

Chevy Chase Village Board of Managers' Meeting

February 14, 2022

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

Elissa A. Leonard, Chair	Present
Robert C. Goodwin, Jr., Vice Chair	Present
David L. Winstead, Secretary	Present
Gary Crockett, Treasurer	Present
Nancy E. Watters, Assistant Treasurer	Present
Linda Willard, Member	Present
Louis Morsberger, Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John M. Fitzgerald, Police Chief	Present
Ellen Sands, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Jennifer Young, Administrative & Constituent Services Assistant	Present

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
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Elissa Leonard, Chair of the Board of Managers, called the meeting to order at 7:31 p.m. Mr. Winstead arrived at 7:33 p.m.

Approval of Minutes from the Board's Previous Meetings

Minutes of the Board's Regular Monthly Meeting held on January 10, 2022, were circulated to the Board prior to the meeting.

Mr. Goodwin moved to approve the minutes of the Board's Regular Monthly Meeting held on January 10, 2022, as drafted. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted in favor of the motion. Mr. Winstead had not yet arrived. The motion passed.

Appeals, Special Permit and Variance Requests

A-8044 (Variance Request) Mr. William J. Curtin, III 3 Primrose Street

Construct a pergola in the rear yard, located five feet, three and one-half inches (5'-3 ½") from the rear property line and five feet, three-quarter inches (5'-¾") from the side (west) property

line.

Ms. Willard moved to approve the variance request in Case A-8044 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the variance have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the variance request. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

**A-8043 (Special Permit Request) Mr. Michael C. Friedman and Ms. Adena T. Friedman
16 Magnolia Parkway**

Construct a fence measuring four feet, three inches (4'-3") in height on top of and along a retaining wall measuring a maximum of three feet, four inches (3'-4") in height. The total maximum height of the proposed fence and wall would be seven feet, seven inches (7'-7") in height as measured from the ground on the lower side of the wall.

Mr. Goodwin moved to approve the special permit request in Case A-8043 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the special permit have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the variance request. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

Treasurer's Report

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

Matters for Board Discussion, Consideration & Possible Adoption

Board Discussion and Possible Authorization

- **Stormwater Remediation Project along the alley between Grafton and Oliver Streets**

A report from the Village's civil engineer was circulated to Board Members and posted to the Village website prior to the meeting.

Mr. Goodwin moved to authorize the stormwater remediation project as presented along the alley between Grafton and Oliver Streets and to authorize the continued engineering and planning work to perform this project. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

- **Letter of Support Maryland Senate Bill 376/House Bill 1083 – County and Municipal Street Lighting Investment Act**

The text of SB376 and HB1083 along with draft letters were circulated to Board Members and posted to the Village website prior to the meeting.

Ms. Willard moved to authorize Board Treasurer, Mr. Gary Crockett, to submit letters to the state legislature in support of SB376 and HB 1083. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

- **Letter of Support for Farm Women’s Market Revitalization Project (& Designated CIP Funding)**

An email sent on behalf of the Town of Chevy Chase Council requesting neighboring municipal support for the Farm Women’s Market Revitalization Project and a draft letter of support were circulated to Board Members and posted to the Village website prior to the meeting.

Mr. Crockett moved to authorize the Board Chair to send a letter to the County Council and County Executive supporting the allocation of funds for the Farm Women’s Market Revitalization Project in the county’s six-year CIP program. Mr. Winstead seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

- **Letter to the County Council RE: Thrive Montgomery 2050 (in support of the Town of Chevy Chase’s statement, dated 12/14/2021)**

A letter submitted by the Town of Chevy Chase Council to the County Council regarding Thrive Montgomery 2050 dated December 14, 2021 and a draft letter of support for the Town’s letter were circulated to Board Members and posted to the Village website prior to the meeting.

Mr. Crockett moved to authorize the Board Vice-Chair to send a letter to the County Council in support of the Town of Chevy Chase’s letter dated December 14, 2021 regarding Thrive Montgomery 2050. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted in favor of the motion. The motion passed.

Resolution No. 02-01-22: An Emergency Ordinance to amend Chapter 2, “Public Ethics”, Sec. 2-6, “Financial Disclosure”, to change the time for filing the financial disclosure form required of candidates. Resolution No. 02-01-22 was circulated to Board Members and posted to the Village website prior to the meeting.

Ms. Watters moved to adopt Resolution No. 02-01-22, as drafted. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted to approve the motion. The motion passed.

Contract Authorization Request Audit Contract Extension (second of two one-year extension options): Lindsey & Associates, LLC

A staff report was circulated to Board Members and posted to the Village website prior to the meeting.

Mr. Crockett moved to authorize the Village Manager to execute a letter exercising the second of two one-year contract extension options with Lindsey & Associates, LLC to perform auditing services, in an amount not to exceed \$10,700. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted to approve the motion. The motion passed.

Commission and Committee Matters: Ethics Commission

- **Board reappointment of Frank (Scot) McCulloch (Kirkside Drive) as a member, term exp. 2/2025 and as Chair, term exp. 2/2023.**

Mr. Morsberger moved to reappoint to the Ethics Commission Frank (Scot) McCulloch of Kirkside Drive to serve as a member, term ending February 2025 and as Chair, term ending February 2023. Mr. Winstead seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Watters, Ms. Willard, and Mr. Morsberger voted to approve 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. *No formal action was taken by the Board.*

Manager's Report

The Manager's Report was circulated to the Board prior to the meeting. *No formal action was taken by the Board.*

Adjournment

Mr. Crockett moved to adjourn the meeting. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Winstead, Mr. Crockett, Ms. Willard, Mr. Winstead, Ms. Watters and Mr. Morsberger voted in favor of the motion. The motion passed. The meeting adjourned at 9:04 p.m.

Attested by: Shana Davis-Cook, Village Manager

FINAL