



Committee: Directly to Council
Staff: Selena Mendy Singleton, Esq., Clerk of the Council
Purpose: Final action – vote expected
Keywords: #CouncilAppointments

AGENDA ITEM #4
September 28, 2021
Action

SUBJECT

Appoint a new member of the Board of Appeals (BOA) for a term to expire in September 2025.

EXPECTED ATTENDEES

None.

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

None.

DESCRIPTION/ISSUE

The Montgomery County Council advertised on June 22, 2021 for the upcoming vacancy on the BOA, and two applications were received. The partial term served by Caryn Hine expires in September 2021. Upon reviewing the applications, Councilmembers recommended supporting the reappointment of Ms. Hines.

By law, no more than three members of the Board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who is unaffiliated with a party, or a voter who is a member of another party officially recognized by the Board of Elections. Current members of the Board include Chair John Pentecost (Democrat), Bruce Goldensohn (Republican), Mary Gonzales (Democrat), Caryn Hines (Democrat), and Richard Melnick (Unaffiliated).

ROLE OF THE COUNTY EXECUTIVE

Section 2-108(a) of the Montgomery County Code states that "The Council shall request the County Executive to provide within thirty (30) days a recommendation as to qualified applicants prior to any appointment."

A memorandum was sent to the County Executive requesting his recommendation on the BOA vacancy. The Executive responded on September 9, 2021 as follows: "Based on the information provided and the incumbent's background and experience, I recommend that the Council reappoint Caryn Hines to the Board of Appeals."

This report contains:

- Draft resolution ©1
- Memo from County Executive ©2
- News Release ©3-4
- List of applicants ©5
- Letters of applications & resumes - pages A-G

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Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Appointment of member to Board of Appeals

Background

1. The Montgomery County Code, Sections 2-108 through 2-116, establishes a County Board of Appeals.
2. Ms. Caryn Hines (Democrat) was appointed on February 23, 2021, to fill the term of Katherine Freeman. Ms. Hines will complete a partial term in September 2021.
3. The County Code requires that membership shall consist of five members with not more than three of the five members of the Board from the same political party.
4. Current members of the Board include Chair John Pentecost (Democrat), Bruce Goldensohn (Republican), Mary Gonzales (Democrat), Caryn Hines (Democrat), and Richard Melnick (Unaffiliated).

Action

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

Reappointment of Caryn Hines as a member of the Board of Appeals effective immediately until September 2025, or until a successor has qualified and been appointed.

This is a correct copy of Council action.

Selena Mendy Singleton, Esq.
Clerk of the Council

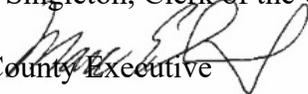


OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

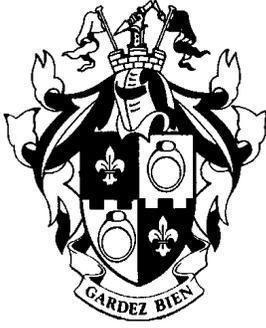
MEMORANDUM

September 9, 2021

TO: Selena Mendy Singleton, Clerk of the Council
FROM: Marc Elrich, County Executive 
SUBJECT: Appointment to the Board of Appeals

Thank you for your memorandum of August 2, 2021, requesting my recommendation as to qualified applicants for the Board of Appeals' vacancy.

Based on the information provided and the incumbent's background and experience, I recommend that the Council reappoint Caryn Hines to the Board of Appeals.



Montgomery County Council

For Immediate Release

June 22, 2021

FOR INFORMATION: anne.brown@montgomerycountymd.gov

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Montgomery Council Seeks Applicants for County Board of Appeals

*Deadline to Submit an Application is
Friday, July 16 at 5:00 pm*

ROCKVILLE, Md., June 22, 2021—The Montgomery County Council is seeking applicants for the County Board of Appeals. The term of Caryn Hines expires in September 2021. Ms. Hines is currently completing a partial term to which she was appointed in February 2021. Ms. Hines is eligible to apply for reappointment and has indicated her intent to do so. Applications for the position must be received no later than 5 p.m. on Friday, July 16.

By law, no more than three members of the board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who is unaffiliated with a party, or a voter who is a member of another party officially recognized by the Board of Elections.

In addition to Ms. Hines (Democrat), current members of the Board include Chair John Pentecost (Democrat), Bruce Goldensohn (Republican), Mary Gonzales (Democrat), and Richard Melnick (Unaffiliated). Members of County Boards, Committees and Commissions may not serve on more than one such group at a time.

Members of the Board receive \$15,689 annually, with the Chair receiving \$22,173. Salaries are adjusted each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

Duties of the Board of Appeals include hearing and deciding requests for variances from development standards contained in the Zoning Ordinance; hearing appeals from certain administrative decisions rendered by County government agencies; and hearing oral argument on and deciding appeals from decisions of the Hearing Examiner on conditional uses. The Board also considers and decides requests for modifications of special exceptions.

The Board normally holds weekly hearings all day Wednesday and worksessions every other week on Wednesdays. If necessary to accommodate an extended caseload or continued hearings, the Board may schedule hearings on other weekdays. Members are expected to prepare for the hearings by reading the cases to be heard and to share the workload of drafting and editing opinions or to follow-up on investigations on specific cases. Members work approximately 15-25 hours a week.

The principal jurisdiction of the Board of Appeals does not include the municipalities of Brookeville, Poolesville, Laytonsville, Rockville, Barnesville, Gaithersburg, and Washington Grove. The Council is not precluded from appointing someone who resides in one of these municipalities, although the Council may avoid doing so.

Letters expressing interest, including a resume (no more than 4 pages in length) listing professional and civic experience, political party affiliation, home and office telephone numbers and an email address, should be addressed to: Council President Hucker, County Council Office, 100 Maryland Avenue, Rockville, Maryland 20850 or emailed to county.council@montgomerycountymd.gov. Letters of application must be received no later than 5 p.m. on July 16. It is the Council's policy not to consider applications received after the deadline. After the closing date, Councilmembers will review the letters of application and select applicants to interview.

Letters of application and resumes are made public as part of the appointment process. (personal contact information is redacted). Any interviews held are open to the public and will be televised. A financial statement of assets, debts, income and family property interests will be required of all applicants. Only the appointed candidates will be required to make the financial statement available for public review.

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BOARD OF APPEALS
Applicants

Applicants	Misc Info
Caryn L. Hines Silver Spring 20910	Democrat
Shaunte Preer Silver Spring 20904	Self-identified as Independent but Board of Elections records indicate registered Democrat

Tom Hucker,
Council President
County Council Office
100 Maryland Avenue
Rockville, Maryland 20850

July 12, 2021

Dear Honorable President Hucker:

I was pleased to be appointed in February 2021 to fulfill Katherine Freeman's term on the Board of Appeals. During these months, I have endeavored to bring a perspective that impartially and fairly considers all of the evidence in a studied and collaborative manner. I would like to continue this important work and that is why I am submitting my application to be reappointed to a full term. Please see my accompanying resume.

My qualifications and experience are a perfect match for this position. I have eleven combined years of conducting local administrative hearings at the D.C. Office of Administrative Hearings and the Board of Appeals in Montgomery, County, Maryland. My training as an adjudicator honed analytical skills that enable me to apply law to facts and write legally sufficient opinions based on those conclusions. Further, my extensive training as an impartial finder of fact allows me to transcend political affiliation or bias. Additionally, I provide administrative inquiry services for federal clients on employee grievances where I conduct interviews of high-ranking officials. I also write reports that reflect my findings of fact and include conclusions of law and recommendations.

Having previously served on the Board of Appeals and most recently serving a partial term, I am familiar with the issues of zoning and land use that come before the Board. Further, I know how important it is to decide these issues impartially and fairly considering all of the evidence in a well-reasoned and collaborative manner.

Thank you in advance for considering my application to be appointed to a full term on the Board of Appeals.

Sincerely,

Caryn L. Hines

CARYN L. HINES

Summary of Experience: Attorney and administrative law judge with experience in conducting administrative hearings with self-represented and represented parties on matters such as permitting and zoning, employment, landlord tenant, and school discipline. Experienced mediator and arbitrator. Experienced in the principles of litigation, alternative dispute resolution, contracts, business transactions, intellectual property, and international trade. Awarded Congressional Fellow and International Career Advancement Program fellowships in 2004 and 2011.

EXPERIENCE

January 2018-present **Germantown and College Park, MD**
Adjunct Professor
Montgomery College and University of Maryland Global Campus

Teach courses in the areas of law office administration, alternative dispute resolution, and international business law in the Paralegal Studies and Masters of Business Administration departments, respectively.

September 2016-present **Washington, D.C., Baltimore, MD**
Legal Consultant

Legal consultant providing investigation services of employee/employer disputes involving grievances and EEO discrimination matters. Provide arbitration services in the areas of employment and estate valuation cases. Prepare U-Visa applications and evaluate potential minor and adult clients for asylum and other types of immigration relief.

April 2008-June 2016 **Washington, D.C.**
Administrative Law Judge
District of Columbia Office of Administrative Hearings

Presided over administrative multi-day, multi-party bench hearings providing de novo review of appeals of matters including employment law, school discipline, landlord/tenant, litter control, and permits. Ruled on oral and written motions and evidentiary issues from the bench and in written orders. Wrote over 1,500 opinions for matters that were appealable to the D.C. Court of Appeals and/or the D.C. Rental Housing Commission. Wrote interlocutory orders on motions. Conducted over 100 mediations in complex matters with represented and self-represented parties.

October 2007-December 2012 **Washington, D.C.**
Adjunct Faculty
Trinity Washington University

Taught coursework in the Masters of Public Administration curriculum in the area of non-profit organizational management.

October 2005- April 2008
Board Member
Montgomery County Board of Appeals

Rockville, MD

Heard and decided land use and zoning cases. Held pre-hearing conferences for administrative appeals. Conducted administrative appeals to review Agency decisions from Department of Permitting Services and the Historic Preservation Commission.

April 2005-July 2005
Senior Consultant
The Whitaker Group

Washington, D.C.

Provided representational services to foreign governments on international trade and investment promotion.

November 2004-March 2005
Community Outreach Director
The Honorable Susan C. Lee
Maryland House of Assembly

Annapolis, MD

Attended community meetings particularly in the Asian Pacific community and advised Delegate on policy and laws on a wide variety of issues including potential legislation. Assisted Delegate in complying with Maryland state financial reporting requirements.

October 1998-September 2004
Attorney-Advisor
U.S. Trade and Development Agency
Held a top secret security clearance

Arlington, VA

Provided senior level review of entire Agency contract docket in the amount of at least \$50 million and worked closely with project officers from outset of grant-making deal. Represented Agency's interests by analyzing the feasibility of project, including strengths and weaknesses. Ensured that parties' contract terms were consistent with Agency's objectives, policies and procedures. Worked with parties to draft proposed project workscopes and payment and deliverable schedules, and evaluated budget and financial information for each contract. Negotiated workscope, budget and deliverable schedule with contractor.

January 2004-July 2004
Congressional Fellow
U.S. House of Representatives
Ways and Means Committee- Trade Subcommittee

Washington, D.C.

Researched and wrote memoranda on trade issues. Briefed Members of Congress on trade issues for meetings with ambassadors and other top-level officials from the World Trade Organization (WTO) and foreign countries. Briefed Members of Congress for hearings on pending legislation such as the AGOA III and budget authorizations for federal agencies under the Committee's jurisdiction. Attended briefings by the US Trade Representatives on such issues as the WTO Ministerial and trade agreements.

July 1989-October 1998

Arlington, VA

Attorney-Advisor

U.S. Patent and Trademark Office

Evaluated trademark applications for substantive and procedural compliance with applicable federal statutes and regulations. Wrote appellate briefs and defended the Agency position before the Trademark Trial and Appeal Board.

Memberships:

Bar of the United States Supreme Court, District of Columbia Bar Association, Maryland State Bar, Pennsylvania Bar Association, J. Franklyn Bourne Bar Association, Advisory Board Member-National Consortium of Racial and Ethnic Fairness in the Courts, Washington Foreign Law Society, Maryland Council for Dispute Resolution, International Institute for Conflict Prevention & Resolution-Distinguished Panel of Arbitrators, Conference of Chief Justices/Conference of State Court Administrators Racial Justice Working Group

POLITICAL EXPERIENCE

Volunteer

May 2020-November 2020

Maryland

Biden-Harris and Maryland Women for Biden

Assisted in the late help coordinated effort.

Steering Committee Member

August 2019-present

Nationwide

Diversity Matters

Volunteer with grassroots organization which assists in electing nation-wide officials dedicated to supporting diversity efforts.

Volunteer

May 2016-November 2016

Maryland and Nationwide

Senator Chris Van Hollen and Hillary Clinton campaigns

Called registered voters encouraging them to vote for the candidates.

Candidate for Clerk of the Circuit Court

January 2006-September 2006

Montgomery County, MD

Campaigned for and ran an extensive grassroots campaign for a Montgomery County wide public office which consisted of numerous public speaking engagements, negotiated contracts with local vendors, managed and coordinated a volunteer staff, wrote and designed campaign literature, designed and wrote copy for web site, wrote fundraising letters, held fundraisers, coordinated media outreach, wrote media advertisements, solicited and received major community endorsements and coordinated with other campaigns.

September 2004-November 2004
Volunteer Attorney
Kerry-Edwards Headquarters

Washington, DC

Strategized on voter outreach to rural farmers, sportsmen and Native Americans and Native American veterans. Wrote a guideline for clergy participation in the political process, researched issues of voter intimidation, and reviewed voter protection efforts of absentee ballots and overseas ballots.

October 2002- November 2006
Precinct Official

Montgomery County, MD

Prepared mailings regarding candidates, canvass neighborhoods, participate in voter outreach efforts, educate voting public about candidates, monitor polling stations during elections, attend District and County-wide meetings, liaison with African-American and Asian-Pacific organizations, and assist in organizing candidate forums. Phone-bank and door knock for candidates during elections. Recruit volunteers for Maryland campaigns.

May 2004-November 2006
Board Member
District 18 Caucus

Montgomery County, MD

Attended monthly strategy meetings on voter outreach and district caucus activities.

CIVIC EXPERIENCE (past and current)

Kensington Racial Justice Committee, National Bar Association-Judicial Council, Washington Bar Association-Judicial Council, National Association of Women Judges, Prince George's County Women's Bar Association-Waxter Juvenile Detention Center visits, J. Franklyn Bourne Bar Association-Judicial Nomination Committee, Montgomery County Committee for Ethnic Affairs, Montgomery County Arts Council

EDUCATION

GEORGETOWN UNIVERSITY
Executive Certificate International Finance & Global Markets

Washington, DC

CASE WESTERN RESERVE UNIVERSITY
J.D. Editor- International Law Journal

Cleveland, Ohio

FISK UNIVERSITY
B.A. English *Honors: Cum Laude*

Nashville, Tennessee

July 16, 2021

VIA EMAIL ONLY

Council President Hucker
County Council Office
100 Maryland Avenue
Rockville, Maryland 20850
county.council@montgomerycountymaryland.gov

Re: *Letter of Interest- Shaunté Preer*
County Board of Appeals Application

Dear Mr. Hucker:

Please accept this as my formal letter of interest for the vacancy on the Montgomery County Board of Appeals. I am a current resident of Montgomery County, Maryland and reside at 3606 Castle Terrace, Silver Spring, Maryland 20904 and I am a political independent. I have been a resident of Montgomery County my entire life and I am seeking an opportunity to serve the interests of my county.

As a Maryland barred and practicing civil and commercial litigator, I am quite familiar with the issues that come before the Board of Appeals with respect to development, zoning, variances and special exceptions. I am comfortable with administrative law, as I have been counsel of record for many administrative matters dealing with government agencies in Maryland on issues that range from public benefits, unemployment, and immigration. I fully understand administrative procedure and can execute the duties of the board member faithfully and ethically.

I am the owner and principal attorney of my law firm, Preer Law, P.C., where I litigate cases in both Maryland and the District of Columbia. I have extensive experience as a community activist and working on larger political campaigns directed at the government for institutional reform. Moreover, I taught high school civics and youth justice at Frank W. Ballou Senior Highschool, in Washington, D.C.---civics, law and serving my community are my passions.

Enclosed, please find my resume for your review; I welcome the opportunity to further discuss my qualifications for the position. I may be reached at my office on the contact information above.

Kind regards,

Shaunté Preer, Esq.

Enclosure(s): Resume

LEGAL EXPERIENCE

Associate Attorney- J. Anukem & Associates, LLC 2019-2020
Greenbelt, Md
Practiced civil and commercial litigation and transactional law in Maryland, District of Columbia and Virginia.

- Extensive litigation experience including bench trials, protective order litigation, District Court appeals, administrative appeals, felony plea negotiations, motions practice, deposition and general discovery practice, alternative dispute resolution and arbitration
- Drafted pleadings, motions, appellate and administrative briefs, demand and cease and desist letters
- Conducted client consultations

Shaunté M. Preer-Attorney at Law 2014-2019; 2020
Civil and commercial litigation, transactional law, entertainment law.

- Negotiated and drafted management agreements, Talent Agreements, recording contracts, publishing agreements for entertainment clients
- Represent clients in all courts in DC and MD

Associate Attorney-Law Office of Isaac H. Marks, Sr., LLC 2013-2014
Calverton, MD
Practiced commercial and civil litigation. Experience with domestic, contract, business, real estate, and corporate law.

- Extensive litigation experience including bench trials, motions practice, and discovery practice
- Conducted client consultations
- Drafted motions for summary judgment, pleadings, administrative appellate briefs and settlement agreements.

Contract Attorney- Law Office of Jimmy A. Bell, P.C., 2014-2016
Oxon Hill, MD
Contracted on a per hour basis to assist Attorney Bell with civil litigation matters. Drafted discovery requests and responses, settlement letters, motions, and pleadings.

Contract Attorney- Law Office of Christina J. Bostick, LLC, 2017- 2018
Clarksville, MD
Drafted civil litigation and corporate transactional documents including contracts, motions, briefs and court pleadings. Conducted client consultations, attended hearings, drafted demand letters, discovery. Managed social media and developed marketing strategies for the law office

Law Clerk- Public Defender Service for DC Spring 2012
Clerked for Colle Latin, Esq. in the Juvenile Division. Drafted motions to suppress, interviewed clients and witnesses and conducted legal research.

Legislative Aide for the Honorable Kriselda Valderrama, Spring 2012
The Maryland House of Delegates
Answered the phones, met with lobbyist and ensured the Del. remained informed about current issues within Maryland Legislative District 26. Shopped bills to gain delegate sponsorship and votes. Responded to constituent letters and made appearances on behalf of the delegate.

Law Clerk- Public Defender Service for DC Summer 2008
Community Defender Division,
Counseled clients in records expungement and locating basic public services for those returning to their communities. Oversaw the planning, programming and production of the PDS Annual Expungement Summit, which assists ex-offenders with expunging their criminal records. Promoted and attended community events to increase community participation in CDD programs and services.

COMMUNITY ORGANIZER EXPERIENCE

Organizer, El Movimiento de Mujeres Dominico-Haitiana (MUHDA), Santo Domingo, Dominican Republic 2013
Documented the living conditions and stories of Haitians and Dominican-Haitians living in the *bateyes* by recording the victim testimony and transcribed the accounts for a brief to the International Court of Justice.

DNA-People's Legal Services, Navajo Nation, Arizona Spring 2012
Law Clerk
Researched and drafted memos on Indian property issues generally and specifically with property title after death and non-Indian encroachment onto Indian land.

Deans Fellow-Professor Pamela Bridgewater, DC 2008-2010
Conducted field research on gentrification and property acquisition, to develop legal strategies to combat the widespread gentrification in Washington, D.C.

Teacher/Volunteer-Frank W. Ballou Senior High School 2008-2009
DC
Taught high school class on constitutional law, criminal justice and history for ninth-twelfth graders.

Organizer-Students United Laurel, MD/DC. 2007- 2010
Organized outreach programs at the Oakhill Youth Detention Facility and The Department of Youth and Rehabilitation Services. Tutored and mentored incarcerated and detained youth. Conducted "Know Your Rights" training seminars for youth.

PROFESSIONAL APPEARANCES

Criminal Expungement and Employment Summit
Panelist and Speaker November 2017 New Carrollton, Maryland
Sponsored by *A Mother's Hymn*
Conducted a live and broadcast (via Facebook Live) seminar on Criminal Records Expungement for the State of Maryland and the District of Columbia. After the program conducted live one-on-one clinic counseling sessions to determine expungement eligibility of the participants and advise on the next steps.

Small Business Expo, Panelist and Speaker September 2017
Laurel, Maryland
Sponsored by *AMS News Network*
Spoke about small business formation, maintenance and tips and tricks for entrepreneurs.