

Chevy Chase Village Board of Managers' Meeting

June 11, 2018

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
Minh Le, Assistant Treasurer	Absent
Gary Crockett, Treasurer	Present
Richard M. Ruda, Assistant Secretary	Present
Nancy E. Watters, Member	Present

STAFF

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

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
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Elissa A. Leonard, Acting Chair of the Board of Managers, called the meeting to order at 7:30 p.m. 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 6:30 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 obtain advice on a legal matter with respect to legal interpretation of application of County Code and Village legislative adoption process. Ms. Leonard stated that during this closed session the Board took action to authorize a monetary bonus to a member of the Village staff for exceptional performance.

Oath of Office Ceremony

Ms. Barbara Meiklejohn, Clerk of the Circuit Court for Montgomery County, administered the Oath of Office to Ms. Elissa Leonard, Mr. Robert Goodwin, Jr. and Ms. Nancy Watters.

Election of Officers

Ms. Watters moved the following slate of appointments to serve as Board officers:

Elissa A. Leonard, Chair

Robert C. Goodwin, Jr., Vice Chair

Gary Crockett, Treasurer

Minh Le, Assistant Treasurer

David L. Winstead, Secretary

Richard M. Ruda, Assistant Secretary

Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Ms. Watters and Mr. Ruda voted in favor of the motion. The motion passed.

Board Appointment of a Member to Serve as Building Officer

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

Approval of Minutes from the Board's Regular Monthly Meeting: May 14, 2018

Minutes of the Board's regular monthly meeting held on May 14, 2018 were circulated to the Board prior to the meeting.

Mr. Crockett moved to approve the minutes of the Board of Managers' regular monthly meeting held on May 14, 2018, as drafted. Mr. Winstead seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Mr. Ruda and Ms. Watters voted in favor of the motion. 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.*

Special Permit Request

A-7324: Ms. Lisa K. Sanders and Mr. John S. Sanders, 5700 Cedar Parkway

Replace a wood picket fence (with gate) in the Oliver Street and Cedar Parkway public rights-of-way, the fence posts of which will measure a maximum of four (4) feet in height with sections of scalloped picket fencing varying in height between four (4) feet and three and one-half (3 ½) feet, pursuant to the submitted site plan, to be located less than three (3) feet from the public sidewalk.

Mr. Goodwin moved to approve the Special Permit request in Case A-7324 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 Special Permit request. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Mr. Ruda and Ms. Watters voted in favor of the motion. The motion passed.

Matters Presented for Board Consideration and Possible Action

- **Memorial/Dedication Bench Policy**

Mr. Crockett moved to approve the “Policy and Procedures: Memorial/Dedication Benches in Village Parks and Greenspaces”, as amended to reflect that benches may be purchased to remember or pay tribute to a resident a member of the requestor’s family or someone who has meaningfully contributed to the Village and to remove references to actual current cost. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Mr. Ruda and Ms. Watters voted in favor of the motion. The motion passed.

- **Contract Authorization Request: Tree Maintenance Services – The Care of Trees, Inc.**

Mr. Goodwin moved to authorize the Village Manager to enter into a contract with The Care of Trees, Inc., in substantially the form provided, to perform tree maintenance services. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Mr. Ruda and Ms. Watters voted in favor of the motion. The motion passed.

Commission & Committee Matters

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:

Committees Subject to Board Appointment

Community Relations
Financial Review
Public Safety
Traffic
Tree

Board Representative

Minh Le
Gary Crockett
Richard M. Ruda
Robert C. Goodwin, Jr.
Nancy E. Watters

Committees NOT Subject to Board Appointment

Environment & Energy
Parks & Greenspaces
Seniors Committee

Board Contact

Gary Crockett
Elissa A. Leonard
Minh Le

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

Community Relations Committee

- Board appointment of Lance Patterson (Grafton Street) to serve as Chair

Mr. Crockett moved to appoint Lance Patterson (Grafton Street) as Chair of the Community Relations Committee. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Goodwin, Mr.

Crockett, Mr. Winstead, Mr. Ruda and Ms. Watters voted in favor of the motion. The motion passed.

Tree Committee

- Board appointment of Michael Denger (Kirkside Drive) to serve as a member

Ms. Leonard moved to appoint Michael Denger (Kirkside Drive) as a member of the Tree Committee. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Mr. Ruda and Ms. Watters 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. *No formal action was taken by the Board.*

Adjournment

Mr. Crockett moved to adjourn the meeting. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Mr. Ruda and Ms. Watters voted in favor of the motion. The motion passed. The meeting adjourned at 7:58 p.m.

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 11, 2018

Time: 6:35 p.m.

Motion to close meeting made by: Gary Crockett Seconded by Robert Goodwin, Jr.

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

Opposed: _____ Abstaining _____ Absent Michael Denger, Minh Le

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 with respect to legal interpretation of application of County Code and Village legislative adoption process.

This statement is made by: Elissa Leonard, Acting Chair

Presiding Officer: 

SIGNATURE

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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.

STAFF: Shana Davis-Cook, Village Manager

VILLAGE COUNSEL: Suellen Ferguson

OTHERS: Charlotte Jones Carroll, Chair, Election Supervisors: Nancy Watters, Board Member-elect

TOPICS ACTUALLY DISCUSSED: Award of bonus to a staff member, appointment of Village Board members to Board offices, legal advice with respect to application and incorporation by reference of County laws, legal effect of particular County law in the Village

ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES: 5-0 vote in favor of awarding a cash bonus to a staff member for outstanding performance.

TIME CLOSED SESSION ADJOURNED: 7:25 p.m.