



VILLAGE OF MARTIN'S ADDITIONS

7013 Brookville Road (Second Floor, Suite B)

Chevy Chase, MD 20815-3263

Phone (301) 656-4112

www.martinsadditions.org

Agenda for Council Meeting Thursday, December 15, 2022, 7:30 PM

The Council may entertain a motion in open session to enter into a closed session, in accordance with Section 3-305(b) of the Open Meetings Act (Maryland Code, General Provisions Article).

7:30 PM Call to Order: Kauders

7:35 PM Approve Previous Meeting Minutes: Kauders

7:40 PM Building Administrator's Report: Lohmeyer

7:45 PM Opportunity for Council to Hear Residents' Comments: TBD

7:50 PM Committee Updates: Kauders

7:55 PM Discussion and possible introduction of the 2023 Election Plan

8:00 PM Discussion and proposal by the Ethics Committee to expand Ethics Code to include all Village volunteers.

8:05 PM Financial Matters, including Treasurer's Report: Alexander

8:10 PM Manager's Report: Silliman

8:15 PM Opportunity for Council to Hear Residents' Comments: TBD

8:20 PM Adjournment: Kauders

Virtual (Zoom) Meeting Information

Below is the information for those residents who wish to dial in remotely or video into the Council meeting.

Dial-In Option

- Call: 1 301 715 8592
- When prompted, enter the Meeting ID: **883 3117 5094**# (you must enter the "#")
- Passcode: **525784**

Web/Video Option:

- Go to the Zoom meeting link:
<https://us02web.zoom.us/j/88331175094?pwd=OFNvZkFzbnA4coovdWI4KzA1Q2JjUT09>
- Meeting ID: **883 3117 5094**
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7013 Brookville Road, Suite B
Chevy Chase, MD 20815**

Council Meeting Minutes Nov. 17, 2022

VIA ZOOM CONFERENCE CALL AND IN-PERSON

Council Members Present: Susan Fattig; Arthur Alexander; Katie Howard; Jeff Blander; Building Administrator: Doug Lohmeyer; Village Manager, Michael Silliman. Council member Andrew Kauders (Chair) joined the meeting after it had started.

Residents and other Attendees: Keith Allen (Turner Ln.); Lorie Mitchell (Cummings Ln.); Lynn Welle (Oxford St.)

7:32 PM Call to Order: Katie Howard called the meeting to order and said that Council Chair Kauders would join the meeting a bit later. She wished a warm welcome to new Village Manager Michael Silliman and thanked Martha Fessenden for returning to help during this time of transition.

7:33 PM Keith Allen reported that temperatures will be way below normal to start the week, then warm up to 50° after Thanksgiving. He hopes he's wrong about there being a lot of snow and cold weather ahead.

7:34 PM Building Administrator's Report: Doug Lohmeyer delivered his report.

7:35 PM Resident Comments:

Keith Allen asked on behalf of another resident: (1) How can we get another person on the Election Committee; and (2) How can people post the questions they have onto a web page.

Lynn Welle had questions on an RFP for leaf vacuuming - does it include storm drains? He said they're blowing into storm drains, and they blow leaves onto sidewalks. He suggests to residents that they keep the sidewalks clear. When Waste Management misses a collection, it should be itemized out when they bill us or else, we're not getting the value we pay for. Can this be looked into by the Council? Lynn wondered why we are told they have equipment failure and cannot come that day, so late in the afternoon.

Katie asked, on behalf of a resident, where the new directory is, and Katie said, "It's here!" The resident also wants to know about new streetlights and residents' ability to have input on that process. Arthur recommended the new Village Manager investigate



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this down the road. Katie added that the resident also asked about drivers still ignoring stop signs on the north end and if our Police officers could help with that.

Keith asked about fire hydrant testing, Bethesda Fire Chief Esch responded there is a schedule for testing, and he would be surprised if it hasn't been followed.

7:41 PM Committee Updates: Howard

Katie thanked the Community Engagement committee for all the bells and whistles on Halloween; the party had excellent attendance.

7:51 PM Election Committee - George McAleese reported that they're waiting to get membership up to the level needed to hold meetings.

7:53 PM Ethics Committee – Lorie reported that the ethics training was held on Tuesday. George highly recommended the ethics training.

7:55 PM Financial Matters: Treasurer Arthur Alexander

Arthur Alexander gave his report. The new Village Manager will spend the next month getting our accounts in order. On Nov. 30 we will know what we can expect for the rest of the year, quarterly payments, income fluctuations mostly due to capital gains taxes following the stock market: when the market is up the returns go up, when the market is down the returns go down. Money is being well spent, \$73,000 for speed humps, striping, etc.

Regarding the Annual Survey, Arthur said use the format from last year (Constant Contact) and use modified questions; let's go with the latest draft and run with it. Jeff reminded about residents who want a hard copy of survey since they don't have email access.

Manager's Report: Michael Silliman thanked residents for being so welcoming, he's ready to get to work. The new resident directory should be in people's mailboxes. Residents want to know exact day for leaf vacuuming, so the office will try to clarify the communications as to that schedule. The paper shredding event will be held on Sunday Dec 4. The Village Office will be closed on Thursday and Friday for Thanksgiving.

Arthur noted the written Managers reported included in the meetings packet thanked Susan and Andrew for managing the officer during the transition period between Village Managers.

Jeff commented about more snow and asked if our volunteers are ready to shovel?



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8:04 – 8:51 PM Chief Victor Esch, Bethesda Fire Chief, gave a history of the department.

8:52 PM In open session, Susan moved pursuant to the Open Meetings Act, General Provisions Article, Sec. 3-305(b)(1) to enter closed session to discuss personnel matters that affect one or more specific individuals. Arthur seconded, all voted in favor. Present for the discussion were all Council members and the Village Manager. The Council discussed the personnel matter. No action was taken.



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TO: The Council at the Village of Martin's Additions
FROM: Doug Lohmeyer
DATE OF MEMO: Dec. 12, 2022
SUBJECT: Building Administrator's Report

3506 Bradley La.

Demolition and building permit applications were submitted to the Village office. The Village issued the building permit on Dec. 9, 2021. The Wall Check indicates the walls comply with the approved Site Plan and Village Code. Work is progressing. On Nov. 29, the applicant requested an extension until Feb. 28. They now think they will be complete by Jan. 31. They will need an extension but have requested the Village waive the \$2000 fee.

3508 Bradley La.

The property owner has submitted a building permit application to add a two story addition at the rear of the ex. house. The Village issued the permits on Nov. 25, 2022. Work has begun.

3417 Cummings La.

The owner submitted an application to demolish the existing house and to construct a new home on Nov. 22, 2022. The property is two lots, 6 and 7, recorded in 1919. The staff has completed the initial review and provided the applicant with review comments.

3419 Cummings La.

The owner submitted an application to demolish the existing house and to construct a new home on Nov. 22, 2022. The property is two lots, 6 and 7, recorded in 1919. The staff has completed the initial review and provided the applicant with review comments.

7200 Delfield St.

The new homeowners propose to add a porch, with steps and a patio on the eastern side of the new house. The staff has reviewed the non-vegetative analysis and the proposed plans. They have also installed new plants along Delfield and Taylor St. and added an arbor along Delfield. A right of way licenses agreement has been prepared and is pending signatures.

120 Quincy St.



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The homeowner submitted plans to the County and the Village for review. The application proposes to construct several additions at the side and rear of the existing house. MCDPS issued their building permit on Jan. 5, 2022. The Village issued their permits on Feb. 6, 2022. Work is ongoing.

151 Quincy St.

The property owner submitted a building permit application to remove the ex. house and to construct a new house. The County and the Village staff are reviewing the plans. A zoom residents information meeting was held on Tues. Oct. 25th. The Village issued the permits on Nov. 23, 2022. The old house has been removed.

159 Quincy St.

The homeowners submitted an application to build a new deck at the rear of the existing house. The Village building permit was issued. The project appears to be nearing completion and MCDPS has not closed their building permit.

162 Quincy St.

The new homeowner is making interior improvements to the existing house and has said the existing house footprint will not increase. The homeowner is building an 10 inch high retaining wall along the front of the property on Quincy, next to the public sidewalk. A Village right of way license agreement has been prepared and is pending signatures.

3500 Raymond St.

The homeowners are considering several additions to the existing house. They have applied to the MCDPS and to the Village. The staff has completed the second review of the application and sent comments to the applicant.

3504 Shepherd St.

The homeowner plans to construct an addition at the rear of the ex. house. The staff has completed the second review of the building permit plans and provided comments to the architect.

7200 Summit Ave.

The homeowners submitted a Variance Application for additions to the existing house. The variance was approved by the Council on July 16, 2020. The MCDPS issued their permit on April 12th. The Village issued their building permit on April 26, 2022. Work has begun.



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Village of Martin's Additions

Financial Report for November 2022

Arthur Alexander, Treasurer

December 15, 2022

The Village's new manager, Michael Silliman, has been actively getting the day-to-day finances in order. The last remaining task is to update the books and generate the monthly accounts. Since this will involve the entry of all transactions since the beginning of October, it will require several days of dedicated effort. The customary report on finances should be available in next month's report.

In November, we made two transfers of \$55,000 each from the Village's savings account in the Maryland Local Government Investment Pool (MLGIP) to the checking account to cover expenses; these transfers were double the usual number because of backed up bills that were paid during the month.

As expected, the Village's November receipt of its share of the state income tax was the first significant payment of the fiscal year. It was the second highest ever: \$465,493. Last year, we received a record \$523,299. The general narrative from the state Comptroller's office accompanying the distribution noted: "These returns are typically from higher income filers and more complex; meaning a small number of late returns can have a significant impact on the distribution."



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From: Michael Silliman, Village Manager

To: Village Council

Subject: Village Manager's Report

Date: 12-15-2022

Overview

I am excited to report we have a new Assistant Village Manager, Erin Byrnes. Erin will be working her standard schedule, which is below (with flexibility and lunch breaks). Please join me in welcoming Erin to the team.

- Monday 9:30AM – 2:30PM
- Tuesday 9:30AM – 2:30PM
- Wednesday 9:30AM – 2:30PM
- Thursday 9AM – 4PM
- Friday 9AM – 2:30PM

Together, we have been busy familiarizing ourselves with the Village and jumping into the day-to-day operations. We started reorganizing the office, completed file backups and software updates, and created tracking systems for all Village permits and Staff and Volunteer Oath of Office and Conflict of Interest forms. We had a successful shredding event on December 4th, and I administered two committee meetings, Ethics and Elections, via Zoom.

Next steps are to become a licensed Notary in the State of Maryland and to work with our external accountant to reconcile the last three months of activity.

Holiday Fund

The Holiday fundraiser for the Waste Management contractors closes this Friday, December 16, 2022. So far, we have raised \$6,495. Thank you for your contributions.

2022 Annual Survey



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We sent out the survey the Council approved at the November Council Meeting. We have received 65 responses so far, and the survey will be open until December 23, 2022. The results will be shared at the January Council Meeting.

Trees

The fall planting has been completed including 12 new trees on resident properties and 9 new street trees for the Village. We have also been taking care of several tree issues:

- Deadwood removal and pruning of street tree at 207 Oxford St.
- Stump removal on Turner Lane.
- Tree removal at 7307 Summit.
- Option of how to deal with damaged street tree at 111 Quincy St. provided by Mulheron.
- Standardizing our tree protection plans for all construction sites.

Leaf Vacuuming

Rolling Acres will conduct the final leaf vacuuming of the year next week, starting on 12-19-22.

Draft 12/13/2022
2023 Ordinance:
Election Rules and Procedures

The Village of Martin’s Additions (“VMA”) is governed by a municipal Charter that provides for a five-member elected Council to appoint an Election Committee (“Committee”) that operates according to rules and procedures adopted by the Council, pursuant to Section 602 of the Village Charter. The Committee accepts nominations of candidates for the Village Council (“Council”) and oversees the annual election.

The purpose of these rules and procedures is to provide for free and fair elections in the Village of Martin’s Additions and to ensure that all qualified voters are able to freely exercise their right to vote.

Village Council Election Process

The election of Village Council members takes place on a date determined from year to year in accordance with Section 602 of the Charter. Council members are elected to terms of two years. The number of seats open on the Council alternates between two and three seats every other year; vacancies are filled per Section 408 of the Charter. All elections are managed by the Committee. The Committee consists of a minimum of three, but preferably no fewer than five, qualified voter¹ volunteers appointed by the Council. The Council may appoint additional qualified voters as short-term assistant Election Committee members, as needed. Committee members shall complete an Oath and a Conflicts of Interest form, as provided by the Village, consistent with Village Policy.

Each year the details of the election cycle for that year are published in the Village newsletter. The following rules and procedures apply:

1. Consistent with the Village Charter, no later than sixty (60) days prior to Election Day, the Committee will open the nominations period and request that declarations of candidacy and nominations of candidates be submitted in writing to the Committee. Any qualified voter may declare their candidacy or be nominated by another qualified voter according to the election rules and procedures. Qualified voters who nominate someone other than themselves must include an email or signed written statement from the proposed candidate expressing his/her consent to be nominated. Anonymous nominations are not permitted. All nominations must be received in the Committee inbox by the deadline set by the Committee.
2. All nominated candidates shall submit (a) a statement of interest and qualifications, and (b) a conflict of interest disclosure statement, in a form provided by the Village. The Election Committee may specify standard formatting for the candidate statements and any standard questions to which all candidates are requested to respond.
3. The Committee must receive all nominations and required candidate submissions in writing at least forty-five (45) days prior to the election, in order for the candidate to be placed on the official ballot. No nominations or candidate submissions will be accepted by the Committee if received later than the deadlines specified here.
4. The Committee may establish a format, date, and time for a candidate forum for qualified voters and residents to hear from the candidates. The forum shall be moderated by the Committee at its sole discretion. When such a forum is created, qualified voters are encouraged to send proposed questions to the Committee via email (VMAElections@martinsadditions.org)

¹ Pursuant to the Village Charter, a qualified voter is “any person who owns property or any resident of Martin’s Additions who is eighteen years of age or over.”

46 by the Committee-specified deadline or be prepared to ask them if/when called upon during the
47 forum. The Committee will not receive questions via phone or otherwise.

48 5. Pursuant to Charter Section 602(b), no later than two (2) weeks prior to the election, the
49 Committee shall publish the written statements of the candidates for office, the official
50 election notice and forum notice, and general voting instructions.

51 6. Pursuant to the Charter and these rules and procedures, each qualified voter may cast a
52 mail-in ballot provided by the Committee, subject to the schedule publicly announced by the
53 Committee.

54 7. Blank lines will be placed on the ballot for the purpose of adding write-in candidates at the
55 time of the election. A successful write-in candidate shall be required to submit a Conflicts of
56 Interest disclosure statement no later than seven (7) business days following the election.

57 8. In the event that two or more candidates receive the same number of votes where only one can
58 be elected, there shall be a runoff election within two weeks of the date when votes are tabulated
59 and recorded. In this election, runoffs shall be held by mail.

60 9. Each candidate may designate one person as an official observer to be present when the
61 ballots are being counted. Other qualified voters may also observe, although no observer
62 may participate in or otherwise disrupt the counting of the ballots. Specific vote counting
63 procedures will be recommended by the Committee and adopted by the Council each year,
64 as appropriate.

65 **Who Can Vote?**

66 Pursuant to the Charter Section 301, a qualified voter is “any person who owns property or any
67 resident of Martin’s Additions who is eighteen years of age or over.” In the case of students, such as
68 college or boarding school students, a student who resides elsewhere during the school year but who
69 maintains a permanent address in Martin’s Additions is deemed a resident and entitled to vote in the
70 Village Council election. Voters in Martin’s Additions need not be registered to vote in Montgomery
71 County or in the State of Maryland and need not be U.S. citizens. The Committee will utilize the
72 most recent electronically available Village resident contact information to confirm voters’ names
73 and addresses and shall ensure the voter rolls are updated, with the assistance of the Village staff.
74 The Committee will confirm the verified voter rolls are used in operating the Election. New voters
75 may request to be added to the voter roll up to 12:00 PM on Election Day. To be eligible to receive a
76 mail ballot, new voters should be prepared to show a driver’s license, a utility bill, or other
77 documentation acceptable to the Committee in its sole discretion, showing the voter’s Martin’s
78 Additions address.

79 **Plan for the 2023 VMA Election**

80 VMA’s 2023 election will be held by mail. Voters will mail their completed ballots back to the
81 election service provider in the postage-paid envelopes issued by the provider. On Election Day,
82 May 10, the Committee will also provide an opportunity for voters to drop off completed ballot
83 envelopes in a ballot box, to be conveyed to the election service provider for counting.

84 Traditional absentee ballots will not be necessary, because every person on VMA’s voting roll will
85 automatically receive a ballot by mail.

86 If a voter is planning not to be at his or her VMA address during the voting process, he/she may elect
87 to receive a ballot by mail at a different location by so informing the Committee no later than 12:00

88 PM on May 10. No one may vote two ballots at two different addresses. If a voter has lost or damaged
89 his or her ballot or ballot return envelope, he/she may contact the Committee no later than 8:00 PM on
90 May 10 to request a replacement ballot. On receipt of such a request, the Committee will instruct the
91 service provider to void the previous ballot sent to that voter and mail the replacement ballot.

92 A voter can also notify the Committee if they will not be able to receive a ballot by mail during the
93 voting process. The Committee will make reasonable efforts to provide those voters with opportunities
94 to cast their ballots.

95 All completed ballot envelopes must be received by the service provider by 5:00 p.m. on May 23,
96 2023.

97 Nominations

98
99 The Committee will issue a call for candidates on **February 20, 2023**. Any qualified voter may run
100 for office. Qualified voters may nominate themselves or be nominated by another qualified voter, in
101 writing. Nominations may be made only by qualified voters; anonymous nominations are not
102 permitted. Qualified voters who nominate themselves must submit an affirmative statement or email
103 stating that they wish to run for office. Qualified voters who nominate someone other than
104 themselves must include an email or signed written statement from the proposed candidate
105 expressing his or her consent to be nominated. The nominations period will open on **February 20**
106 and close on **March 22, 2023, at 6:00 pm. Nominations must have been received by the**
107 **Committee no later than that deadline.** A thirty-minute grace period will be allowed for email
108 nominations to arrive in the Committee's email inbox.

109 To be placed on the official ballot, all candidates must submit by email to the Election
110 Committee (a) a brief Candidate Statement, including their qualifications as well as any other
111 information they deem relevant, and (b) their signed and completed Conflicts of Interest
112 Disclosure form. The Election Committee will specify the form of both documents when the
113 nomination period opens. In order to appear on the ballot, within seven (7) days from the close
114 of the nominations period, candidates must submit their completed documents to the Committee.
115 A thirty-minute grace period will be allowed for email submissions to arrive in the Committee's
116 email inbox. The Committee will maintain a record of the information on when nominations and
117 supporting materials were received, making that information available, as appropriate.

118 The Committee will review the submissions and identify any nomination materials that are
119 incomplete. The Committee will notify the candidate, and the candidate will have 24 hours to
120 submit an updated form addressing the issue. Submission of updated materials will not be
121 subject to the deadline above for submissions.

122 Candidate Announcements and Candidate Forum

123 The Committee will promptly notify the Village of the candidates for office and publish the
124 election information and candidate statements by email, by posting on the Village's website, and in
125 a mailed election packet. Information will also be included in the Village's Friday wrap-up emails
126 and newsletters and will be available for review in the Village Office throughout the election
127 period.

128 The Committee will host a Candidate Forum on a date agreed upon by the Committee and
129 candidates, to allow qualified voters and residents to hear from candidates. The Committee shall
130 provide a mechanism for qualified voters and residents to offer questions without their name being
131 used. The Committee shall moderate the forum in its sole discretion. Qualified voters and residents
132 are encouraged to send their questions for the candidates to the Committee by the means specified

133 by the Committee. The Committee should send the Election Packet, containing candidate
134 information and statements, to voters in advance of the Forum.

135 Election Procedures

136 Pursuant to the Charter and these rules and procedures, each qualified voter may cast a ballot,
137 according to the following vote-by-mail procedures.

- 138 1) The election service provider will mail via first class post (a) a ballot, (b) voting
139 instructions prepared by the committee in consultation with the election service provider,
140 and (c) a postage-paid return ballot envelope to each voter listed on the voter roll at their
141 address of record.
- 142 a. Where feasible, the Committee should work with the election service provider to
143 have ballot packages delivered to voters shortly after the candidate forum.
 - 144 b. The Committee will work with the election service provider to identify projected
145 dates when ballots will begin arriving and provide notice to the Village.
- 146 2) Ballot envelopes will bear on their exterior a service-provider-issued control number and
147 an affidavit in accordance with Maryland law requiring the voter to attest to the voter's
148 identity and eligibility. The affidavit must be signed by the voter.
- 149 3) All ballot envelopes must be received by the election service provider no later than **5:00**
150 **p.m. on May 23, 2023**. Ballots received after that time shall be rejected and not included
151 in the ballot counting. The VMA Election Committee shall send reminders for all qualified
152 voters to return ballots by mail no later than that date.
- 153 a. Ballots must be returned in the service-provider-issued return envelope.
 - 154 b. Ballot return envelopes must be sealed.
 - 155 c. Ballot return envelopes must bear a valid control number that has not been
156 canceled or voided.
 - 157 d. Voters must have written their full name as it appears on the Village's voter roll as
158 well as the house number and street name of qualifying address in the Village on
159 the issued return envelope.
 - 160 e. If voters from the same household use each other's envelopes, those ballot return
161 envelopes shall be accepted as valid.
- 162 4) For voters' convenience, the Election Committee will also provide a secure ballot box to
163 collect completed ballot envelopes on the evening of **Election Day, May 10, 2023**. Voters
164 may deposit their sealed ballot envelopes containing a voted ballot and bearing a
165 completed affidavit in the Election Committee ballot box between the hours of **5:00 p.m.**
166 **and 8:00 p.m. on May 10**. Promptly after 8:00 p.m., the Election Committee shall open
167 the ballot box, count the number of ballot return envelopes in the box, and then convey the
168 ballot envelopes to the service provider. The election service provider shall hold all ballots
169 received until the date for ballot counting, **May 24, 2023**.
- 170 5) Between the hours of 5:00 p.m. and 8:00 p.m. on May 10, the Election Committee will
171 also provide an opportunity for qualified voters whose ballots have been lost, damaged,
172 spoiled, or are otherwise unable to be voted, to request that their existing ballot be voided
173 and a new ballot be issued to them by the election service provider.
- 174 a. The Committee will maintain a list of voters who have been issued new ballots
175 during this period and shall communicate that list to the election service provider,
176 which will void the control numbers associated with ballots mailed to those voters.
 - 177 b. The Committee will work with the election service provider to ensure that new
178 ballots issued as replacements for mailed ballots provide traceability and ballot
179 control.
- 180 6) The service provider shall count the votes on the ballots on **May 24** and ensure that the
181 Election Committee and candidate observers can clearly observe the counting process.
- 182 a. Prior to the counting of the ballots, the Committee shall propose procedures for
183 the Council to adopt relating to the vote counting.

- 184 7) Following the 5 p.m. deadline on May 23, the election service provider shall examine
185 the ballot envelopes without opening them and identify non-confirming envelopes.
186 The provider shall then display each such non-confirming envelope to the committee
187 members, who will then decide, based on a majority vote, whether each such
188 envelope has the potential to be ‘cured’ or corrected of any discrepancies or
189 deficiencies. If so, a reasonable and meaningful attempt must be made to contact the
190 voter identified by the control number on that envelope. However, ballot envelopes
191 that are unsigned shall not be eligible for curing.
192 a. Prior to the counting of the ballots, the Committee shall propose procedures
193 for the Council to adopt relating to the Committee’s ballot curing actions and
194 guidelines.
- 195 8) Candidates or their designated representative(s) — only one per candidate — may observe
196 the tallying, review, and adjudication process. Candidates or their designated observers
197 may raise objections during the counting process. The candidate or observer must identify
198 the challenge at the time of vote counting. Other qualified voters may also observe the
199 process, but they may not raise objections.
- 200 9) At the vote counting session, the service provider shall tally all votes cast, including the
201 write-in votes. The service provider shall deliver a complete, certified Official Count of
202 Ballot Report to the Election Committee by email within 24 hours.
- 203 10) The Committee shall review the Report, address any remaining ballot or vote issues, and
204 certify the election by Committee vote. The Committee shall announce the election results
205 as soon as practicable.
- 206 11) The election service provider shall return all ballots, ballot return envelopes, and other
207 election materials to the Village Office by mail or courier, for preservation according to
208 the Village’s state-approved Document Retention policy.
- 209 12) In the event that two (2) or more candidates receive the same number of votes where only
210 one can be elected, there shall be a runoff election within two (2) weeks of the May 24
211 deadline, when votes are tabulated and recorded. The Committee shall conduct any runoff
212 election by mail-in ballot consistent with relevant provisions of the Charter.

213 **Records**

214 All election records, including nominations, candidate statements, ballots, envelopes, and all
215 materials pertaining to voter rolls and the voting process, shall be securely stored at the Village
216 Office, in accordance with the Village’s Document Retention Schedule.

217 **Electioneering**

- 218 1) Residents may distribute candidates’ information to Village residents, provided that such
219 distribution complies with applicable laws, including Sections 7-208 and 9-106 of the Village
220 Code and the United States postal service regulations (for example, no unstamped non-postal
221 material may be placed in residents’ mailboxes).
- 222 2) All candidates’ brochures and election materials must prominently state that they have been
223 paid for by, or on behalf of, the candidates.
- 224 3) Use of the Village logo and/or letterhead on election campaign materials is prohibited.
225 Candidates’ materials may not imply, suggest, or give the impression of any official
226 endorsement by the Village of Martin’s Additions.
- 227 4) Candidates’ campaigns may give residents token gifts that display candidate information,
228 provided that such gifts do not exceed \$1 in fair market value.
- 229 5) On Election Day, the Committee may set and enforce a reasonable “No Electioneering Zone”
230 around the place where voters may place their ballots in the Election Committee ballot box and
231 where voters may request replacement ballots. That zone shall be no greater than a 100-foot
232 radius. Sound amplification systems such as bullhorns will not be permitted.

DRAFT

**The Village of Martin’s Additions
(Ethics Ordinance – Definition of Official)**

Ordinance No.: 2022-10-1
Introduced:
Adopted:
Effective Date:

**ORDINANCE TO AMEND THE ETHICS ORDINANCE TO EXPAND THE
DEFINITION OF “OFFICIAL” TO INCLUDE MEMBERS OF ALL COMMITTEES**

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality’s rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Section 501 of the Charter of the Village of Martin’s Additions authorizes the Village Council to pass such ordinances as it may deem necessary for the preservation of the property, rights, and privileges of the Village and its residents;

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the ___th day of _____, 2022;

WHEREAS, after proper notice to the public, the Council considered this Ordinance in public session assembled on the ___th day of _____, 2022; and

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, and the recommendation of the Village Ethics Committee, the Village Council finds that the foregoing Ordinance would assure the good government of the municipality, protect and preserve the municipality’s rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin’s Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, the Village Council does hereby adopt the following Ordinance.

BE IT ORDAINED AND ORDERED, this ___th day of _____, 2022, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin’s Additions, that the Village Code is hereby amended as follows:

* * *

**CHAPTER 4
ETHICS**

ARTICLE 1. GENERAL

Section 4-101. Definitions

For purposes of this Chapter, the following words and phrases shall have the following meanings:

- (a) The “Committee” means the “Village Ethics Committee” as constituted and described in Section 2-101.

* * *

- (d) “Public Official” or “Official” means all members of the Village Council; all members of the Election Committee; all members of the Ethics Committee; **all members of any other standing or ad-hoc committee or task force**; the Village Tree Supervisor; and all persons employed by the Village.

* * *

(Ord. No. 08-15-01, adopted 9/17/15, effective 10/7/15; Ord. No. 11-15-1, adopted 1/21/16, effective 2/10/16; Ord. No. 2021-1-1, adopted 3/18/21, effective 4/7/21)

Section 4-204. Enforcement

- (a) The Council may file a petition for injunctive or other relief in a court of competent jurisdiction for the purpose of requiring compliance with this Chapter.
- (b) In addition to any other enforcement provisions in this Chapter, any member of either the Election Committee, ~~or~~ the Ethics Committee, **or any other standing or ad-hoc committee or task force**, or the Tree Supervisor, who is found by the Committee, the Council, or a court to have violated this Chapter with respect to Oath of Service shall be subject to removal by the Council; and any member of the Council who is found by the Committee or a court to have violated this Chapter shall be subject to recall, as provided in the Village Charter.
- (c) In addition to any other enforcement provisions in this Chapter, any employee found by the Committee, the Council, or a court to have violated this Chapter shall be subject to disciplinary or other appropriate action, including dismissal or suspension of compensation.
- (d) A violation of this Chapter shall not constitute a civil or criminal infraction. Enforcement of this Chapter shall be limited to the provisions of this Chapter and shall not include the penalties set forth in Chapter 3 of this Code.

(Ord. No. 2021-1-1, adopted 3/18/21, effective 4/7/21)

* * *

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, by the Council of the Village of Martin's Additions, acting under and by virtue of the aforementioned authority, that:

(1) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(2) This Ordinance shall take effect on the ___th day of _____, 2022 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Andrew Kauders, Chair
Village Council

Bold Underline indicates new material
~~Strikethrough~~ indicates material deleted
* * * indicates material unchanged