

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Council Work Session Minutes
February 9, 2016

Council Members Present: Arthur Alexander, Tiffany Cissna, Susan Fattig, Richard Krajeck, and Katya Hill

Residents and other attendees: none

7:30 PM Call to Order: Krajeck

7:30 PM The Council reviewed and discussed the Election Committee's Report, Proposed Charter Amendments, and Proposed Process Recommendations. The Council concurred with most of the amendments and recommendations, making a few edits. The Council also noted that, while the Committee cannot implement the proposed changes to the Charter for this election cycle (e.g., changing the timeline for candidates to accept their nominations), it can move forward with implementing its absentee ballot procedures at this time.

8:45 PM The Council reviewed and discussed its draft response to Funk & Bolton's Recommendations. The Council concurred with the draft response except for one instance, item #3 ("Rather than specifically stating the VMA boundaries, refer to filings with the State and County to avoid having to amend the Charter at later dates), and made a few edits to its notes. On the one outstanding issue, Council member Alexander recommends VMA make Funk & Bolton's proposed edits to the Charter in case its geographic boundaries ever change. The Council tabled this discussion for a later date.

9:30 PM The Council entertained a motion to enter closed session pursuant to Maryland Code, General Provisions Article, Section 3-305(b)(1), to discuss the prospective employment, assignment, and compensation of the applicants for the position of Village Manager.

Motion made by: Alexander

Seconded by: Fattig

Vote: all in favor

10:30 PM Adjournment: Krajeck

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Village of Martin's Additions
7013 B Brookville Road
Chevy Chase, MD 20815
301-656-4112 (Phone)
301-656-0030 (Fax)

Policy No. 00-00-16

Election Rules and Procedures

Village Council Elections: Election Committee Procedures Manual

The Village of Martin's Additions is governed by a municipal Charter that provides for a five-member elected Council to ~~set Village policy and work with the professional Village Manager.~~ Council elections are held each Spring appoint an Election Committee (Committee) that operates according to rules and procedures adopted by the Council, pursuant to Section 602 of the Village Charter. The ~~Election~~ Committee maintains the voter rolls, accepts and makes nominations of candidates for the Village Council, and oversees the annual election. Any qualified voter resident of the Village of Martin's Additions who is a qualified voter (18 years old as of the Village Election Day) may nominate another qualified resident voter or may declare his or her own candidacy.

Village Council Election Process

~~As described in the Village Charter, t~~The Election of Council members takes place on a date determined from year to year in accordance with Section 602 of the Charter. Council members are elected to terms of two years. ~~In general, t~~The number of seats open on the Council alternates between two and three seats every other year unless there is a vacancy as provided for in Section 408 of the Charter. All elections are managed by the ~~Election~~ Committee. The Committee consists of a minimum of three, but preferably no less than five, ~~people~~ qualified voter volunteers appointed by the Council ~~from qualified voter volunteers.~~ Each year the details of the election cycle for that year are published in the Village newsletter. The following guidelines apply:

- ~~No later~~ less than sixty (60) days prior to the election, the Election Committee will request that declarations of candidacy or nominations of candidates be submitted in writing to the Election Committee. No later than fourteen (14) calendar days before the election, all nominated candidates and those submitting declarations of candidacy shall be required to certify, pursuant to guidance from submit a conflicts of interest disclosure statement, in a form provided by the Ethics Committee ~~that they have no disqualifying conflict of interest.~~ The Election Committee may specify in its request the format of candidates' written statements, including any standard questions to which all candidates are requested to respond. A successful write-in candidate shall be required to submit a conflicts of interest disclosure statement no later than seven (7) business days following the election.

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- Pursuant to Village Charter Section 602(a), nominations must be received in writing at least thirty (30) days prior to the election, in order to be placed on the official ballot. The following rules shall apply to each election after the 2016 election (provided the Village Charter is revised accordingly):

1. ~~No later than forty five (45) days prior to the election,~~

To allow sufficient time to confirm the interest of nominated candidates, ~~N~~ominations of candidates ~~or declarations of candidacy~~ must be received in writing at least forty-five (45) days prior to the election, ~~and, t~~The Election Committee will contact any person so nominated to determine such nominee's desire to be a candidate. ~~No nominations or declarations will be accepted by the Committee if received later than the deadline specified here.~~

- o ~~The Committee may specify any standard questions to which all candidates are requested to respond.~~

2. ~~No later than thirty (30) days prior to the election, To be placed on the official ballot,~~ candidates' declaration of candidacy or confirmations of candidacy (if nominated by another qualified voter) and written statements of interest and qualifications must be received in writing by the Election Committee ~~to be placed on the official ballot. at least thirty (30) days prior to the election.~~ No ~~nominations,~~ declarations of candidacy or written statements of interest and qualifications will be accepted by the Election Committee ~~if received following later than the deadlines set forth herein this paragraph.~~

- ~~Blank lines will be placed on the ballot for the purpose of adding write-in candidates at the time of the election.~~

- ~~Candidates shall be required to certify in their written statements of interest that they have no disqualifying conflict of interest, as defined below~~

- ~~A "disqualifying interest" means that any person or an immediate family member, or such person's or family member's employer, has a direct or indirect relationship with the Village for business purposes, such as a contract to provide services to the Village.~~

- ~~At least two~~ ~~No later than three (3) weeks prior to the election, the Election Committee shall give public written notice of the candidates for office and provide, or provide access to, the written statements of interest and qualifications and shall designate the date of the election, the polling place, and time. The Election Committee may establish a format, date and time for a public forum for residents to hear from candidates. The forum shall be moderated by the Committee at its sole discretion.~~

- ~~Pursuant to the Charter and Committee's these established rules and procedures, e~~Each qualified voter may cast a ballot on the day and at the time designated ~~or .~~ ~~Qualified voters may vote by absentee ballot. The Election Committee shall determine the rules for absentee voting from time to time.~~ The ~~current~~ rules ~~for voting absentee are~~ are set forth under "Absentee Voting" below.

- In the event that two or more candidates receive the same number of votes where only one can be elected, there shall be a runoff election within two weeks of the original election.

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Comment [BLL1]: These rules, which would impose deadlines on getting on the printed ballot, are likely to be deemed "regulations" under Charter Section 502(a). Thus, they cannot be adopted until 30 days after being introduced and a hearing is held (unless an emergency exists). I recommend such deadlines be added to the Code, to improve enforceability.

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Comment [Council2]: Needed to tie this to a timeframe, so stuck in here when seemed to make most sense.

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Comment [BLL3]: This is required by Charter Sec. 903. The deadline for filing the statement, and consequence for failing to do so, should be provided in the Code (for nominated candidates and for write-in candidates).

Comment [BLL4]: The Charter, Section 602(b) states "two weeks."

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The Council may choose to hold the runoff election by mail ballot.

- Each candidate may designate one person as an official observer to be present when the ballots are being counted, although such observer may not participate in or otherwise disrupt the counting of the ballots.

Who Can Vote?

~~Pursuant to the Charter, a qualified voter is “any Any natural person who owns property or any resident of is 18 years of age or older as of Election Day, whether or not a United States citizen, and who resides in or owns real property in Martin’s Additions who is eighteen years of age or over.” In or, in the case of students, such as college or boarding school students, a student who resides elsewhere during the school year but who maintains a permanent address in Martin's Additions, is deemed a resident and entitled to vote in the Village Council election. Voters in Martin’s Additions need not be registered to vote in Montgomery County or in the State of Maryland. The Election Committee will utilize the most recent electronically available version of the Village Directory to Village qualified voter contact information to verify residents’ names and addresses. Any voter not listed in the Village Directory data should be prepared to show a driver’s license, a utility bill or other documentation acceptable to the Election Committee in its sole discretion showing his/her Martin’s Additions address when he/she comes to the polls. Questions regarding eligibility to vote at the polls or otherwise should be directed to the Chair of the Election Committee, who will refer the matter to the Election Committee for determination.~~

Comment [BLL5]: The Charter Sec. 301 defines a “resident” as a “person who presently lives in” the Village, which has led to confusion concerning college students and others. The Charter should be amended.

Comment [Council6]: Council concurs

Voting Locations

Voting will be conducted from 5:00-8:00 PM on Election Day in front of the Village Office at 7013B Brookville Road, if weather permits. If the weather is inclement, voting will take place in the ~~Olympia Coffee Shop~~ Village Office with appropriate accommodations to be made by the Committee for accessibility concerns. All qualified voters are encouraged to vote by casting their ballots in the polling area. Write-in candidates are permitted. All voting is by secret ballot and election procedures are designed to ensure that voters have the opportunity to cast ballots in privacy. A street festival, “Celebration on the Sidewalk,” traditionally takes place during the voting.

Absentee ~~Voting~~ Ballots

Comment [Council7]: To make consistent with the above

Residents ~~who are unable to come to the polls on Election Day are encouraged to~~ may apply for an absentee ballot. To ensure privacy, absentee ballots will be assigned randomized control numbers and will not reflect any voter information on the ballot. Control numbers will be maintained by the ~~Election~~ Committee and will be utilized by the ~~Election~~ Committee for purposes of authenticating absentee ballots received. Absentee ballots may be requested from the ~~Election~~ Committee using any of the following methods:

(1) by coming to the Village Office (7013 Brookville Road, Suite B) in person to complete an absentee ballot application provided by the Committee, or

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(2) by sending a request via

(a) email to VMAelections@gmail.com or

(b) mail to the Committee's P.O. Box.

Such correspondence email will be considered to be a ballot application and must contain the qualified voter's full name and permanent address in Martin's Additions together with a stated preference for receiving the absentee ballot by mail or e-mail. If no such preference is stated, the request will be deemed to have specified a delivery preference of mail through the United States postal service. Following verification that the requester is a qualified voter by the Election Committee, an absentee ballot and instructions will be mailed or emailed, as specified, to the requesting voter.

Absentee ballots may be requested on an individual or household basis by the qualified voter or a member of his or her household; provided, that if the absentee ballot request states e-mail as a delivery preference, each voter for whom an absentee ballot is requested must have a separate individual e-mail address for receipt of such absentee ballot, and such e-mail address must be provided with the request for each such qualified voter. The Election Committee will not accept absentee ballot requests from any person or by any method except as described in this Absentee Ballots section.

Absentee ballots can be requested starting 21 days prior to election day.

Absentee ballots must be received by the Election Committee by election day by one of the methods below. The Election Committee takes no responsibility for late ballots. Requests for absentee ballots should be made sufficiently in advance of the election to allow time for delivery. Delivery times cannot be guaranteed. Completed absentee ballots must be returned to the Election Committee according to the following procedures:

1. — (1) by mailing via the United States postal service the completed ballot to the VMA Election Committee post office box as indicated on the absentee ballot instructions, to be received by 3 p.m. on election day.

(2) by personally dropping the absentee ballot in the slot in the locked ballot box in the VMA office no later than 3:00 p.m. on the day of the election. The ballot must contain the assigned control number on the outer envelope to be considered eligible. Security of the locked ballot box will be maintained by the Election Committee and only designated members of the Election Committee will have access to the contents of the ballot box. Residents should not ask Village staff to handle completed ballots at any time.

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~~(3)~~(3) by submitting the ballot in person at the polling place on Election Day during regular voting hours following verification by the ~~Election~~ Committee of the resident's identity and the ballot's control number.

Electioneering

- (1) Candidates' election materials: -Residents may distribute candidates' information to Village residents, provided that such distribution complies with applicable laws, including Sections 7-208 and 9-106 of the Village Code and the United States postal service regulations (for example, no unstamped non-postal material in residents' mailboxes).
- (2) Yard signs: Residents may display candidates' yard signs, provided that the size, location, construction, and duration of such signs comply with the County's sign ordinance (Article 59-F of the Montgomery County Code).
- (3) On Election Day, no electioneering is permitted within 100 feet of the polling place (ballot table). Sound amplification systems such as bullhorns will not be permitted.

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Comment [BLL8]: I recommend such procedure be added to the Code, to improve enforceability.

Comment [Council9]: As edited by Ron Bolt

Section 602. Elections.

The election of Council members, which shall be by secret ballot, shall take place between June 1 and June 15 each year, ~~taking into account the need for elections to take place prior to the end of the school year.~~ Except for the transition election provided for in Section 409, Council members shall be elected to terms of two years. All elections shall be managed by an Election Committee (the Committee). The Committee shall consist of a minimum of three people appointed by the Council from qualified voter volunteers openly and fairly solicited. The Council shall appoint the Committee upon taking office. The Committee shall serve through the ~~succeeding election taking of oath -of the next Council members.~~ The Committee shall operate according to rules and procedures adopted by the Council and set out in the Village by laws. Exceptions to these provisions may be made for the transition election as provided for in Section 409.

(a) Not less than sixty (60) days prior to the election, the ~~Election~~ Committee shall request that declarations of candidacy or nominations of candidates be submitted in writing to the ~~Election~~ Committee. Any individuals who qualify under Section 402 may declare their candidacy or be nominated by another qualified voter. Nominations of candidates must be received in writing at least forty-five (45) days prior to the election, and the ~~Election~~ Committee will contact any person so nominated to determine such nominee's desire to be a candidate. Candidates' declaration of candidacy or confirmations of candidacy (if nominated by a qualified voter) and written statements of interest and qualifications must be received in writing by the ~~Election~~ Committee at least thirty (30) days prior to the election, in order for the candidate's name to be placed on the official ballot. ~~The Election Committee may specify the format of candidates' written statements of interest.~~ No nominations, declarations of candidacy or written statements of interest and qualifications will be accepted by the ~~Election~~ Committee following the deadlines set forth in this paragraph (a). Appropriate blanks will be provided on the ballot for the purpose of adding write-in candidates at the time of the election.

(b) At least ~~two-three~~ (3) weeks prior to the election, the ~~Election~~ Committee shall give public ~~written~~ notice of the candidates for office and provide, or provide access to, the written statements of interest and qualifications, and the conflicts of interest disclosure statement, and shall designate the date of the election, the polling place, and time. The ~~Election~~ Committee may, but is not required to, establish a format, date and time for a public forum for residents to hear from candidates in its sole discretion.

(c) Each qualified voter may cast a ballot on the day and at the time designated or ~~Qualified voters~~ may vote by absentee ballot, pursuant to the established rules and procedures approved by the Council. ~~The Election Committee shall determine the rules for absentee voting from time to time.~~

(d) In the event that two or more candidates receive the same number of votes where only one can be elected, there shall be a runoff election within two weeks of the original election. The Council may choose to hold the runoff election by mail ballot.

Comment [Council1]: Leaving as defined in Charter Section 301: "any person who owns property or any resident of Martin's Additions who is eighteen years fro age or over."

Comment [Council2]: Should this be changed to the taking of office by the next Council? Ran into a problem last year...

Comment [BLL3]: This can be done. We will also have to revise Code Sec. 2-101(a).

Comment [BLL4]: I recommend removing this from the Charter and adding it to Code, to allow amendments more easily.

Comment [Council5]: To avoid having to print

(e) Those persons newly elected as Council member(s) shall take office on July 1 following the election. The term of former Council member(s) whose term is expiring shall expireconclude simultaneously with the taking of office by the new Council member(s). Prior to taking office, and entering upon the duties of their offices, the members of the Council shall take and subscribe to the oath prescribed by Article 1, Section 9 of the Constitution of the State of Maryland. [Revise Sections 401 and 901; combine 904].

(f) The Council is authorized to pass other regulations governing elections deemed necessary and consistent with this Section. (Char. Am. No. 2, 2-27-87; Char. Am. No. 3, 2-27-87.) »

Comment [Council6]: Confer with Ron re “taking office” and “swearing in” – see Charter Section 901 re oath (i.e., “Before entering upon the duties of their offices, the members of the Council shall take and subscribe to the oath prescribed by” the State of MD.

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VMA Council Response to Funk Bolton Recommendations v2

#	Section	Funk & Bolton Recommendation Summary	Bolt Legal Counsel*	VMA Council Response**	Notes/Action Taken
1	I. The Charter, Section 101	Ensure consistency of abbreviation of VMA throughout.	Defer to VMA Council. Using both "Martin's Additions" and "Village" may not be an issue.	Agree	Make changes when Charter amendment is done.
2	I. The Charter, Section 101	Remove reference to special taxing district	Agree	Agree	Make changes when Charter amendment is done
3	I. The Charter, Section 201	Rather than specifically stating the VMA boundaries, refer to filings with State and County, to avoid having to amend Charter at later dates	Defer to VMA Council	Disagree	VMA will not be growing or annexing, as a result, the change is unnecessary
4	I. The Charter, Section 301	Ensure consistency of abbreviation of Village Council (and VMA, per #1) throughout.	Defer to VMA Council. Using both "Council" and "Village Council" may not be an issue.	Agree	Make changes when Charter amendment is done
5	I. The Charter, Section 301	Amend definitions of "Qualified Voter" and "Resident"	Agree	Agree	The Council agrees it should amend the definition of resident to include students who maintain their permanent residents in the Village. However, the Council does not agree with changing the definition of qualified voter.
6	I. The Charter, Section 401	Recommend adding the Arabic numeral in a parenthesis after any number that is written out	Defer to VMA Council	Agree	Make changes when Charter amendment is done

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7	I. The Charter, Section 402	Shorten to define who may run for Council	Disagree	Disagree	Counsel recommends no change. Although the provision could be simplified, the subject sentence clarifies an issue that may not be clear if the sentence were deleted.
8	I. The Charter, Section 403	Clarification about who has check signing authority	Defer to VMA Council	Agree	Make changes when Charter amendment is done, clarifying that any 2 Council members have the authority to sign checks and updating who must be bonded in Section 902
9	I. The Charter, Section 403	Appoint another member of the Council to fulfill Secretary's custodial duties, if/as needed	Disagree	Disagree	The Village Manager has already been tasked with this (per Section 404).
10	I. The Charter, Section 403	Recommend that officer selection be done during a specific organizational meeting	Defer to VMA Council	Disagree	While the Council does not agree that there needs to be a separate, organizational meeting, the Council concurs that a Charter amendment should be done to clarify that this is done at the beginning of the first meeting of the new Council as the first order of business, after the Oath is given per Section 901.
11	I. The Charter, Section 405	Delete reference to "Sections 501 and 502" and increase expenditure threshold from \$1,000 to \$5,000 or \$10,000	Agree	Agree	Make changes when Charter amendment is done

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12	I. The Charter, Section 406	Delete references to "by-laws"	Agree	Agree	Make changes when Charter amendment is done
13	I. The Charter, Section 406	Revise language of this section to say that Council meetings are open unless closed pursuant to Maryland Open Meetings Act and revise for updates to that Act	Agree	Agree	Make changes when Charter amendment is done
14	I. The Charter, Section 407	Revise to refer to and make the meeting minutes open pursuant to the Village's Public Information Policy	Defer to VMA Council	Disagree	While the Council concurs with the recommendation to make minutes open, Council prefers remaining silent on how will be done (meeting audio recordings and minutes are currently posted on the Village website)
15	I. The Charter, Section 408	Consider removing the requirement to have the Election Committee recommend 3 candidates in case of a Council Vacancy	Defer to VMA Council (but the current process provides a public benefit)	Disagree	Council believes that the process as originally set forth is best
16	I. The Charter, Section IV - Other issues	Recommendations based on if the Council were to ever draw pay	Defer to VMA Council	Disagree	Council does not believe the VMA Council will ever be more than resident-volunteers and will leave as is to force a future Council to make a change should they decide the Council will be paid.
17	I. The Charter, Section 501	Clarify the meaning of "regulation"	Disagree	Disagree	"Regulations" are not always ordinances or resolutions. They could be, <i>e.g.</i> , traffic orders under the Maryland Transportation Article.

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VMA Council Response to Funk Bolton Recommendations v2

18	I. The Charter, Section 502	Recommendation for making the Ordinance passage process less burdensome	Disagree	Disagree	Council believes that the process as originally set forth is best
19	I. The Charter, Section 602	Recommendation to change the Election Date to make more consistent with other meetings and facilitate transition. Also, notes need for rules and procedures to be adopted by the Council	Agree	Agree	Council referred comments to Election Committee for review and consideration.
20	I. The Charter, Section VI - Other issues	Council may consider other clarifying language on election procedures, qualified voters, etc.	Defer to VMA Council (Section 602 contemplates adoption of rules)	Agree	Council believes this will be resolved with Election Committee work and other proposed changes.
21	I. The Charter, Section 701	Recommend deleting redundant conflict of interest language regarding Council members	Defer to VMA Council (it may be best to retain because Code is amended more easily)	Agree	Make changes when Charter amendment is done consistent with the Ethics Committee's recommendations.
22	I. The Charter, Section 701	Recommend defining "professional services" contract and establishing some basic contract procedures	Agree (a procurement ordinance would be useful)	Agree	Council concurs with the recommendations needing to be addressed, but will handle in the Code, not the Charter
23	I. The Charter, Section 702	Recommend further addressing of debt provision language	Defer to VMA Council	Disagree	The proposed amendment may be unnecessary. The Council could wait until such time as public debt borrowing is anticipated, before undertaking this edit.

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24	I. The Charter, Section 703	Recommend further addressing of debt provision language, making it easier for the Village to borrow money	Defer to VMA Council	Disagree	The proposed amendment may be unnecessary. The Council could wait until such time as public debt borrowing is anticipated, before undertaking this edit.
25	I. The Charter, Section VII - Other issues	Council may consider adding provisions regarding the Treasurer's duties and responsibilities	Defer to VMA Council	Agree	The Council prefers to address this issue (not exactly these edits) in the Code and will retain for future Code amendments.
26	I. The Charter, Section 801	Consider specifying duties of the Manager	Disagree	Disagree	This is already handled in the Code
27	I. The Charter, Section 802	Combine with section in Code?	Agree (but delete Code Section 2-203 in favor of Charter, rather than <i>vice-versa</i>)	Agree	Address with Code amendment
28	I. The Charter, Section VIII - Other issues	Consider adding section on compensation and benefits of employees	Disagree (this should be covered by non-binding employment manual)	Disagree	Council does not believe such information needs to be in the Charter

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29	I. The Charter, Section 903	Delete requirement for pre-election/pre-employment "disclosure."	Defer to Council (but reference to "bylaws" should be deleted. Disclosure may be deemed unnecessary based on conflicts of interest Code)	Agree	Make changes when Charter amendment is done
30	I. The Charter, Section 906	Recommend deleting reference to outdated Maryland Code	Defer to VMA Council	Agree	Make changes when Charter amendment is done
31	I. The Charter, Section IX - Other issues	Consider adding language regarding conflicts between Charter and existing ordinances	Disagree	Disagree	Council believes the Charter takes precedence by law
32	II. Code of Ordinances , Chapter 1	Review abbreviated terms for consistency	Defer to VMA Council	Agree	Make remaining changes when next Code amendment is done
33	II. Code of Ordinances , Chapter 2	Amend Chapter to include Elections procedures and make term language consistent with the Charter	Defer to Council (rules could be separately adopted, rather than added to the Code)	Agree	Make changes upon Council approval of Elections Committee recommendations
34	II. Code of Ordinances , Chapter 2	Incorporate Section 2-203 "council may employ..."	Disagree	Disagree	Recommendation has already been addressed
35	II. Code of Ordinances , Chapter 2	Delete 2-501 as redundant of Charter	Disagree	Disagree	Council has conferred with counsel and will leave in as consistent with the MD AG's model

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36	II. Code of Ordinances , Chapter 3	Recommend moving 3-302 and incorporating it into Chapter 2, Section 5 for consistency	Agree	Agree	Recommendation has already been addressed by Ordinance No.: 11-15-1 (see Section 3-201)
37	II. Code of Ordinances , Chapter 3	Recommend updating 3207 to refer to Title 6 of the Local Government Article and adopting a penalty class schedule	Defer to VMA Council	Agree/Disagree	Recommendation has already been addressed regarding outdated reference. The Council finds that a more-detailed penalty class schedule is not needed at this time.
38	II. Code of Ordinances , Chapter 4	Update the Ethics Code with minor changes	Agree	Agree	Council referred comments to Ethics Committee for review and consideration.
39	II. Code of Ordinances , Chapter 5	No recommendation.	Counsel noted that VMA "opts-in" to County Code unless it specifically "opts out"	Agree	Council recommends a "holistic review" of County Code to ensure that the Village does not want to "opt-out" of anything else. County Code has changed significantly since the last time it was reviewed. This is a large project to be addressed in the longer-term.
40	II. Code of Ordinances , Chapter 6	Recommended changes to the municipal infraction schedule	Defer to VMA Council	Disagree	The Council finds that a more detailed penalty class schedule is not necessary at this time.
41	II. Code of Ordinances , Chapter 7	Recommendation about the MD Minimum Livability Code	Disagree (unless VMA wants to take on enforcement)	Disagree	Council believes best deferred to the County

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42	II. Code of Ordinances , Chapter 7	Article 2: Add penalty section for the entire article	Disagree	Disagree	Currently, Section 3-302 is the default provision and imposes a fine of \$100 for any Code violation. If a different penalty is to be imposed for any specific violation, it can be separately provided as needed.
43	II. Code of Ordinances , Chapter 7	Article 4: Recommendation about Maryland Building Performance Standards	Disagree (unless VMA wants to enforce)	Disagree	Council believes best deferred to the County
44	II. Code of Ordinances , Chapter 7	Recommend adding a penalty section to Article 4	Disagree	Disagree	Recommendation has already been addressed
45	II. Code of Ordinances , Chapter 8	Recommend making 8-103 consistent with State law restrictions for signs in State roads	Disagree	Disagree	This Section governs Village roads.
46	II. Code of Ordinances , Chapter 9	Consolidate penalty sections, clarify municipal infractions, and authorize issuance of a stop work order	Agree	Agree	Make remaining changes when next Code amendment is done
47	III. Resolutions and Policies, Establish Schedule of Completion Bonds	Confirm adopted and make language consistent with 6-304	Defer to VMA Council	Agree	Resolution could be re-adopted

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48	III. Resolutions and Policies, Interpretiv e Policy re parking	Recommend clarifying intent in Code rather than in policy	Agree	Agree	Recommendation has already been addressed
49	III. Resolutions and Policies, generators and auxiliary power units	Recommend clarifying intent in Code rather than in policy	Agree	Agree	Recommendation has already been addressed
50	III. Resolutions and Policies, Policy on Objects in the ROW	Recommend clarifying intent in Code rather than in policy	Agree	Agree	Make remaining changes when next Code amendment is done
51	III. Resolutions and Policies, Policy on Sump Pump Charges in the ROW	Recommend clarifying intent in Code rather than in policy	Agree	Agree	Make remaining changes when next Code amendment is done

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VMA Council Response to Funk Bolton Recommendations v2

52	III. Resolutions and Policies, Block Party Policy	Recommend clarifying intent in Code rather than in policy	Defer to VMA Council	Disagree	Council believes that the process as originally set forth is best
53	III. Resolutions and Policies, VMA Public Informatio n Act	Recommend clarifying that if there is conflict with State law/regs, defer to State law/regs	Defer to VMA Council	Agree	Make relevant changes when next Code amendment is done

* Bolt Legal response "Agree" means the issue should be addressed, but not necessarily according to the recommendation. "Defer to Council" means a policy decision is involved, rather than a legal deficiency.

** VMA Council Response (i.e. Agree/Disagree) does not mean that the Council agrees with the approach recommended by Funk & Bolton but rather whether the issue raised requires addressing.