

**Appointment -  
Montgomery County  
Planning Board**

MEMORANDUM

July 16, 2009

TO: County Council

FROM: Justina J. Ferber, Legislative Analyst 

SUBJECT: Appointment – Member of the Maryland-National Capital Park and Planning Commission and Montgomery County Planning Board

**BACKGROUND**

The Council will make an appointment to fill one position on the Maryland-National Capital Park and Planning Commission/Montgomery County Planning Board. The term of John M. Robinson (Democrat) expired on June 14, 2009. Mr. Robinson has served two terms and is not eligible for reappointment on the Montgomery County Planning Board. Members of the Planning Board may continue to serve until their successors are appointed and have qualified. The Council advertised from March 5 to April 22 for applicants for the vacancy and received eighteen applications.

No more than three members of the Planning Board may be from the same political party, and all members must be residents and registered voters of Montgomery County when appointed. Members serve four-year terms and are limited to two consecutive full terms. This position can be filled by a Democrat (D), Republican (R), or a voter who has declined to affiliate (unaffiliated). Annual compensation for Board members is \$30,000. Current board members are:

John M. Robinson (Democrat) – term expired June 14, 2009  
Royce Hanson (Democrat), Chairman - term expires June 14, 2010  
Jean B. Cryor (Republican) - term expires June 14, 2011  
Joseph Alfandre (Democrat) – term expires June 14, 2011  
Amy Presley (Republican) - term expires June 14, 2012

**APPLICANTS AND INTERVIEWS**

There were eighteen applicants for this position. The following six applicants were interviewed by the Council on June 16: Mr. Alan S. Bowser, Ms. Ilaya Rome Hopkins, Ms. Patricia H. Lee; Mr. Roberto Piñero; Ms. Cynthia Rubenstein and Ms. Marye Wells Harley. Interviewees were then given financial interviews by an attorney from the Office of the County Attorney. Resumes for interviewees are attached.

Applicants Carol Van Dam Falk and Donna Perlmutter, also selected to be interviewed, withdrew their applications. Applicant Chris Paladino was out of town and unavailable for the interviews on the 16<sup>th</sup>. Other applicants for the position are: Jay A. DeFranco; Benjamin W. George; Robert Gooding; Earl L. Kendrick; Philip Litman; Don O'Neill; John R. Pobiak; Christopher Schauer; and Joav Steinbach.

Councilmembers received copies of endorsement letters for each applicant. In a separate memo, distributed as an addendum to this packet, staff listed the endorsements for the convenience of Councilmembers.

## **COUNCIL ACTION**

Attached is a draft resolution of appointment. The Council will nominate and vote on the appointment.

## **EXECUTIVE ACTION**

Within three days of appointment by the Council, the names of appointees are delivered to the County Executive, who shall within 30 days after the appointment, either approve or disapprove the appointments. In the event that the County Executive disapproves an appointment, he shall return the appointment to the Council with the reasons for the disapproval in writing. The Council may, by the affirmative vote of 7 of its members, appoint a member of the Commission over the disapproval of the Executive and by the affirmative vote of 6 of its members designate a Chairman over the disapproval of the Executive. Once the appointment process is completed, the appointee is sworn in by the Clerk of the Circuit Court.

### **This packet contains:**

### **Circle #**

Draft Appointment Resolution	A
MNCPPC Background Material	B
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List of Applicants	E
Resumes of Interviewees	1 - 28
Alan S. Bowser © 1	
Ilaya Rome Hopkins © 7	
Patricia H. Lee © 10	
Roberto Piñero © 15	
Cynthia Rubenstein © 20	
Marye Wells Harley © 24	

Resolution No.: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: County Council

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Subject: Appointment to the Maryland-National Capital Park and Planning Commission

Background

1. Article 28, Section 2-101, of the Maryland Code provides for the appointment of members to the Maryland-National Capital Park and Planning Commission. No more than three members of the Commission may be from the same political party.
2. John Robinson's (Democrat) term expired on June 14, 2009.
3. Current members include Royce Hanson, Chair (Democrat); Joseph Alfandre (Democrat); Jeanne Cryor (Republican); Amy Presley (Republican); and John Robinson (Democrat).
4. The appointment of a member to fill the expired term of John Robinson is before the Council for approval.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

\_\_\_\_\_ is appointed to the Maryland-National Capital Park and Planning Commission until June 14, 2013, or until a successor has been appointed and qualified.

This is a correct copy of Council action.

Approved:

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Linda M. Lauer  
Clerk of the Council

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Isiah Leggett  
County Executive

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

**Membership:** No more than three of the five members shall be of the same political party. Any vacancy occurring in the membership of the Commission from Montgomery County for any cause shall be filled by the Council, for the unexpired term. A person appointed to fill any vacancy for an unexpired term shall be a member of the same political party as was represented by the member who vacated the office. Montgomery County may designate a member to serve on a full-time basis provided that person has been designated by the county to serve as chairman or vice-chairman of the Commission.

**Term:** The term is for four years. Appointments shall be made on or before June 15 of the year in which any appointment is made. Members may continue to serve until their successors are appointed and have qualified. A Commissioner may not be appointed for three consecutive, full terms.

**Compensation:** Current Montgomery County Planning Board Members receive \$24,400 and Maryland-National Capital Park and Planning Members receive \$5,600 for a total annual salary of \$30,000. The Chairperson receives \$150,000.

**Financial Statement:** Each applicant for appointment shall file a State Ethics Commission financial disclosure statement with the Council no later than five days prior to the initial date set for interview by the Council.

The County Council may require applicants for appointment or reappointment to be interviewed by the Council or its designated agent in private as to any possible or potential conflict of interest. Applicant shall be questioned under oath and the interview shall be conducted in a question and answer fashion, and a written transcript made of all questions and answers. There shall be a public disclosure by the Council of the complete transcribed testimony of the actual appointee or appointees three weeks from the date of his or her appointment.

**Current Members:** John M. Robinson (Democrat) – term expires June 14, 2009  
Royce Hanson (Democrat), Chairman – term expires June 14, 2010  
Jean B. Cryor (Republican) – term expires June 14, 2011  
Joseph Alfandre (Democrat) – term expires June 14, 2011  
Amy Presley (Republican) – term expires June 14, 2012



# Montgomery County Council

For Immediate Release

March 5, 2009

FOR INFORMATION: Justina Ferber 240-777-7938

## Montgomery Council Seeks Applicants For County Planning Board Position

*Deadline for Applications Is 5 p.m. on Wednesday, April 22*

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ROCKVILLE, Md., March 5, 2009—The Montgomery County Council is seeking applicants to fill one vacancy on the Montgomery County Planning Board. The term of John Robinson (Democrat) will expire on June 14. Mr. Robinson has served two terms and is not eligible for reappointment.

Applications must be received no later than 5 p.m., on Wednesday, April 22.

No more than three members of the Planning Board may be from the same political party, and all members must be residents and registered voters of Montgomery County when appointed. Members serve four-year terms and are limited to two full terms. The position can be filled by a Democrat; a Republican; a voter who declines to affiliate with a party; or by a member of another party officially recognized by the Montgomery County Board of Elections.

In addition to Mr. Robinson, the current board members are Chairman Royce Hanson, a Democrat; Joseph Alfandre, a Democrat; Jean B. Cryor, a Republican; and Amy Presley, a Republican. Annual compensation for board members currently is \$30,000.

The Planning Board serves as the Council's principal adviser on land use planning and community planning. Planning Board members also serve as commissioners of the Maryland-National Capital Park and Planning Commission.

(MORE)

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The Planning Board's responsibilities with regard to planning include preparation and amendment of the County General Plan; preparation and amendment of Master Plans and functional plans; formulation of subdivision regulations; preparation of, or recommendations, on text amendments to the County Zoning Ordinance; implementation of the subdivision process by reviewing and approving all preliminary plans, site plans and other plans for development; advice on the planning implication of capital facilities and programs of the County government, Montgomery College, the Washington Suburban Sanitary Commission and Montgomery County Public Schools; commenting, under its Mandatory Referral authority, on plans for public facilities of local, state and federal agencies; and approval of the work program and the annual operating budget for the Planning Department and the commission's bi-county offices.

The Planning Board sits as the Park Commission and approves the annual Parks Department operating budget and Capital Improvements Program (CIP) budget; land acquisition contracts and major development contracts for parks; development plans for individual park facilities; policies for park operations; and park user fees.

The Montgomery County Planning Board meets all day every Thursday and often meets on one other evening a week. The entire Maryland-National Capital Park and Planning Commission meets the third Wednesday of every month. On average, a Planning Board member can expect to spend at least two full days a week in scheduled and informal meetings. Additionally, substantial time is required for preparatory work and other activities related to Planning Board responsibilities.

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to: Council President Phil Andrews, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Letters must be received no later than 5 p.m., Wednesday, April 22. It is the Council's policy not to consider applications received after the deadline. After the April 22 closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in June.

Letters of application are made public as part of the appointment process. The names of all applicants are published and available for public review and interviews are conducted in public. A resume of professional and civic experience should be included with letters of application. A financial statement of assets, debts, income and family property interests will be required of all applicants. Only the candidates appointed will be required to make their financial statements available to the public.

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**MONTGOMERY COUNTY PLANNING BOARD**  
**Applicant List 2008**

**Alan S. Bowser (D)**

**Jay A. DeFranco (D)**

**Carol Van Dam Falk (D) *Withdrew***

**Benjamin W. George (R)**

**Robert Gooding (D)**

**Wendell M. Holloway Ph.d. (D) *Withdrew***

**Ilaya Rome Hopkins (D)**

**Earl L. Kendrick (R)**

**Patricia H. Lee Esq. (D)**

**Philip Litman (Unaffiliated)**

**Don O'Neill (D)**

**Chris Paladino (D) *Unable for Interview***

**Donna Mandel Perlmutter (D) *Withdrew***

**Roberto R. Piñero (D)**

**John R. Pobiak (Unaffiliated)**

**Cynthia Rubenstein (D)**

**Christopher Schauer (R)**

**Joav Steinbach (D)**

**Marye Wells-Harley (D)**