



THE FREEDOM

INFORMER

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www.freedomareacitizens.org

May 2002

Mt. Airy election victory for controlled growth advocates

Managed growth advocates achieved an important victory in Mt. Airy elections on Monday, May 6. Two new town council members, John Medve and Chris DeColli, were elected to replace R. Delaine Hobbs, a nine-term veteran of the council, and Laurie Hager, a former councilwoman who chose not to run.

Mr. Medve favored a building moratorium until infrastructure catches up to development. Mr. DeColli argued that the town needed to plan better so that growth was consistent with the character of the town. Growth has added significantly to the town's tax coffers over the last few years, but it has also contributed to overcrowding in Mt. Airy-area schools.

Michele Johnson, an activist who spearheaded the effort to find managed growth candidates, commented that, "This really is a major victory for our community. John Medve and Chris DeColli are reform-minded, intelligent family men who want to do the right thing."

The town's mayor, Gerald Johnson, was re-elected receiving 492 votes to 311 votes for his opponent, write-in candidate James Holt. However, 259 votes for Mr. Holt were thrown out because voters wrote in simply "Holt" rather than "James Holt" or "Jim Holt."

Regarding the outcome of the mayoral election, Mr. Holt decided

Neighbors urge County to provide traffic relief on local roads

Residents of the Morgan Estates and Quincy Station subdivisions in Eldersburg have spearheaded a campaign for traffic calming improvements to Bennett Road and adjacent residential streets.

The requested changes include reducing the speed limit on Bennett Road from 40 mph to 30 mph to increase traffic safety on the heavily traveled street.

Bennett Road has long been the site of drag races, heavy commuter traffic avoiding Liberty Road, and overzealous teen drivers going to and from nearby Liberty High School.

The Carroll County Sheriff's Department responded to complaints from residents in a timely manner. On a recent afternoon, Deputy Cromwell of the Department issued over 27 traffic citations in about three hours, including one senior citizen going 70 mph in the 40 mph zone. The deputy commented that when he questioned drivers about their destinations, most were going to areas outside Eldersburg such as Catonsville and Westminster.

In June 2001, a speeder, drag racing on Bennett Road lost control of his car, skidded over 400 feet across a resident's lawn and crashed into a tree. Unbelievably, the driver of the car sustained only minor injuries. Later, friends of the driver told residents that the car was traveling at speeds up to 140 mph.

Recent plans to develop property adjacent to Bennett Road spurred the residents to action. Following suggestions from a county employee, the

residents requested a small roundabout at the intersection of Bennett Road and Monroe Ave. and other traffic calming devices on adjacent streets to slow traffic. A similar roundabout at the eastern entrance to Oklahoma Estates has proven effective in controlling speeding at that point. Additional requests for a roundabout at Bennett Road and Pawtucket are also being considered.

Although letters from residents to Commissioner Julia Gouge and other county officials have gone unanswered, a recent phone call to the County has confirmed that the resident's requests are being considered. It is expected that the traffic calming requests will be on the agenda when the Planning Commission considers site plans for the proposed new residential subdivision.

Kim Madeja
Eldersburg

Holniker, Zimmer to speak at May FACC meeting

Kenneth Holniker (D) and Michael Zimmer (R), candidates for the District 9B delegate seat, will appear in an open forum at the May 2002 FACC meeting. The new district covers the Freedom Election District (05) and the Berrett Election District (14). The meeting will be on Tuesday, May 21 at 7:00 p.m. at the Christian Church in Carrolltown Center.

County budget, law are inconsistent

Though most of the public comments about the county's proposed FY-2003 budget at the May 2 public hearing were about the operating budgets for the schools and emergency services, some residents questioned spending for the proposed water treatment plant at Piney Run Lake in the FY-2003 to FY-2008 Capital Improvement Plan.

The complaints were not about the size of proposed expenditures but about the fact that they were not included at all.

The Code of Public Local Laws and Ordinances, Sect. 3-601 requires that the commissioners present a formal budget document that is "a comprehensive plan showing *all receipts and all expenditures* from *all funds* for the past, current and ensuing fiscal years."

However, because funds for the water treatment plant were appropriated before last year's budget, no mention is made of the proposed project in this year's budget.

For line items that *are* in the budget, there is an indication of "Prior Allocations." But, there is no indication of on-going projects, projects not yet completed, if they were funded in earlier budgets. This process evades public scrutiny of millions of dollars of proposed expenditures and, therefore, violates the intention of the law.

After the hearing, Commissioner Donald Dell defended county staff, indicating that he believed that the Director of the Budget, Steve Powell, was completely trustworthy. Members of the public who questioned the absence of funding for the Piney Run project also indicated that they did not question Mr. Powell on this point.

However, Jeannie Nichols of Sykesville, questioned why funds (approximately \$469K) already spent on paving Hollenberry Road,

an access road to the site of the proposed plant, and on the construction of a large water main for the plant appeared in the CIP as "Obrecht Road Looping." (Looping is a process of using a smaller, parallel water main to prevent water in a larger distribution main from becoming stale.)

Listing the installation of the Hollenberry water main in this way was a device used by the county to gain approval from the Maryland Department of the Environment for construction of the water main. The county, thereby, hid expenditure of funds for the project in FY-2003 and FY-2004 by listing the expenditure under a misleading line item in the FY-2003 budget. This was a deliberate and evasive action by the county government. It was used to hide the initial construction stages of the Piney Run plant from the state.

Ms. Nichols asked in her public comments, "What else is the county hiding in this way?"

Separately, she commented that, "the public's oversight of the county's budget could be improved by an honest budget showing funds previously allo-

cated for unfinished capital improvement projects." Inclusion of a line item in the budget for unfinished projects for which funds have been allocated in prior years would make public oversight easier.

The law requires that the county provide a "capital program, which ... set(s) forth clearly the plan of proposed capital projects to be undertaken in the ensuing fiscal year and the next five fiscal years and the proposed means of financing" them.

If, as the county commissioners have said, the Piney Run water treatment plant is going to be on-line in 2004, why are expenditures for its construction not shown in the FY-2003 to FY-2008 capital improvement plan?

Hope for Sykesville Middle School

For several years, parents and teachers at the Sykesville Middle School have petitioned the county to install air conditioning at the school. Each year, funds have for the HVAC have been appropriated but then delayed for some higher priority project, usually in Westminster.

At the May 2, 2002 public hearing on the county's proposed operating and capital improvement budget, Nancy Heasley, president of the school's PTA, argued again for the HVAC equipment. She pointed out that during a warm spell in mid-April, classrooms in the school registered 92 degrees by midday.

However, this year there is hope. The budget's Schedule of Reallocated Revenues shows movement of \$1.4M from the Cranberry Station Elementary School and \$46K from the Winters Mill High School budgets to Sykesville Middle School for a new HVAC addition.

Commenting after the meeting, Ms. Heasley was still skeptical. She said that funds had been promised before and had always disappeared before construction began. However, she did admit that the reallocation indicated in this year's budget was hopeful.

Continued from page 1

not to challenge the uncounted votes but said that if a legal challenge planned by citizens reversed the election, he would serve as mayor.

Confusion among the voters may have been caused by a misleading article in a local newspaper a week before the election, election signs containing only the candidate's last name, and because election officials allegedly did not instruct voters how to write-in votes for Mr. Holt. However, according to newspaper reports, the town charter does not include instructions on write-in votes.

Editor

"What else is the county hiding in this way?"

Jeannie Nichols, Sykesville

Commentary:

That thing called democracy

The coming election in Carroll County will require voters to devote time to review candidates from all political parties. The multitude of local issues is more important than ever.

The need for the next group of County Commissioners to be well informed and to realize that the county is at a point where the creation of a Master Plan that will provide for a future that will allow the county to retain its quality of life and provide realistic solutions to vital problems like water and sewer issues is of the highest priority.

In the creation of a new Master Plan, the next set of commissioners will need to focus on growing our employment base, and on providing infrastructure to support growth before it occurs. In addition, the county government and the mayors and councilpersons of our eight municipalities must work from the same sheet of music. If the new Master Plan is embraced by all of our elected officials and provides the items needed to identify new school locations, schools can and will be built when and where they are needed, not after the need exceeds the financial ability to catch up.

The last thing that will be required to retain and reacquire our quality of life is to be a part of the solution, rather than a part of the problem. The best commissioners in the world will only produce what the citizens require.

If we truly want to retain the quality of life we desire, we need to make sure the next group of commissioners knows what the citizens want. Citizens need to be willing to participate as citizens and to make sure that their votes count, and to have a feeling of pride because they took the time to participate in that thing called democracy.

Jerry Ryan
Westminster

Let's see who stands and who delivers

For too long we have suffered from county commissioners who promised to keep it country and yet let residential development run wild.

The excuses, finger pointing, etc. going on today can mean only one thing: it is close to election time and the incumbents are running scared.

We know where incumbents Donald Dell and Robin Frazier stand. "Weighed, weighted, counted and found wanting" is the applicable biblical passage. Now we need to ask their rivals to stand up and be counted. Glittering generalities won't cut it this election. Each candidate needs to answer the following specific questions:

Do you consider heavy residential growth to be a serious problem today?

How many new residential units should the county allow in 2003?

If you favor controlling growth, what specific effective strategies will you follow?

Do you think the Office of Economic Development needs new leadership?

Do you think that being born and raised in Carroll County should be major qualification for appointed office?

Will you sign the Watershed agreement?

Do you favor raising impact fees to the legal maximum?

Will you take steps to eliminate future conditional use permits of industrial land for commercial purposes?

I challenge any and all candidates to respond to these questions on the pages of the Times. Most of them can be answered yes or no, or with a specific number.

Those that answer will at least have put themselves on record.

Those who choose to duck these questions will have also put themselves on record in the most negative way possible. They run for office, but won't stand up to be counted.

Let's see how many stand up.

John Culleton
Eldersburg

Supremes deal blow to property-righters

The U.S. Supreme Court upheld zoning in a recent decision that rejected the claims of property-rights advocates who said the government must pay "just compensation" to land owners who are even temporarily barred from using their land.

The decision was an interpretation of the Fifth Amendment to the U.S. Constitution which says "private property ... shall not ... be taken for public use, without just compensation." Property-rights advocates had argued that zoning that constrained their use of their land represented a "taking" and that they should be compensated.

In a 6-3 ruling the court decided that restrictions on property owners did not constitute a "taking."

In most jurisdictions, the ruling is an important victory for local and state government officials because it reaffirms their authority to control development and regulate property.

On a local level, the decision represents a defeat for property-rights advocates, including two of the three county commissioners and the developmental community.

Editor

Meetings of interest to the Freedom Area

May 24, 1:30 p.m.:

Perkins v. Carroll County.

Suit alleges misspending of water fees by Carroll Co. government.

Judge Luke K. Burns,
Carroll County Circuit Court Bldg.,
N. Court St., Westminster

May 29, 9:30 a.m.:

Case 4676; Conditional use request for a commercial swimming pool on property, at 175 Klee Mill Road, is zoned "A," Agricultural. Carroll Co. Office Bldg., Room 003 225 N. Center St., Westminster

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**Next FACC meeting:
7 p.m. Tues. May 21, 2002
Carrolltown Center**

Minutes of the April 16, 2002 Meeting of FACC

Opening Activities:

The regular monthly meeting was called to order at 7:15 PM. The following Board members were recorded as present: P. Bennett, N. Davis, J. Culleton, C. Dugan, C. Dodson, R. Dangle, C. Naused, M. Naused, K. Plante, D. Reid, P. Seiter and D. Slack.

Guest Speakers:

Mr. Robert Holt, President of the South Carroll Business Association, explained that the association, which consists of about 125 small and large businesses operating in the South Carroll area holds a luncheon meeting each third Wednesday of the month at Salerno's Restaurant.

Mr. Holt informed FACC that the association has agreed to include the FACC logo on the association's

sign at the entry to Eldersburg on Liberty Road.

In response to several questions Mr. Holt said that the association has in the past sponsored community activities and is looking for new opportunities. He also indicated that it does not take a stand on issues such as land use or "commercial cannibalization".

Jonathan Herman, Mayor of Sykesville, opened his remarks by thanking FACC for acting as a voice for the South Carroll citizens. He reminded the audience that although the County's Master Plan calls for residential development to be concentrated around the towns and in the CPAs, commercial development is needed to help pay the bills generated by residential growth. As a measure of the growth in the Town of Sykesville the population has increased from 1800 at the 1990 census to 4900 in the 2000 census.

Sykesville recognized that the Warfield property is a protective

buffer for the town and an opportunity for commercial development. The town has taken a proactive position to insure proper development, which would tie in with the Main Street restoration efforts and preserve the historically significant buildings in the Warfield complex. Mr. Herman handed out a map illustrating Sykesville's plans for the property.

Mayor Herman expects the marketing effort to start later this year once the necessary research on building conditions and infrastructure planning are complete. Plans are being developed to partner with UMBC to create incubator space for new technology related businesses for job creation and also to develop a Business Campus. Following the presentation Mayor Herman responded to questions from the floor.

Adjournment:

The meeting was adjourned at 8:55 p.m.