. Le seconded the motion. Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Goodwin, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

**Resolution No. 06-02-17:**

An Ordinance to adopt traffic control signage as authorized by Chapter 13 “Traffic Control Generally”, Sec. 13-3 “Restriction of Traffic and Parking”.

*Mr. Crockett moved to approve Resolution No. 06-02-17, as drafted.* Ms. Le seconded the motion. Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Goodwin, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

**Contract Authorization Request:**

Replacement of the air conditioning system that serves the Mary Anne Tuohey Conference Room in the Village Hall: *Thomas E. Clark Heating & Air Conditioning*

*Mr. Crockett moved to authorize the Village Manager to enter into a contract with Thomas E. Clark, Inc. for replacement/repairs to the air-conditioning system that serves the Mary Anne Tuohey Conference room as recommended by staff, in an amount not to exceed \$7,000.* Ms. Le seconded the motion. Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Goodwin, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.

**Status Report on Brookville Road Park Redevelopment**

Mr. Leonard explained that she and Village staff had met with the Village’s landscape architect to review modifications to the concept plan to redevelop Brookville Road Park in response to the comments received during the Board’s two Public Hearings in April and May. Ms. Davis-Cook advised that the proposed regulations for the dog exercise area, proposed to be installed within the redeveloped Brookville Road Park, had been circulated to the Board prior to the meeting for members to review and comment prior to staff’s posting them online. The revised concept plan will be presented to the Board for its comment and approval at the Board’s July or September regular meetings, after which the approved plan will be finalized for a Request for Bids. Construction is not expected to be complete until spring 2018.

*No formal action was taken by the Board.*

**Commission & Committee Matters**

- **Environment & Energy Committee**

Report on the Montgomery County Safe Lawns Law that goes into affect Spring 2018.

*No formal action was taken by the Board.*

- **Selection of Board Representatives & Liaisons to Village Committees**

The following proposed list of Board representatives/contacts was circulated to the Board and posted to the Village website prior to the meeting:

<u>Committees Subject to Board Appointment</u>	<u>Board Representative</u>
Community Relations	Minh Le
Financial Review	Gary Crockett
Public Safety	Richard M. Ruda
Traffic	Robert C. Goodwin, Jr.
Tree	Michael L. Denger

  

<u>Committees NOT Subject to Board Appointment</u>	<u>Board Contact</u>
Environment & Energy	Gary Crockett
Parks & Greenspaces	Elissa Leonard
Seniors Committee	Minh Le

*Mr. Winstead moved to approve the Slate of Proposed Board Representatives & Liaisons to Village Committees, as drafted. Mr. Crockett seconded the motion. Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Goodwin, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed.*

### **Police Report**

The Police Report was distributed to the Board and posted on the Village website prior to the meeting. Discussion followed. *No formal action was taken by the Board.*

### **Manager's Report**

The Manager's Report was circulated to the Board prior to the meeting. The Village Manager reported on Chevy Chase Club's application for an amendment to their special exception to build a 3,000 square foot all-weather golf facility toward the middle of their property adjacent to the existing putting green. The structure is proposed to be used for practicing and training throughout the year. Ms. Davis-Cook stated that she had reviewed the plans and did not see any adverse impact to Village residents. She recommended that the Board take no action.

*Board Members expressed their support of the Village Manager's recommendation and no formal action was taken by the Board.*

The Village Manager advised that Mr. Denger had expressed an interest in the Village pursuing certification as a Tree City USA. The Village currently complies with all of the certification requirements except for the requirement to hold an annual Arbor Day event (Arbor Day falls annually during the month of April).

*Board Members expressed their support of pursuing Tree City USA certification and no formal action was taken by the Board.*

**Adjournment**

*Mr. Crockett moved to adjourn the meeting. Mr. Ruda seconded the motion. Ms. Leonard, Ms. Le, Mr. Crockett, Mr. Goodwin, Mr. Winstead, and Mr. Ruda voted in favor of the motion. The motion passed. The meeting adjourned at 9:03 p.m.*

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Attested by: Shana Davis-Cook, Village Manager

*FINAL*

Chevy Chase Village  
5906 Connecticut Avenue, Chevy Chase, MD 20815

WRITTEN STATEMENT FOR CLOSING A MEETING UNDER THE OPEN MEETINGS ACT

Date: Monday, June 12, 2017

Time: 7:00 p.m.

Motion to close meeting made by: David Winstead

Seconded by Gary Crockett

Members voting in favor: Elissa Leonard, Richard Ruda, David Winstead, Gary Crockett, Robert Goodwin, Jr., Minh Le

Opposed: N/A

Abstaining: N/A

Absent: Michael Denger

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

§3-305(b) (1) & (7): personnel matters that affect specific individuals and to consult with Counsel to obtain advice on a legal matter.

This statement is made by: Elissa Leonard, Acting Chair

Presiding Officer:



SIGNATURE

WORKSHEET FOR USE IN CLOSED SESSION

(CHECKLIST OF DISCLOSURES TO BE MADE IN MINUTES OF NEXT REGULAR MEETING- NOT A PART OF THE CLOSING STATEMENT)

PERSONS ATTENDING CLOSED SESSION:

BOARD MEMBERS: Elissa Leonard, Richard Ruda, David Winstead, Gary Crockett, Robert Goodwin, Jr., Minh Le.

STAFF: Shana Davis-Cook, Village Manager; John Fitzgerald, Police Chief

VILLAGE COUNSEL: Suellen Ferguson

OTHERS: Mary Sheehan, Election Supervisors

TOPICS ACTUALLY DISCUSSED: See above

ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES: N/A

TIME CLOSED SESSION ADJOURNED: 7:15 p.m.