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A flock of snow geese takes flight in Maryland

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Municipal Maryland
THE OFFICIAL PUBLICATION of MARYLAND MUNICIPAL LEAGUE
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The Maryland Municipal League’s 2022 ACHIEVEMENT AWARDS COMPETITION

Making Maryland Municipalities More Resilient

The 2022 MML Achievement Awards theme is Making Maryland Municipalities More Resilient and will honor cities and towns that have successfully implemented programs and policies that have contributed to ensuring that their municipality has measurably strengthened its ability to remain resilient against future challenges ranging from public health to climate change to economic and fiscal uncertainty. Municipal resilience is commonly defined as “the capacity of a city (individuals, communities, institutions, businesses and systems) to survive, adapt and thrive no matter what kinds of chronic stresses or acute shocks they experience.” What has your community done to ensure that it will continue to thrive no matter what threat we will face in the next five to ten years and beyond?

Entries must be for programs that have been successfully operating for at least one year during the time period March 1, 2020 to March 1, 2022. A municipality may submit only one entry. The three population categories for this award program are:

- Up to 3,000 population
- 3,000 to 10,000 population
- Over 10,000 population

Winners will be announced in the May/June issue of Municipal Maryland. Awards will be presented at the summer conference in Ocean City and/or virtually. A short article on each award-winning program will appear in the May/June issue of Municipal Maryland.

Judges. The Maryland Municipal League is pleased to have faculty from the University of Maryland’s School of Public Policy judging this year’s entries. Please note that the judges have the authority to withhold an award in any category if no entry is exceptional.

Preparing the Entry. Keep your entry simple and clear. Entries must be submitted electronically. Each entry should be typed using a 12-point font, double-spaced, and should not exceed three pages. A cover page (on municipal letterhead) indicating the name of the program, population category, municipality, and bearing the contact information for the chief elected official is required. Entries must be emailed to the University of Maryland’s School of Public Policy from a municipal official. The cover page must also include a 100-word summary of the project and indicate the name and daytime phone number of a contact person within the city. An appendix including photographs (in jpg format), art or newspaper article scans may be attached to the entry but is limited to six additional pages.

The entry should describe your municipality’s project or program and answer the following questions:

- Why was the project or program needed? How was this determined?
- How was the program created/executed? Who was involved?
- What is the future challenge or opportunity it addresses?
- What costs are involved?
- Who benefits?
- Is the program innovative in other ways?
- Can you demonstrate tangible results?
- Can other municipalities implement a similar program?

Grammar and good writing style will be considered by the judges.

Deadline. All entries must be submitted electronically to mmlawards@umd.edu by 12 noon on March 1, 2022.
OUR PROGRAMS
The School of Public and International Affairs in The University of Baltimore’s College of Public Affairs offers flexible, affordable programs, delivered online, in person, in the evenings and on weekends.

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  can be completed entirely online
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- **B.A. IN POLICY, POLITICS AND INTERNATIONAL AFFAIRS**
  upper-level major requirements can be completed entirely online

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This year, MML members gathered at the Turf Valley Resort in Ellicott City for our annual Fall Conference. In addition to attending workshops, hearing from state leaders, and networking with peers, the general membership adopted two legislative priorities for the upcoming 2022 Maryland General Assembly.

THE 2022 LEGISLATIVE PRIORITIES ARE:

1. Continue to advocate for the return and protection of municipal highway revenues, and

2. Allow municipalities the option of creating their own Police Accountability Boards and Charging Committees.

FULLY FUNDING LOCAL ROADS (HURs)

While the American economy has long recovered from the Great Recession of the late 2000s, one aspect of municipal budgets has not been so lucky – transportation revenues. Maryland’s roadways, state and local, have long been funded by taxes and fees set and collected by the State. Our gas tax dates to 1922 and the State began sharing transportation funds with local governments in 1927.

Unfortunately, and perhaps even understandably, local funds were all but cut from the state budget in 2009 as Maryland and its citizens went through a fiscal hardship. However, those lost funds were never returned, nor was the local share reinstated fully post-recovery. Since the cuts, municipal roads in Maryland have been underfunded by the State by over $288 million.

During this period, MML advocated for full and supplemental funding via grants and formula changes. Efforts thus far have fallen short of a total restoration but have provided much needed funding and stability on which municipal governments could rebuild. In 2018, the League was able to get legislation passed with strong membership involvement that increased the municipal share of the formula five-fold for the ensuing five-year period (a welcome departure from relying on yearly one-time grants).

The 2018 law, however, effectively established a sunset that will return local governments to record low funding in FY (Fiscal Year) 2025 if further action is not taken by the General Assembly. The Maryland Senate has passed a bill to remove that sunset each of the past two legislative sessions, but the House has failed to act.

MML will once again advocate for the sunset to be removed and for the overall municipal share to be increased back to pre-recession levels.

KEEPING OFFICER DISCIPLINE PROCEDURES LOCAL

Beyond the pandemic, the events of 2020 sparked a national awakening on police misconduct. Reform ideas that have been on the table for years gained renewed momentum and there was significant pressure on the General Assembly to pass major reform.

In an effort to reform the police disciplinary process specifically, legislation passed in early 2021 requiring each county to have a Police Accountability Board and establish
an administrative Charging Committee to hear complaints against officers of all agencies within the county. This new framework intends to increase transparency and restore public trust by involving the citizenry in issues of reviewing police agency investigatory findings, identifying trends in officer discipline, making policy recommendations, assigning officer discipline in some cases, and more.

Perhaps as an oversight, these county boards -- with county appointed representatives -- are also charged with reviewing municipal police affairs. This structure faces two potential issues: 1) underrepresentation of municipal resident voices, and 2) longer resolution timelines.

This year’s priority seeks to revise the state law relating to Police Accountability Boards and Administrative Charging Committees to give municipalities the option of creating their own Board and Committee.

**MML’s Legislative Committee also adopted one strategic initiative this year: Mitigating Climate Change.**

For the second consecutive year, we have adopted climate change as a strategic initiative. With climate change impacting every corner of the State, through flooding, shore erosion, summer heatwaves, and more severe storms, the Legislative Committee is being asked to take a closer look at a broader range of environmental bills for their municipal impact every year. While the full League membership does not vote to adopt these issues, the committee felt they were important enough to warrant increased attention again this session. Rather than introduce legislation, strategic initiatives are generally used as an educational tool and a point of emphasis when engaging the legislature on specific topics.

**Stay Engaged!**

If you have any questions about your League’s priorities or strategic initiatives, please contact staff. You can also keep up with MML’s activities throughout the session by subscribing to our weekly newsletter (MML eBulletin) and following our social media, where we will share information in advance of and following any priority hearings and more.

Twitter: @mdmunical
Facebook: facebook.com/MarylandMunicipalLeague
Proper management of stormwater is essential to ensure your communities’ ability to mitigate flood impacts, maintain climate resilience, and protect public health. Accumulations of stormwater magnify flooding caused by sea-level rise and can carry harmful runoff or pollutants from impervious surfaces such as roads, sidewalks and rooftops to nearby waterways. In the long-term, communities without a plan for managing stormwater may see irreversible damage to properties or infrastructure, contamination of drinking water supply, stressed habitats and ecosystems, and missed economic development opportunities such as the ability to recreate in, on, or near water.

Many local and municipal governments have already begun to design and implement green stormwater infrastructure into their communities. However, with climate change, Maryland has seen an overall increase in rainfall and in powerful storm surges over the years. To best protect their communities, local elected officials are responsible for supporting current stormwater systems while identifying innovations in best management practices that will continue to support the unique needs of their communities into the future.

With the goal of connecting Maryland’s local leaders with experts in stormwater, the Alliance for the Chesapeake Bay in partnership with the Chesapeake Bay Program’s Local Government Advisory Committee, University of Maryland’s Environmental Finance Center, and the Maryland Municipal League developed a series of blended learning workshops and networking opportunities for local governments entitled, Seeking Stormwater Solutions: Getting the MOST for Local Leaders. Given their shared vulnerability to stormwater-related flooding, representatives from Maryland’s coastal communities on either side of the Chesapeake Bay were invited to attend the educational sessions.

A series of virtual educational sessions was designed over the course of three months. The series helped local governments address their local stormwater needs by facilitating discussions around stormwater best management practices. Sessions offering opportunities to network with local communities who faced similar stormwater challenges as well as identifying technical resource providers to further assist with implementing these practices.

Following are some learning summaries about the challenges
and solutions to stormwater management from the municipal leaders who participated in these sessions.

**TOWN OF ST. MICHAELS**
*Kymberly Kudla, Planning and Zoning Officer*

St. Michaels, nestled between the Miles River and San Domingo Creek, is significantly impacted by stormwater-related flooding. According to Kymberly Kudla, Planning and Zoning Officer for the Town, local riverside businesses have struggled to maintain operation with regular flood disruptions by shuttling patrons to and from their parking lots and establishing multiple entrances to contend with flood surges. “With rising sea levels, increases in stormwater are elevating beyond just being a ‘nuisance,’ says Kudla.

To mitigate the impacts of flooding and runoff, St. Michaels has several initiatives including a stormwater ordinance that establishes the minimum requirements and procedures for runoff mitigation in projects affecting over 5,000 square feet of land. In addition, the town has installed submerged gravel wetlands and bioretention areas near impervious structures. St. Michaels was also awarded a grant from the Maryland Department of Natural Resources (DNR) to conduct a harbor and stormwater infrastructure assessment which identified areas of tidal flooding and the impacts to stormwater infrastructure, businesses, community assets, and residential properties now through 2050.

Reflecting on her experience with the *Seeking Stormwater Solutions* education sessions, Kudla said, “Objective one was to listen and learn from other municipalities who are faced with similar obstacles and how they have overcome those issues, and objective two was to learn of other opportunities for assistance on implementing stormwater solutions.” She has also connected with several technical assistance providers from the sessions who have helped build recommendations for additional stormwater projects in St. Michaels into the future.

**CITY OF CAMBRIDGE**
*Brian Roche, Commissioner*

The City of Cambridge experiences higher risks of stormwater-related flooding due to its location along the Choptank River and Cambridge Creek. During acute rainfalls or high tides, low elevation areas like Water Street or Great Marsh tend to flood significantly.

Commissioner Brian Roche reported that the city has continued multi-year efforts which include partnering with state and federal agencies and local nonprofits to address challenges around green infrastructure, saltwater intrusion, and sewer upgrades. “The most exciting aspect of stormwater solutions are that they allow us to transition back to a more natural and green infrastructure, beautifying and making our city more livable and enhancing our citizens’ quality of life now and into the future,” exclaimed Roche.

In September 2020, Cambridge was awarded a grant from the Federal Emergency Management Agency (FEMA) to address these critical flooding impacts due to sea-level rise and stormwater. This grant led to the establishment of the “Cambridge Shoreline Resilience Plan” which identified areas of high flood risk and developed strategies and design concepts to mitigate flooding occurrences and build long-term resilience. Potential strategies include progressive improvements to the city’s shorelines and implementing infrastructure that supports and protects recreational accessibility. The City is also reassessing inadequate or outdated stormwater management systems and promoting community and stakeholder outreach.

“A critical component of stormwater solutions is educating our city employees and residents to understand the need for and how to properly maintain these improvements,” states Commissioner Roche. As challenges around stormwater are always evolving and unique to each community’s environment, according to the Commissioner, the ability to participate in educational opportunities like the *Seeking Stormwater Solutions* workshops is needed.
St. Mary’s County

Eric Colvin, Commissioner

St. Mary’s County uniquely borders the Chesapeake Bay and two of its largest tributaries, the Potomac and Patuxent Rivers. Flooding is easily one of the County’s largest stormwater threats.

“There are a variety of factors that have led to [flooding] including record rainfall last year and new development areas and runoff,” explained County Commissioner Eric Colvin. “Many of these affected areas are historic flood zones along natural waterways, but the frequency and impact of the flooding has increased.” For example, within the County, stormwater-related flooding from McIntosh Run, a winding river that feeds into Breton Bay before flowing into the Potomac, has led to substantial property damage to neighboring Leonardtown.

Although St. Mary’s County does not have a stormwater program, it has taken multiple actions to ensure necessary monitoring and compliance occur. The County Public Works and Emergency Services Departments work closely in monitoring known areas of flooding, applying for grants, and identifying solutions to improve stormwater drainage systems and repairing culverts. The County has also begun revising its Comprehensive Plan to ensure that it maintains a realistic assessment of stormwater requirements now and into the future. “It is a lot cheaper and a lot easier, in the long run, to prevent stormwater issues before they happen than to fix them after they occur. Preventing mistakes now will pay dividends in the future,” adds Colvin.

Commissioner Colvin also noted the importance of collaboration wherever possible, “It requires a lot of cross-department teamwork to implement any kind of fix, so the vision and mission needs to be shared with all involved.” Stormwater-related flooding requires both towns and counties to partner with state agencies to work toward mitigation and prevention and further protect residents and local waterways. “The key is getting all of the stakeholders on the same page, rowing to the same beat and working toward the same goal,” he continued.

Participating in the Seeking Stormwater Solutions sessions with an eagerness to learn more about stormwater issues and best practices, Commissioner Colvin emphasized his ability to learn from local leaders around Maryland who experienced similar challenges and from experts who can address these challenges. He was inspired by examples of innovative stormwater projects currently implemented by both.

Local officials understand that Maryland communities depend on clean water and that effective stormwater management is an important piece of that puzzle. As Commissioner Colvin mentioned, “Our history and heritage are tied to the water and we want to ensure that our local waters remain safe to swim, boat, fish, and crab in.”

Additional Resources:

1. Municipal Online Stormwater Training (MOST) Center: mostcenter.umd.edu

2. A Local Government Guide to the Chesapeake Bay:
   a) https://www.chesapeakebay.net/who/group/local_leadership_workgroup
   b) https://www.chesapeakebay.net/channel_files/42983/module_6_-_protecting_your_infrastructure_through_stormwater_resiliency.pdf

3. Chesapeake Stormwater Network: chesapeakestormwater.net/bay-stormwater/ms4-portal

About the Alliance: Since 1971, we’ve brought together communities, companies, and conservationists to improve our lands and waters and in 2021, we celebrate 50 years of fighting for the Chesapeake. We strive for clean streams and rivers flowing through resilient landscapes, cared for by the people who live, work, and play in the Chesapeake Bay watershed. We have offices in Annapolis, MD, Lancaster, PA, Washington, D.C., and Richmond, VA.

https://www.allianceforthebay.org/
Thank you to our 2021 MML Fall Conference Sponsors!
The Towns of Berlin, Brunswick, Cheverly, Cottage City Emmitsburg, Glen Echo La Plata, Laurel, Mount Rainier, North Beach, Poolesville, and Rockville were honored at the 2021 Sustainable Maryland Awards Ceremony at the Maryland Municipal League’s annual Fall Conference on October 12. Senator Sarah Elfreth praised these municipalities’ sustainability efforts and handed out the awards to Mayors and Green Team chairs. 2021 marks the 10th anniversary of the Sustainable Maryland program.

This year’s Sustainability Champion is the City of Rockville, which received an impressive 600 points on their application, more than any other community in 2021 and since the inception of the program.

Rockville Sustainability Coordinator Erica Shingara, Rockville Council member Monique Ashton and Senator Sarah Elfreth

According to Mike Hunninghake, Program Manager for Sustainable Maryland, “During the first 10 years of the Sustainable Maryland program, we have learned that reducing our footprint on where we live, be it a town, a county, a state or the planet, is vital to our continuation as a species. The work being done at the local level forms a foundation, by example and by action, for upward pressure on governments at all levels to take action to make our communities greener, cleaner and more resilient.”
To achieve certification, municipalities are required to form a Green Team comprised of local residents, community leaders, municipal staff and officials; complete a variety sustainability-related actions worth a total of at least 150 points (including two mandatory actions and two of six priority actions. This is submitted with the appropriate documentation as evidence that the Sustainable Maryland Certified requirements have been satisfied. The Sustainable Maryland Action Menu can be seen here: [http://sustainablemaryland.com/actions-certification/actions/](http://sustainablemaryland.com/actions-certification/actions/)

The complete list of 2021 newly certified (denoted by *) and re-certified communities includes:

- **Berlin** (first certified in 2012, re-certified in 2015 and 2018)
- **Brunswick** (first certified in 2015)
- **Cheverly** (first certified in 2014, re-certified in 2017)
- **Cottage City** (first certified in 2018)
- **Emmitsburg** (first certified in 2015; re-certified 2018)
- **Glen Echo** (NEW)
- **La Plata** (NEW)
- **Laurel** (first certified 2015; re-certified 2018)
- **Mount Rainier** (first certified in 2012, re-certified in 2015 and 2018)
- **North Beach** (first certified in 2017)
- **Poolesville** (first certified in 2015, re-certified in 2018)
- **Rockville** (2020 Sustainability Champion - highest point total; first certified 2012, re-certified in 2015 and 2018)

A full report on each certified community’s Actions can be viewed here: [https://sustainablemaryland.com/certification/participating-communities](https://sustainablemaryland.com/certification/participating-communities)

Upon receipt of the award, Mayor W. Robert Flanigan, City of Frostburg, said, “Our mission has always aimed toward improving our community and the livability of Frostburg. The Sustainable Maryland mission supports our initiatives and helps us conserve our resources and remain resilient. We have saying, "Frostburg: it’s just cooler here!” and Sustainable Maryland helps us stay that way. We thank you!”

Sustainable Maryland Certified Municipalities as of 2021 (10th full year of the program):

- **Total Municipalities Sustainable Maryland Certified**: 40 (25% of Maryland’s municipalities)
- **Total Municipalities Sustainable Maryland Registered**: 85 (55% of Maryland’s municipalities)

Sustainable Maryland is an initiative of the Environmental Finance Center at the University of Maryland that is designed to support Maryland’s 157 municipalities as they look for cost-effective and strategic ways to protect their natural assets and revitalize their communities. Using best practices in resource areas like water, energy, planning, health, food, and economy, a municipality can earn points toward sustainability certification. Sustainable Maryland offers a customizable menu of actions, allowing communities to select initiatives that best fit their specific needs. This free and voluntary program, with the support of the Maryland Municipal League and the US Environmental Protection Agency helps communities choose a direction for their greening efforts; complete their chosen actions with help from program tools, trainings, expert guidance, and other resources; and be recognized statewide for their accomplishments. For more information about Sustainable Maryland: [www.sustainablemaryland.com](http://www.sustainablemaryland.com)
The Honorable Amanda Dewey, Mayor of the Town of Berwyn Heights and YML President

I was inspired to become a local government leader to play a part in bringing my community together. Getting engaged in community organizations allowed me to see how many decisions are made at the municipal level and realize that we can make big change by engaging collectively at the local level. I believe that, together, we can create a sustainable, inclusive, and healthy future for all of our residents and tackle difficult challenges. I also wanted to bring the voice of a new generation to our local government and support a community that has given a lot to me.

The Honorable Erika Moore Lecates, Former Council Member of the Town of Pittsville, and New chair of the Sustainable Maryland Green Team. I am responsible for developing a team and assisting with new projects to go green. My second role is chairing the Sustainable Communities Committee which will open the town to more potential grants once certification is received in the next two years. I am a local girl centered in a great town. Growing up in our small mighty Town of Pittsville, exposed to many great people, I love being around them, talking with them and finding out what’s going on. Even as a child, I recognized the work that public servants provide on a daily basis without hesitation, through my dad, Denver C. Moore Jr, who served our community as Mayor until 2016, in his loving and determined way. Prior to being on the Town Council, I served as alongside my dad, in our Pittsville Lions Club, helping to plan and host events to assist in school projects and fundraisers to aid those in need of eyeglasses and or other assistance. He was very dedicated and showed me the servant spirit -- that helping one another goes a long way and it aids in progress. George Whited, Jr, President and Mayor of our town in 2017, also demonstrated his servant’s spirit to me, with his tough personality combined with a soft spot for improving our town. He helped me find my footing and see projects through to completion when I was appointed to the council in 2017. Another inspiration for me is our Town Manager Joe Mangini, a great resource to help discuss and find solutions for any issues or questions raised. He has been my sounding board and an overall great friend. Another reason for my choice to become involved is my vision for my community's need for more open spaces and growth for our children to come together and enjoy our town. When we improve our local towns, it creates a ripple effect to our neighboring communities.

The Honorable Sputty Cephas, Commissioner, City of Cambridge
Mr. Niles Anderegg, Village of Martin’s Additions, Chevy Chase

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This summer, I had the distinct pleasure of interning with Ms. Lyn Farrow, Assistant City Manager of the City of Annapolis, Maryland. I am a rising second year student at the School of Public Policy, pursuing a major in Public Policy with a concentration in Race and Gender Justice. I plan to focus on racial justice work after obtaining my degree. During my internship, I assisted Ms. Farrow and her staff with a variety of projects including monthly department reports, creating racial equity metrics for departmental use, and creating a proposal for a gun violence prevention program for the City of Annapolis.

The City of Annapolis recently opened its Office of Community Services, which gave me the opportunity to collaborate and brainstorm ideas for its role in the community. I was also able to attend community events with the Annapolis Office of Community Services with Ms. Farrow. Over the course of my time with Ms. Farrow, I developed my professional writing skills, expanded my knowledge of and a passion for local government and policy, and strengthened my leadership skills. Ms. Farrow tasked me with creating a proposal for a gun violence prevention program in Annapolis, which not only allowed me to learn more about the responsibilities of local government, but also helped develop my passion for racial equity work on a local scale.

Out of the many experiences that I had this summer, my time with the Annapolis community was what I found most fulfilling. Ms. Farrow invited me to join her on a visit to Annapolis communities during National Night Out on August 3. During our time spent with each neighborhood, I witnessed a local government’s role in community building and saw the interactions between government leaders and their communities. I was floored by the sense of community that I saw and was able to see how the local government in Annapolis was deeply invested and involved in their community.

This experience has deeply informed and guided my career goals. Being able to witness the positive impact that local government can have truly inspired me. The investment in the community that I witnessed from everyone I had the pleasure of meeting was unmatched and this has galvanized my interest in local government.
This Summer, I had the opportunity to intern with the City of Takoma Park’s Office of Public Works as the Sustainability Intern, made possible by the Maryland Municipal League Fellowship. Upon learning about receipt of the internship, I excitedly began my internship working on issues pertaining to environmental policy and justice. Beginning in June, under the supervision of Gina Mathias, Sustainability Manager for Takoma Park, I worked on five separate projects. The first included creating an Electrification Roadmap for the City of Takoma Park, to facilitate the city’s transition from using natural gas energy in existing buildings, to all electric. Much of my time was spent conducting research on various approaches to city-wide electrification and engaging with environmental policy professionals in other states who had helped create existing strategies in their jurisdictions. The result included the Electrification Roadmap outlining potential steps within the parameters of the city’s power.

The second project included researching best practices for a Green Homes Certification program that Takoma Park could replicate. My initial research included reading and organizing information that Takoma Park could emulate from existing programs in Frederick, Maryland; Menlo Park, California and Salt Lake City, Utah. After creating multiple sample approaches, the information was presented to members of Takoma Park Mobilization, a formal group of neighbors working to promote a more equitable and sustainable community. The result was a drafted outline of a Green Homes Certification Program that utilizes community feedback and a blend of different approaches which would allow for unique implementation and potential success in Takoma Park.

The third project included creating social media content for the City of Takoma Park’s Instagram, Facebook and Twitter accounts. These posts focused on promoting sustainable habits, spreading awareness for eco-friendly living and providing resources for residents. My fourth project involved using the design tool Canva to create a Sustainable Living Catalog for the city. This project was highly rewarding, enabling me to learn about the different departments of the city and really dive into how each department works together to create a more sustainable environment for residents. For my final project, I conducted an analysis of the existing utility data for Takoma Park’s four city buildings and entered any missing data from the records kept from 2014-2021. After this, I was able to adjust the buildings on the Energy Star Portfolio Manager to receive Energy Scores for the buildings. This is an important step for the city, as becoming Energy Star Certified sets a great example and precedent for residents and commercial buildings to follow.

Throughout my internship, I was able to engage with various city and county departments, participate in stakeholder meetings, talk with community residents, and learn firsthand about environmental equity. I am very grateful for the guidance and mentorship I have received during this internship, especially from Gina Mathias and Tom Reynolds. This Summer has been highly rewarding and intellectually stimulating, solidifying my interest in Environmental Policy and Justice at the local level. I plan on proceeding with these interests in the fall as I take graduate level courses in Public Policy, and undergraduate level courses that will prepare me for my senior capstone project. The time spent working at the Office of Public Works has shown what a sense of community Takoma Park has and how dedicated each of the departments are to serving the community and addressing its needs. The community of Takoma Park illustrates an example of where past injustices are addressed and reconciled. It has been my pleasure to work with such a diverse, hardworking, dedicated group of people.

The City of Bowie’s Office of Grant Development and Administration arranged for me to spend a week with United Communities Against Poverty (UCAP), where I assisted the organization in launching a community health clinic. As the City of Bowie established their 2021 COVID-19 relief programming, I provided administrative and logistical support for the Emergency Food Assistance Program (EFAP). I gathered information from the staff within the office to guide the development of a survey for MML regarding the grants systems used by the State of Maryland in grantmaking and management. The survey will be used for the State of Maryland’s efforts in centralizing its grantmaking system.

My experience with the City of Bowie’s Office of Grant Development and Administration was extended into the academic year as I have remained an intern. I am continuously working on their grant development, COVID-19 relief efforts and environmental justice initiatives.
New local government officials come to public service from every imaginable background: schoolteachers, firefighters, small business owners, lawyers, and data analysts. But few of us arrive with the unique knowledge that city and town officials need to govern effectively. Leadership from the Maryland Municipal League and the Maryland Association of Counties recognized this when they engaged the Institute for Governmental Service at the University of Maryland to create a distinctive new training program called the Academy for Excellence in Local Governance in 1998.

The curriculum for the Academy is designed to give municipal officials the tools and skills they need to successfully serve their communities. It includes subjects like Conducting Effective Meetings, Municipal Budgeting, and Consensus & Team Building, all of which remain part of the Academy curriculum 24 years after the program’s conception. Now administered by the University’s School of Public Policy, the Academy for Excellence in Local Governance strives to provide municipal and county officials with the groundwork necessary to perform the requirements of their unique roles.

Requirements for completion of the Academy program include successfully finishing the seven core classes, plus five elective classes in the subject areas of your choice, whether that’s public safety, parks and recreation, code enforcement, public works, municipal administration, or any number of legal topics of interest to local government leaders.

To date, nearly 1,000 Maryland municipal and county officials have completed the Academy program, and many of those have gone on to participate in the deeper dive learning available through Academy graduate classes. These classes are taught by University of Maryland faculty and other subject matter experts and are only open to those who have completed the Academy certificate requirements.

For more information on the Academy for Excellence in Local Governance and how it can help prepare municipal officials to govern effectively, visit https://spp.umd.edu/your-education/executive-development/state-and-local-government/academy-excellence-local-governance or contact MML Education Services Director Tom Reynolds at tomr@mdmunicipal.org.
The Maryland Municipal Attorneys Association (MMAA) is an MML department, established in 1972, whose members include the attorneys who represent Maryland’s municipalities. The MMAA has just over sixty members and meets quarterly for seminars and presentations on current legal issues from judges, experts and other attorneys. As the MMAA Secretary, I keep the minutes of each meeting. I also update MMAA’s page on the MML website, which anyone can check for an update.

MMAA has been meeting virtually since the beginning of the COVID-19 pandemic in March 2020. The October 28, 2021 virtual meeting was the fourth annual joint meeting between MMAA members and the County Attorneys Association. These annual meetings focus on local government issues affecting both municipalities and counties. At this meeting, judges from Maryland’s highest court, the Court of Appeals, presented a panel discussion on five key cases affecting local governments which were decided during 2021. The panel was made up by three judges: Chief Judge Joseph Getty, retired Judge Glenn Harrell, who sits on cases by assignment, and Judge Brynja Booth (who is a former MMAA President).

Chief Judge Getty noted that Judge Booth, who joined the Court in 2020, has been a valuable addition, then announced that he will be join Judge Harrell in retirement in a few months. He said he was honored to have been appointed Chief Judge last month and that he considered himself a short-term caretaker. He also said he sees generational changes under way as older judges retire, and expressed his excitement for the future of the Court.

He began the discussion with the Court of Appeals decision in Ocean City v. Worcester County, relating to tax setoffs and the relationship between counties and municipalities who, in some cases, provide similar services to the same municipal residents. The issue is whether a county can be required to offer tax offsets to municipalities, or whether a County may do so at its discretion. The Chief Judge noted that some counties, such as Frederick, do mandate such setoffs while others, such as Worcester, do not. He views this issue as a matter of statutory interpretation for the County delegations in the General Assembly to decide.

Judge Booth commented that many litigated issues focus only on local law like City Charters but fail to consider state laws, including the state Constitution. In Hovnanian Homes v. Havre de Grace, Hovnanian had undertaken an annexation and development and was installing infrastructure to service the three parcels making up that annexation. However, Hovnanian was only directly developing one parcel, while other developers were working on the other two parcels. The original intent was for the other developers to reimburse Hovnanian, but they did not. Hovnanian submitted an...
agreement with the Town to recoup fees from each house sold in the other two parcels. While the Town Council approved it, the owners in those parcels objected, and the City did not collect the fee as the Mayor hadn’t signed the agreement. Hovnanian sued the Town to enforce the agreement. The Court of Appeals ultimately found the agreement was unenforceable, as state law only permits local governments to impose a fee on property owners by ordinance, not by private agreement.

The second case presented by Judge Booth was *Angel Enterprises v. Talbot County*, involving civil citations and fines. In this case, a property owner built a house and installed a driveway connecting the parcel to a nearby state road without county or state permission. As a result, both the Maryland Department of Environment (MDE) and Talbot County issued citations and fines. The owner paid the MDE fines but did not pay the County citations or fines, which reached civil penalties of $1,000 each day. The owner appealed to the County Board of Appeals, rather than the District Court, as permitted in County ordinance. The Board of Appeals affirmed fines reaching over $700,000 but stayed them, pending further appeal. The Court of Appeals reversed the fines, finding that review of civil citation fines is part of the original jurisdiction of the courts – not a County Board of Appeals.

Judge Harrell spoke about *Town of Riverdale Park v. Ashkar*, involving the granting of a towing contract for Riverdale Park. The Town had used Greg’s Towing for decades, partially because Greg’s Towing owned a convenient lot where towed vehicles could be taken. The owner retired and sold the business to Mr. Ashkar, a Palestinian-American, who communicated his intention to continue the business relationship with the Town. The Town Council had delegated authority over the towing contract to the Chief of Police, who in turn passed it on to the Deputy Chief of Police. He was heard to refer to Mr. Ashkar in a racially derogatory way and did not agree to allow the contract to remain with Greg’s Towing. Indeed, after that, the contract was given to another contractor on an interim basis. Mr. Ashkar sued the Town on the basis of racial discrimination. The jury found in favor of Mr. Ashkar for $244,000 and $15,000 in punitive damages to be paid for by the Town. The Court of Appeals affirmed but remanded the case back to the trial judge to consider the impact of the Local Government Tort Claims Act limitation of $200,000, and to clarify the judge’s decision as to whether a new trial should be granted as the original decision was unclear.

Finally, Chief Judge Getty presented *Clear Channel Outdoor, Inc. v. Baltimore City*, a case from Maryland tax court. Baltimore City initiated a tax on billboards, which raised potential first amendment issues. The plaintiff billboard owners argued the City tax was not narrowly tailored and targeted limited groups. The Court of Appeals upheld the tax ordinance, finding that the tax was not focused on any particular opinion or small, identified group. As such, the Court found it wasn’t subject to heightened “strict” scrutiny and under a rational basis analysis, did not violate the First Amendment. Judge Getty filed a dissenting opinion, as he was concerned that any restriction limited the ability to speak. Clear Channel has filed for U.S. Supreme Court review, which is pending.

The joint meeting also included a discussion on the distribution of settlement proceeds between the state, counties and municipalities resulting from settlement of the multi-jurisdictional opioid litigation against drug manufacturers. The main basis of the claims is that the epidemic of addiction to opioids has affected persons receiving medical treatment at all levels, as well as state and local governments, by adding dramatic costs and resulting in devastating personal and local impacts over several years. Elissa Levan, representing Westminster and Bowie, described the opioid litigation settlement. The national settlement agreement allows for the distribution of funds to states and their local governments. Maryland may receive up to $500 million, contingent on several factors, to then be shared with counties and municipalities.

At the time of this writing, the draft default agreement sets aside 70% for an abatement fund for possible further distribution, and divides the remaining 30% between municipal, county, and state governments, with 15% to the state and 15% to local governments.

However, these percentages can be changed by agreement. For example, local governments are getting 85% in North Carolina, and 60% in New York. Ms. Levan and Lynn Board, MMAA President, noted that municipal and county attorneys have a collective interest in pressing for more, and urged county and municipal representatives to express their concerns to the Maryland Attorney General (OAG). In the meantime, the OAG is working with MML and MACo to negotiate the terms of the distribution of funds to local governments in Maryland. States must reach agreement with their local governments by January 2022 to receive the maximum amount of funds.

At the close of the meeting, the President noted MMAA’s next quarterly meeting is tentatively set for early February 2022. This will be MMAA’s first in-person meeting in about two years and will probably take place at a restaurant in Annapolis. The agenda will likely focus on legislative issues involving the General Assembly. I will plan to offer a brief report on that meeting. In the interim, contact me with any questions you have at frank.johnson@gaitersburgmd.gov.
Coffee with MML Staff: Sharon Tolson, Manager, Education and Information Resources

Get to know MML’s new and longer tenured staff a bit better in this feature that explores staff’s backgrounds, roles and unique passions about why working for MML and its members is important to each of them.

Municipal Maryland: How long have you worked for MML?

Sharon T.: One week. I began on November 30th, 2021.

Municipal Maryland: Where did you work before?

Sharon T.: Prior to joining MML, I worked three years directing a nationwide training program and resources for the International Safety Equipment Association.

Municipal Maryland: What are you currently working on?

Sharon T.: This is my first week and I’m happy to say, I was able to jump right in. Some of my first projects include researching resources for Climate Change and Resilience exploring subject matter experts in the area of Mental Health, and developing solutions for one of MML’s operational issues.

Municipal Maryland: Why did you come to work today?

Sharon T.: There is nothing like having the opportunity to do what you most enjoy - like problem solving, being innovative, generating new ideas or motivating positive change.

Municipal Maryland: What are your first impressions about MML and the cities and towns we serve?

Sharon T.: My first impression was, “thank goodness I’m needed.” My overall impression is that MML fits in the category of being one of the best cultures to work in - where everyone feels respected, has an opportunity to be innovative, people trust and rely on each other, there’s a sense of community, and there’s evidence of compassion/care for the organization’s missions.

Municipal Maryland: What three things should MML members know about you?

Sharon T.: Three quick things you need to know – I am: Reliable; exceed most expectations; and am most inspired when motivating positive change.

Municipal Maryland: What is your favorite line from a movie?

Sharon T.: “Some people can’t believe in themselves until someone else believes in them first.” – Robin Williams, Good Will Hunting

Emergencies and disasters come in all kinds, sizes, and complexities - from power outages to floods to cyberattacks - and each one presents unique challenges and risks. Learning how to prepare for and respond to them shouldn’t be a one-size-fits-all effort!

That’s where the MACEM&P comes in. Our unique blend of collegiate expertise and practitioner experience lets us offer customized, innovative education, training, and professional solutions for you, your organization, or your jurisdiction. Everything we do is centered on the latest research and built to hold up to the demands of the real world, so you can get ready with confidence.

Our services include:

- Public Safety Training Program Development
- Continuity of Operations (COOP) Planning
- Emergency Plan Research & Development
- Exercise Development and Facilitation
- Threat & Risk Analysis
- Mitigation Research & Strategy
- Situational Awareness Training

Frederick Community College
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CALL FOR NOMINATIONS

THE MARYLAND MUNICIPAL LEAGUE’S 2022 LIFETIME ACHIEVEMENT AWARD

MML’s Lifetime Achievement Award recognizes an elected or appointed city/town official who has a strong record of service to the Maryland Municipal League through:

- participation on MML committees
- participation on the MML Board of Directors
- active involvement with the local League chapter
- has demonstrated outstanding service to Maryland municipal government

Nominees can be current or former municipal officials

The winner will be announced in the May/June issue of Municipal Maryland. The Lifetime Achievement Award will be presented at MML’s summer conference in Ocean City.

Judging. The Maryland Municipal League is pleased to have faculty from the University of Maryland’s School of Public Policy judging this year’s entries. The panel of judges has the authority to withhold this award if the judges decide that none of the nominees meets the award criteria.

Preparing the Entry. Keep your entry simple and clear. Entries must be submitted electronically. Each entry should be typed using a 12-point font, double-spaced, and should not exceed three pages. A cover page (on municipal letterhead) indicating the name of the nominee and bearing the contact information for the current elected or appointed official who is making the nomination is required.

The entry should address the following criteria which the judges will use to select the winner:

- The nominee’s participation in the Maryland Municipal League and other municipal and professional organizations.
- The nominee’s contributions demonstrating significant and outstanding service to MML and also to the nominee’s municipality.
- The nominee’s leadership in his/her own city/town.
- The degree to which the nominee would be readily identified by colleagues as a role model and example of exceptional public service.

Deadline. All entries must be submitted electronically to mmlawards@umd.edu by 12 noon on March 1, 2022.
Often misunderstood, ordinances and resolutions are two distinctly different vehicles through which a municipal legislative body can take action. Although they often use the same, or substantially similar, process for debate and passage, their content and impact are very different. This is a question we receive from a lot of new municipal officials.

Generally speaking, ordinances are considered to be local laws and result in the institution of a permanent rule in the municipality. Examples include restrictions on noise, establishment of a permit process, or zoning designations. These constitute the code of ordinances for that municipality and can carry penalties for non-compliance. On the other hand, resolutions generally contain a declaration of the will or expression of opinion of the municipal legislative body and carry no enforcement capacity. The content of resolutions can vary greatly, including social consciousness, healthy living, politics, creating a task force, or sentiments of congratulations among other topics.

There are instances when a resolution is mandated by state law to be the vehicle used by a municipal legislative body as part of a particular process. Two prominent examples are amendments to municipal charters and annexation of properties into a municipality. In both cases the state dictates specific procedures that must be followed and the vehicle that the municipal legislative body must use is a resolution. If there is any question as to whether an ordinance or a resolution is appropriate, please consult with your municipal attorney.
MEETINGS

January 2022

8  Conference Planning Committee **Hybrid** Meeting
12  Legislative Committee **Hybrid** Meeting, Annapolis
12  Executive Committee, Annapolis
13  Public Works Department Meeting
19  Eastern Shore Chapter **Legislative Dinner**
19  Legislative Committee **Hybrid** Meeting, Annapolis
20  Montgomery Chapter **Virtual** Meeting
20  Prince George's Chapter **Virtual** Meeting
23  Washington Chapter, Hagerstown
24  Engagement and Outreach **Virtual** Committee Meeting
26  Legislative Committee **Hybrid** Meeting, Annapolis
29  Board of Directors, Annapolis

February 2022

2  Legislative Committee **Hybrid** Meeting
16  Legislative Committee **Hybrid** Meeting
17  Montgomery Chapter, Rockville
17  Prince George's Chapter
23  Engagement and Outreach **Virtual** Committee Meeting
24  Frederick Chapter Meeting, Middletown

March 2022

2  Legislative Committee **Hybrid** Meeting
16  Legislative Committee **Hybrid** Meeting
17  Montgomery Chapter, Rockville
17  Prince George's Chapter
28  Washington Chapter

WEBSITE OF THE MONTH
211 Maryland

As the COVID-19 pandemic lingers, Marylanders are more fortunate than ever to have a website linking residents to an array of significant resources related to mental health, substance abuse, food insecurity, domestic violence, and more. Check out [https://211md.org/](https://211md.org/) for more information. Be sure to share with members of your community.
Software for Managing Public Assistance Programs

COVID-19 Relief, Mortgage / Renter Assistance, Small Business Grants, Emergency Food, etc.

To schedule a demo go to www.GTechAZ.com/Demo/PublicAssistance
MML members get a 15% discount if you sign up by August 31st.

623.349.4277
GTECHAZ.COM
GET TO KNOW Chesapeake Employers Insurance
Maryland’s Largest Writer of Workers’ Comp. Insurance for Municipalities

Amy Newcomb
SBU Underwriter

Take advantage of the benefits of insuring with Chesapeake Employers:

- Strong relationships with both agent-represented and direct municipal customers across Maryland
- Competitive prices
- Premium discounts for eligible safe policyholders
- Local safety and claims services
- Convenient, easy, fast & secure online services
- Dependable and responsive customer service
- Corporate dividend program for qualifying policyholders

Chesapeake Employers’ Strategic Business Unit (SBU) team is focused on providing a “high touch, professional level” of customer service to Maryland’s municipalities and counties. It’s our local and experienced workers’ compinsurance professionals like Amy Newcomb, SBU Underwriter, who truly make the difference for our customers.