



# Civic Federation News

April 2012

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Montgomery County Civic  
Federation

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## April Program: FY 2013 MoCo Operating Budget By Chuck Lapinski, Public Finance Chairman

Our program on Monday, April 9 will focus on the County's FY 2013 operating budget and related issues. Jennifer Hughes, Director, MC Office of Management and Budget, and Steve Farber, County Council Staff Director and expert on all matters concerning the Operating Budget, will be our guest speakers. The FY 2013 budget begins 1 July, and must be passed by the County Council by the end of May. Jennifer and Steve will discuss the operating budget processes, specific budget highlights (line item increases and decreases), and expenditure and revenue sustainability issues from both the Executive's and the Council's perspectives. The state will be hitting us hard again this coming year, so questions will include: How much more impact should county taxpayers expect from increased state taxes and spending shifts? How realistic are the proposed revenues? How well funded are the employee retirement and health benefit programs? What will the future liability of the county and us taxpayers be as pensions and their liabilities shift to the County? What impact did the OLO and council staff's study on personnel costs, trends and affordability, and the Executive's Commission on Organizational Reform have on the proposed budget? How cooperative has the MCPS superintendent and the Board of Education been in this process? These are just some of the issues that will be discussed.

This program will be presented in plain English. As always, the public is welcome, and we ask that you come armed with curiosity and questions for our lively Q. & A. session.

Reserve Your Tickets Now (**page 11**) for the  
**Montgomery County Civic Federation's  
2012 ANNUAL AWARDS BANQUET**

Friday, May 11, 2012

Honoring

**THE WAYNE GOLDSTEIN AWARD** - awarded to an individual or group for outstanding public service to the people of Montgomery County:

**The Montgomery Countryside Alliance**

**THE SENTINEL AWARD** – awarded to an individual or group who makes a significant contribution to good government at the local level:

**Zoning Advisory Panel Community Representatives**

**THE STAR CUP** – awarded to the MCCF delegate or committee for outstanding public service to Montgomery County:

**Paula Bienenfeld, Education Chairman**

The next ZAP meeting is Tuesday, April 17 (not Wednesday as is usual). The meeting begins at 7:00 p.m. at MNC/PPC. The entire process for this ZAP will end in September. If you have never attended a ZAP meeting, please do so now so you will understand what is being considered and proposed and be in a position to make informed and timely comment.

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## April's Community Hero, David Lucia By Paula Bienenfeld

David Lucia is the head coach for the county's only special needs ice hockey team, The Cheetahs. There are only three such teams in the state of Maryland. Coach Lucia is retired from the Air Force and he devotes a substantial amount of his time to making the Montgomery Cheetahs ice hockey program a success. He not only teaches the players how to play ice hockey, but he also teaches his players essential life skills. What Coach Lucia does on the ice has given many of these players the ability to grow and succeed on and off the ice. Coach Lucia is more than a coach, he is a mentor, role model and a hero to many families in Montgomery County.

This is the website for the team:

<http://www.eteamz.com/MontgomeryCheetahs/> and this is a video: <http://www.youtube.com/watch?v=nk5iftW3P-Q&lr=1>.

## Zoning Code Rewrite Team to Hold Open Houses

### By Pamela Dunn, Montgomery County Planning Department

Attend one of six open houses scheduled around Montgomery County in April and early May to learn more about the project. At the open house meetings, attendees can view graphics and other materials that explain what's being considered, such as potentially reducing the number of zones and how new zones might apply in communities.

Participants at each open house will see exactly how what's proposed applies to their neighborhood. Each meeting will provide information on six different master plan areas. To see what master plan area applies to your property, go to [montgomeryplanning.org/gis/interactive/masterplans.shtm](http://montgomeryplanning.org/gis/interactive/masterplans.shtm).

#### When/Where/Details:

#### 5-8 p.m. Tuesday, April 10

Park and Planning Headquarters  
8787 Georgia Avenue, Silver Spring  
Master plans: Capitol View, East Silver Spring, Forest Glen, Four Corners, North & West Silver Spring, Silver Spring Central Business District, Takoma Park

#### 5-8 p.m. Thursday, April 12

Eastern County Regional Services Center  
3300 Briggs Chaney Rd, Silver Spring  
Master plans: Cloverly, Fairland, Kemp Mill, Sandy Spring/Ashton, White Oak

#### 5-8 p.m. Monday, April 16

Bethesda-Chevy Chase Regional Services Center  
4805 Edgemoor Lane, Bethesda  
Master plans: Bethesda Central Business District, Bethesda-Chevy Chase, Friendship Heights Central Business District, North Bethesda/Garrett Park, Potomac Subregion, Westbard, Woodmont Triangle

#### 5-8 p.m. Monday, April 23

Upcounty Regional Services Center  
12900 Middlebrook Road, Suite 1000, Germantown  
Master plans: Agricultural & Rural Open Space, Boyds, Clarksburg, Damascus, Germantown (1989 and 2009)

#### 5-8 p.m. Tuesday, April 24

Wheaton Regional Library  
11701 Georgia Avenue, Wheaton  
Master plans: Aspen Hill, Kensington/Wheaton, Olney, Upper Rock Creek, Wheaton Central Business District

#### 5-8 p.m. Tuesday, May 1

Rockville Memorial Library, 2nd floor  
21 Maryland Avenue, Rockville

Master plans: Gaithersburg & Vicinity, Great Seneca Science Corridor, Shady Grove, Twinbrook, White Flint

## Two Wrongs Don't Make a Right

### By Peggy Dennis, President

We're sad to report this month on two travesties that may be inflicted on us by bad land use decisions. I will report the first, and Carole Ann Barth will report the second.

The first wrong: On the western side of the county, Executive Leggett announced the selection of Montgomery Soccer, Inc. (MSI) to carry out the destruction of Nick's Organic Farm on the Brickyard Road school site. This came as no surprise to those of us who have been watching this debacle. It began with a letter dated November 10, 2009 in which Leggett requested the Board of Education to lease the 20 acre Brickyard Road property to the County. He described the site as "largely vacant and underutilized." – the first lie. Nick Maravell has been painstakingly husbanding the soil and farming this land organically for 31 years. "Nick's Organic Farm" has become the "keystone" enterprise for organic farmers. As the only organic seed stock farm in the region (not just Montgomery County) that is completely surrounded by suburban homes, it is the only farm capable of providing seeds that are guaranteed to be uncontaminated by pollen from genetically modified organisms (GMO) crops.

A second lie came in the Executive's justification for the land grab: the wish for "expanding and coordinating after-school programs – especially for those students most at risk." First, Potomac has very few students who could be characterized as "at risk". Second, the Brickyard School Site is far removed from the local MCPS middle and high schools where more robust "after-school programs" are needed. Third, correspondence later came to light showing that Mr. Leggett had been in negotiations for some time with MSI indicating his determination to find them land which could be taken for a public/private partnership to allow them to build playing fields which MSI would then maintain and control.

The local community is justifiably outraged by the Executive's backroom dealings. No one including Nick Maravell and Councilmember Roger Berliner, had been given any notice that this action was in the works. Potomac residents who had put in hundreds of hours working on the Potomac Subregion Master Plan Advisory Group in 1999 felt betrayed. They had discussed two future school sites on Brickyard Road and agreed that if MCPS were to declare them as "surplus, then they could possibly be "developed as local parks." This was reasonable given the fact that Potomac has relatively few local parks which are, by definition, intended for use by the surrounding community and not as sports complexes run by private entities for their own purposes. Thus, the Executive's argument that the MSI soccer complex is in accord with the language of the Potomac Master Plan is a gross distortion of both the language and intent of the Potomac Master Plan. As Ginny Barnes recollected. "Unfortunately, it never occurred to us they would

be developed in any way without first going through the surplus process. And of course, we never envisioned in our wildest nightmares, a private club building a commercial sports complex on a narrow open section road in the middle of a residential neighborhood.

And the Request for Proposals (RFP) process? A sham! MSI was the only soccer or athletic organization capable of developing and funding such a complex, and the only one to submit a proposal. MSI is a not-for-profit organization run largely by volunteer coaches and parents and supported by the fees parents pay so their kids can participate. If MSI has so much money in the bank that it can afford to pay upwards of 3 million dollars to develop land on which they will hold only a 9-year sublease, perhaps its tax-exempt status should be investigated. Or parents should be clamoring to have their MSI fees reduced. Or MSI should enter into a public/private partnership with some of our MSPC schools which truly need more robust after-school programs to keep their “at risk” students off the streets.

Other lies. Mr. Leggett stated early on that he would find “other land” on which to “relocate” Nick’s Organic Farm. There is no other land remotely similar in Montgomery County or in the region protected from GMO contamination and with soil under continuous organic management for three decades. Leggett also promised that he would look for a “dual use” scenario in which only two soccer fields would be built and the remainder of the Brickyard School site would remain as an organic farm and outdoor education center. This too is impossible under the plan for four soccer fields and a large parking lot which was submitted by MSI and agreed to by Leggett. To add insult to injury, Leggett’s promises that there would be no artificial turf, no lights for night time playing, and no public address system were all left out of the MSI lease. No wonder that the community feels it has been lied to and betrayed by an overreaching and duplicitous executive!

## The Second Wrong

### By Carole Ann Barth, Chairman for Parks & Recreation

On the eastern side of the county we have the old, established Four Corners Local Park on eight acres which was expanded in 1997 with the addition of the six acres known as the Rachel Carson Meadow. The meadow includes a 185 year-old black walnut tree along with other mature native trees and plants, but it is primarily open green space. This local park is frequently used by neighborhood families for unstructured recreation, by dog owners to exercise their pets, and by other down-County residents, who enjoy its natural setting. Unlike the more rugged stream valley parks, the meadow is accessible for families with young kids and for the nearby elderly residents of the *Oaks Independent Living Facility*

Once a year the park is the site for the Rachel Carson Meadow Festival, a celebration of *The Sense of Wonder*, Rachel Carson’s call for adults to cherish and encourage children’s love and

understanding of the natural environment. (See video of the 2010 festival here:

<http://www.youtube.com/watch?v=VJM5R5-ApEE>) These diverse uses are possible because the Meadow’s complex topography creates, “landscape rooms” which allow different activities to occur without infringing on other park users.

In 2008, against the community’s strong objections, the Montgomery County Parks Department decided that an adult-size soccer field with a 50 space parking lot and a 26’ high berm wall facing the neighborhood should be built on the Rachel Carson Meadow at a cost of almost \$6 million. As part of this project, the existing youth soccer field on the other side of the park would be removed, planted with a few saplings, and declared “a natural area” meant to replace the six acre meadow and its majestic trees which would be obliterated by the project.

On Mar. 20th, the County Council held a Capital Improvements Plan (CIP) work session for the Parks Department budget items, which included “PDF 078706 - North Four Corners Park”. The community along with other Four Corners neighbors and sympathetic friends from around the County lobbied strongly to have this project removed from the budget. Those opposed to the project included myself; Peggy Dennis from MCCF, Caren Madsen from Conservation Montgomery; Ed Levy, our Democratic Precinct Chair; Howard Kohn, Commissioner, Takoma Soccer; and many Northwood-Four Corners and county residents who helped with this effort.

The Council and Parks staff were allowed unlimited access and opportunity to present their arguments, while the citizens were told that they could not speak to the issues. For example, in support of the claim of the need for more ballfields in this portion of the County, the staff cited a survey conducted last year as part of the Parks and Recreation Departments’ Vision 2030 report. What they neglected to tell the Council Members was that this was a survey of agency staff and not local residents. The same report also contains a citizen survey that placed a much higher priority on natural areas and trails than on ballfields. They failed to mention that a statistical analysis of neighborhood access to ballfields shows the southeastern portion of the County service, in which our community is located, is at 100% level of service and other areas are at lower levels of service.

In another stunning example of spin doctoring, staff claimed that a majority of NFCCA residents support the proposed soccer field. The staff briefing packet included several letters of support, but no mention was made of the petition to save the meadow and oppose the soccer field which was submitted with over 600 signatures.

In emails to the Council, residents described all the work they are doing to maintain and improve North Four Corners Park, and offered to create a natural playground in the Meadow at no out-of pocket expense to Parks. Sadly, this too was completely ignored. Most jurisdictions would be thrilled to

have such community involvement, and grateful to have the kind of expertise offered by our residents.

Although Council Members Marc Elrich, Valerie Ervin, and Nancy Navarro spoke strongly in favor of redirecting these funds to other CIP projects given competing needs, the Northwood-Four Corners community's opposition, and the value of preserving a valued natural green space for our community, the remaining Council Members (Phil Andrews, Roger Berliner, Nancy Floreen, George Leventhal, Craig Rice, and Hans Riemer) voted to retain the project in the CIP. This was truly a disappointing and shameful experience in poor public policy and decision making by a Council that failed to listen to residents and could not bring itself to say "No" to staff.

Most jurisdictions would recognize the meadow for the rare natural gem that it is; an accessible green oasis in a heavily-developed, densely populated region; a "village green" where Silver Spring area residents can come together to celebrate and build community. However to the County Parks Department and the Council, this is just empty space that can be easily replaced by planting a few trees on the existing youth ballfield, and they think we should appreciate that they have granted the community such "extensive park improvements."

#### Current Status:

- The approved Capital Improvements are over \$100 million above the budget, so there will be a meeting to reconcile the available revenue to the approved projects. This may be the final opportunity to remove the soccer field from the budget. If not, other community needs will have to wait longer and millions more dollars will have to be spent to actually increase the number of soccer fields.
- The 2012 Rachel Carson Meadow Festival will be held Saturday, May 19<sup>th</sup> from 1 to 4:30 p.m. at North Four Corners Park, 211 Southwood Avenue, Silver Spring, 20901. The Washington Revels will create an interactive Spring Festival program as part of this event again this year. The attendees gather, rehearse, and perform a "mini-Revels" all in one day - no auditions or experience necessary! Come by yourself, with a friend, or bring the whole family - all ages welcome. To join the performers, register on the Revels web site ([www.revelsdc.org](http://www.revelsdc.org)) by May 11 to select your performance or production activity. Other Festival events include "the Pitting of the Pooches" (a fun dog show), crafts with invasive vines, local environmental and community groups will have booths, and sports demonstrations will be offered. Check the civic association website ([www.nfcca.org](http://www.nfcca.org)) for more details and schedule information.

## **Pepco's Smart Meter Program**

In August 2010, the Maryland Public Service Commission authorized Pepco to proceed with a major modernization effort, which is consistent with federal initiatives to improve energy efficiency, while reducing carbon emissions. Pepco has received \$68.85 million in federal stimulus grants to help fund Pepco's smart meter program in Maryland.

In June 2011, Pepco began installing advanced digital electric meters, also referred to as smart meters, throughout its Maryland service area. The meter exchange program is the first step in the utility's long-term investment to build a smart power grid that will help customers better manage their energy use and costs and improve customer service and reliability. Crews will continue with the installation process through December 2012 until all of Pepco's Maryland customers receive a new meter.

To learn more about Pepco's meter exchange plan, customers are encouraged to visit the "Smart Grid" section on [www.pepco.com](http://www.pepco.com) under "Our Energy Future." Customers will find information on the new meters, a fact sheet on how to prepare for installation, and answers to frequently asked questions.

## **Education Committee Report** **Paula Bienenfeld, Education Committee Chair**

**Thanks** to all who attended the Civic Fed's Board of Education (BOE) Candidates' Forum held on Thursday, March 15<sup>th</sup>. We particularly want to thank the editors-in-chief of the award-winning Montgomery Blair High School newspaper, *Silver Chips*, Melodi Anahtar and Marjorie Fuchs, who moderated, and all the candidates who attended: District 2 candidates Saqib Ali, Susan Byrne, Jeanne Ellinport, and Fred Evans; and At-Large Candidates Morris Panner and Aryeh Shudofsky. And thanks for putting yourselves out there and running. Good luck all. And Remember, early voting has already begun and Election Day is Tuesday, April 3<sup>rd</sup>.

Special thanks to Civic Fed President Peggy Dennis, who made sure the candidates kept to time limits; Ann McDonald for schlepping coffee from Starbucks so the attendees stayed refreshed; Virginia Sheard for helping with set-up and Janis Sartucci of the Parents' Coalition for videotaping the event and posting it to the Parents' Coalition blog, where you can see it at <http://parentscoalitionmc.blogspot.com/2012/03/video-mont-co-civic-federation-boe.html>.

**Superintendent's FY2013 Operating Budget – Time for Citizens to Review and Comment** The BOE is responsible for over half of our entire county budget, with an annual budget that exceeds \$2 Billion. *Even if you do not have children in the schools, this enormous amount of money and how it is spent affects every aspect of county life.*

Public hearings on the Fiscal Year (FY) 2013 Operating Budget at the County Council are scheduled for April 11<sup>th</sup> and 12<sup>th</sup>. To sign up to testify, call 240-777-7803. Starr is recommending a \$2.128 billion Operating Budget for Fiscal Year (FY) 2013, a 2 percent increase (\$41.4 million) over the current budget.

To read the budget, go to <http://www.montgomeryschoolsmd.org/departments/budget/fy2013/superintendent/>.

**Remaining Timeline for the Operating Budget**

County Council holds Operating Budget Hearings and Worksessions	April – May 2012
Council approves Operating Budget	May 17, 2012
Final Board of Education Action to approve FY 2012 Operating Budget	June 14, 2012

**Checkbook Online**

The Civic Fed Executive Committee discussed a project to have Checkbook Online implemented by both the county government and MCPS to increase transparency and to reduce costs in these tight budget times. I am looking at different types of Checkbook Online models. To see some examples, go to the Goochland County, Virginia Checkbook online website, at <http://www.co.goochland.va.us/Departments/DepartmentsAF/Finance/ChecksRegisterListings.aspx>; Massachusetts Open Checkbook at <http://opencheckbook.itd.state.ma.us/analytics/saw.dll?Dashboard>, or the Miami Dade County Public Schools at <http://checkregister.dadeschools.net/>. Please give me feedback and let me know of other examples that you have seen.

While some government officials are concerned about the possible cost of putting the government's finances online, studies show that this move actually saves taxpayers money as it creates an opportunity for citizens to scrutinize the budget and finances and provide input into ways to save money.

As the State of Maryland recently received a grade of D-, ranking 40 among the 50 states for risk of corruption from the Center for Public Integrity, Checkbook Online is a first step towards transparency and public budget management. To read about how Maryland ended up with a D-, read the *State Integrity Investigation* report article, at [http://www.stateintegrity.org/state\\_integrity\\_invesitgation\\_overview\\_story](http://www.stateintegrity.org/state_integrity_invesitgation_overview_story).

If you are interested in this project and have suggestions for models and implementation, please email me offline: paula\_bienenfeld@yahoo.com.

**Superintendent's Third Book Club April 24, 7 PM at Carver**

The next book club event will be on Tuesday, April 24<sup>th</sup>, at Carver Educational Services Center, 850 Hungerford Drive, Rockville. The book to be discussed is *The Global Achievement Gap: Why Even Our Best Schools Don't Teach the New Survival Skills Our Children Need--And What We Can Do About It* by Tony Wagner. To see a discussion by Wagner on youtube, go to <http://www.youtube.com/watch?v=D3gpjilOqHA>.

**Superintendent's Forums**

Superintendent Joshua Starr will hold two more education forums this spring, each from 7:00 PM – 8:30 PM. The remaining forums concern:

Special Education — Monday, April 16, at Seneca Valley High School

Social and Emotional Learning — Thursday, May 10, at Walt Whitman High School

Is it worthwhile to attend? Feedback from the Gifted education forum, which was held on Thursday, March 22<sup>nd</sup>, suggests there is room for improvement. The very active listserv of the Gifted and Talented Association (GTA) had a number of comments on that forum, suggesting that the meeting was 'overly-orchestrated;' another commenter said, "All in all, I felt it was a waste of time and that my head was going to explode with frustration. I am not likely to engage again in what I see as a lost cause."

Here are comments from Fred Stichnoth, President of GTA:

1. The GTA sent a letter to Dr. Starr, with a copy to the panelists, emphasizing parents' desire to engage with him personally regarding the real GT issues. Instead, MCPS organized the format around the panel, discussions at tables of around eight parents, "sharing out" by MCPS staff facilitators, and one-sided presentations by the Superintendent. The Superintendent said that going "through a list" of parent issues "would not be a great use of time."
2. Dr. Starr's opening presentation focused on identification and access disparities. The panel discussion focused on interpersonal, parent-staff, interactions. By contrast, over 100 parent comments submitted to Dr. Starr and each panelist prior to the Forum (<http://www.gtamc.org/2012-gt-forum>) addressed programmatic issues such as Curriculum 2.0, elimination of math pathways, the middle school "advanced" curriculum for everybody. Identification and access disparity is a fundamental question, but not the only one; it has been allowed for a decade to crowd out parent dissatisfaction with service inadequacies. Focus on interpersonal interactions covers up systemic, programmatic, problems with GT, finally undergirded by MCPS ideological antipathy to GT programming in the local school.

This teacher-principal-parent interaction occurred in a fairy-tale world. The panelists followed Dr. Starr's injunction preceding the table discussions: parents should "suspend disbelief" – maintain "positive suppositions." Nevertheless, MCPS facilitators "shared out" parent fear of retaliation.

**Update on Bill HB-596**

Background: HB-596 - *Child with a Disability - Individualized Education Program (IEP) Meeting - Document Access* was introduced in Annapolis by our own delegates. Del. Anne R.

Kaiser (District 14) is the sponsor of the bill, with co-sponsors Delegate Charles Barkley, District 39, Delegate Bonnie Cullison, District 19, Delegate Ana Sol Gutierrez, District 18, Delegate Jolene Ivey, District 47, Delegate Ariana B. Kelly, District 16, Delegate Eric G. Luedtke, District 14, Delegate Kirill Reznik, District 39, Delegate Shane Robinson, District 39, Delegate Melvin L. Stukes, District 44, Delegate Michael G. Summers, District 47, and Delegate Craig J. Zucker, District 14.

The bill, initiated and supported primarily by school psychologists, proposed to reduce the number of days parents have to review important documents concerning their child's IEP from 5 *business days* to 5 *calendar days*. For example, with the proposed change to 5 *calendar days*, the parent could receive the materials on a Friday, and mail them to their advocate on Saturday. The advocate may receive them on Monday (if lucky) or more likely on Tuesday. This leaves the advocate only one day to review the new materials, assuming the advocate is available at that time to drop everything else, since the meeting is the next day.

Last month we reported on the successful petition drive opposing this onerous bill. An online petition opposing the bill was signed by over 500 people, including Senator Karen Montgomery (District 14), members of the Howard County Board of Education, and Montgomery County Board of Education candidate Saqib Ali. To go to the petition, go to <http://www.change.org/petitions/the-md-state-house-oppose-house-bill-596>.

Because of the tremendous opposition to the bill, Del. Anne Kaiser told special education advocates she would change the amendment she proposed, however as of this writing the status of the bill is unclear.

#### *Update*

As of this writing there is still uncertainty about the changes Del. Kaiser made to the bill since speaking with the special education community.

It now appears that with new language introduced recently, the present law may have been diluted. The present law requires that “at least 5 business days before a scheduled meeting of the individualized education program team or other multidisciplinary education team for any purpose for a child with a disability, appropriate school personnel shall provide the parents of the child with an accessible copy of each assessment, report, data chart, draft individualized education program, or other document that either team plans to discuss at the meeting.”

The present law is being amended to add that “school personnel may provide the documents required under this subsection through any reasonable and legal method of delivery to fulfill the purposes of this section.”

The absolute requirement to provide the documents to the parents at least 5 *business days* before a scheduled meeting is being watered down to where, if the parents don't actually

receive the documents at least 5 days before a scheduled meeting, the school can now claim it used a method it deemed reasonable to meet what it deemed to be the purpose of the section. The purpose of the Act is stated in Amendment No. 1 to House Bill 596 as “**authorizing** school personnel to provide a copy.” Note that the purpose is NOT “**requiring** school personnel to provide a copy”. There is a big difference between “authorizing” and “requiring;” the former is discretionary and the latter is mandatory. In the original SB540, which became law in 2010, the language states, “For the purpose of **requiring** appropriate school personnel to provide a copy of certain documents...”

In addition the new language states these reasons as extenuating circumstances allowing MCPS to delay submitting required documents: “a. a death in the family; b. a personal emergency; c. a natural disaster; or d. any other similar situation defined by the department.” While a natural disaster would seem reasonable as a reason to delay transmitting documents, ‘personal emergencies’ or other similar situations ‘defined by the department’ seems too vague, and again seems to weaken the bill and place the burden on the parents or guardians responsible for the well-being of the child.

**Parents and those interested in this bill need to keep up to date and please be aware of the bill's status and changing language as it moves through the state legislature.**

## **FY 2013 Montgomery County Operating Budget By Chuck Lapinski, Public Finance and Utilities Chairman**

The proposed County Operating Budget for Fiscal Year includes more than \$4.6 billion of spending in Fiscal Year 2013 (starting on July 1 2012), an increase of 4.6% (or \$199.1 million) over the budget for the current year (FY 2012).

Just about every line item could receive a proposed small increase, particularly those that suffered the greatest decreases over the last several years—libraries, police and fire/rescue personnel positions and at risk elements of the population will increase. Some changes represent department and function reorganization with some staff cuts. Schools get a 2.6% increase, as the school board requested. According to the school board budget, that amount would comply with state maintenance of effort requirement in 2013, and reflects the \$26.2 million penalty that MCPS faces because of noncompliance with MOE in FY 2012. Montgomery College and Park and Planning will each receive small increases, also equal to their budget requests. County employees will receive a one-time lump sum averaging \$2,000 in lieu of the cost-of-living and step increases, and they will continue to contribute 2% more to their retirement fund and also increase their contributions to health care from 20% to 30%, which is much closer to the percentages that employees in the federal government and the private sector pay.

The State Board of Education (union pushed) wants to give the Governor the power to override County Charter limits and force full funding of local school board requests based on maintenance of effort criteria. I do not believe that local county laws and charter limits should ever be abrogated and overridden by any state governor or state entity! I guess the state level elected officials and unions think they are better than the rest of us taxpayers in the county and expect a special dispensation! Perhaps this legislation may change before the session concludes in April.

Taxpayers will be hit with additional County taxes and fees. Overall property values have finally begun to level off after the recession, but the budget calls for an increase in the property tax rates, though still within the limits set by the charter.

Will the Council agree to the general structure of the proposed budget? Probably, though it has always put some form of its own imprint on the budget. The Council last year added a more strategic perspective to its financial tools so it could better understand the long term impact of current decisions on future budgets. Will it continue to heed and act on the findings of its own OLO report that highlighted the dire consequences of the continued unaffordable and unsustainable total compensation of county and school employees?

Though county taxes will be going up, the primary increase in burden for county taxpayers comes not from the County government but from proposed State taxes (i.e., income, sales and property taxes and fees we now pay). I have no hope for any reasonable fiscal prudence in Annapolis based on the state budget blueprint and proposed legislation passed by the House or the Senate (both houses must agree). There has been negligible effort to cut the structural deficit by any means other than by increasing taxes and fees and by shoving state responsibilities down to the counties-- burdens such as teacher pensions that have been borne by the state and will now be sent to the counties to cover. In addition, the blueprint calls for selling bonds to pay for almost \$1.0 billion of the operating budget (the capital budget, which is always funded by bond sales, is separate). You read that correctly. This action is tantamount to using a credit card to pay for putting food on the table and gas in the tank every day, and agreeing to pay it back with interest 15 years from now. This practice began about 5 years ago and the amount of the operating budget financed with bonds has increased every year since. I don't know what are legislators are thinking, but I don't think they are looking out for our county taxpayers and citizens very well. There is much in the state budget that is unsound and fiscally imprudent. Even the State Comptroller and the Washington Post have been very critical of the size of the budget and the way it is being funded by debt.

The County Exec would like the state to increase the gasoline tax by 10 cents a gallon, supposedly for the transportation trust fund. However, most of the money supposedly earmarked for the state transportation trust fund goes into the general fund. Various pieces of legislation dating back to the early nineties

provided additional transportation funding. But it does no good to the county and the state if the governor is allowed to do as he wishes with the money because it has been put into the general fund. He has "borrowed from Peter to pay Paul", with little if any chance of that money being repaid into the transportation trust fund. The amount spent on transportation is a fraction of what used to be spent statewide. Additionally, the County Exec should know that no matter how much taxes and fees are raised at the state level, the actual percentage returned to the county continues to decrease relative to the rest of the state. It's a bad bet.

## Minutes of the March 12 Meeting

### By Sue Schumacher, Secretary

**Call to Order:** President Peggy Dennis called the meeting to order at 7:48 pm and introductions of those present followed.

**Agenda:** The agenda was approved with the following changes and/or additions: 2 emergency resolutions, one addressing the "big box" stores and one House Bill 1412 addressing the Maintenance of Effort for County Schools.

**Announcements:** Jim Humphrey announced that the Executive Committee had put together a letter calling for the resignation of Rollin Stanley, because of the offensive language he had used in a magazine article. Yale Weisberg announced a Tax Payers' Meeting. Paula Bienenfeld announced that it was National Sunshine Week which celebrates the passage of the Freedom of Information Act. Paula also reminded all of the Board of Education Forum being sponsored by the MCCF on March 15 in Silver Spring.

**Minutes:** It was moved and seconded to approve the February 13th meeting minutes as printed in the March newsletter. The motion was duly approved.

**Treasurer's Report:** Bill Schrader reported that two new associations had joined as well as a new Associate Member.

**Community Hero Award:** Ann McDonald introduced members of the Little Falls Watershed Alliance. This true grassroots organization was founded in 2008 by neighbors of several communities that are within the Little Falls Watershed. The LFWA's three pillars are stewardship, advocacy and education. Members and volunteers work on weekends at removal of evasive plants and trash abatement which is improving one of the most fragile ecosystems in the county.

**Program:** Dan Wilhelm, a member himself, introduced Mark Winston, Transit Task Force Chair, and Tom Street, Assistant Chief Administrative Officer, Office of the County Executive. The TTF was appointed by County Executive Ike Leggett in February 2011. The report required of the TTF should be finished by the middle of April, which will then go to the County Executive. The report will propose a totally new rapid transit system based on connectivity that should provide an alternative to driving for many residents. (The Purple Line is not a part of this transit system). It will consist of Rapid Transit Vehicles (RTVs), such as those being used in Cleveland. The

first phase of this system will be its own network and subsequent phases will build on it. It is the Task Force's hope that this system, once in place in Montgomery County, will be adopted by the neighboring counties and cities.

During the Q and A, the members of the Task Force indicated it will cost in the \$20-\$30 million/mile range to construct, whereas the cost for light rail is projected to be about \$120 million per mile. In addition, cost to maintain this RTV system including vehicles/drivers and maintenance are projected to be about \$1.1 million per mile per year,

**Resolutions:** Jim Humphrey reviewed the resolutions on the ZTA's on the "Big Box" stores as they appeared on page 2 of the March newsletter. The vote was For 21, Opposed 0, Abstention 1. Next there was an emergency resolution addressing Bill 4-12 which deals with employee compensation and benefits in the "big box" stores. It was moved and there were the required 5 seconds from 5 different association members to support Council approval of the bill. The vote was 15 for, 6 against, 1 abstention.

Dan Wilhelm introduced an emergency resolution pertaining to the Maintenance of Effort (MOE) Act). The State Legislature's bill will allow the county council to exceed the property tax charter limit by a simple majority, allow for an increase in income tax to go back to the County Board of Education to pay for the MOE, and allow the state to take income tax revenue to pay for the MOE amount if the county doesn't spend the required amount. The Civic Fed is not in favor of these actions. There were 5 seconds from 5 different member associations and the vote was 23 to oppose the bill with no abstentions or negative votes.

### Committee Reports

**Legislation:** Dan Wilhelm, Chair Reported on the State Legislature efforts to pass a percentage of the County Teachers' pension costs back to the counties..

**Education:** Paula Bienenfeld reminded everyone of Thursday nights Board of Education Candidates' Forum that MCCF is sponsoring. She asked if those members who will be attending the event will please help with the event.

**Public Finance:** Chuck Lapinski reported on the Governor's package to address the \$600 million budget gap. In addition, Chuck indicated there is a proposal to increase the gas tax 2% the first year and 2% in year two and year three.

Meeting Adjourned at 9:55 p.m.

## Minutes of the March 20 Executive Committee Meeting By Acting Recording Secretary, Sandy Vogelgesang

The Executive Committee met at the home of Dan Wilhelm.

**Call to Order.** President Peggy Dennis called the meeting to order at 8:07 PM. Present: Peggy Dennis, Dan Wilhelm, William Schrader, Carole Ann Barth, Jim Zepp, Ann McDonald, Chuck Lapinski, Paula Bienenfeld, and Sandy Vogelgesang.

**Adoption of Agenda.** Peggy called for and received approval of the proposed ExComm agenda including the addition of one agenda item (annual banquet price).

**Adoption of Minutes of February 16 ExComm meeting:** approved unanimously.

**Treasurer's Report.** Treasurer Bill Schrader reported no change in financial status and membership renewals since March 13 meeting. Copies of report circulated for reference.

### Programs

- April: Peggy confirmed that Chuck Lapinski, Public Finance Chair, has arranged speakers on the proposed County budget.
- May: Peggy will check with Jim Humphrey to see whether it would be appropriate to have program focused on Zoning Code Rewrite and Zoning Advisory Panel (ZAP).
- June: ExComm approved proposal for program on artificial turf playing fields.
- Other future possibilities: One option: how to achieve greater energy conservation.

**Community Hero.** ExComm agreed on the selection of the Brickyard Coalition (against destruction of Nick's organic farm) for the April meeting.

### Issues to Discuss

- **Awards.** Peggy opened discussion of nominees for the three awards to be presented at the annual Awards Banquet in May. ExComm voted for the following:
  - Star Cup – Paul Bienenfeld
  - Sentinel Award – 7 residential representatives on the ZAP Working Group
  - Wayne Goldstein Award – Montgomery Countryside Alliance
  - Special Community Hero presentation – ExComm voted to confer a special award to longstanding MCCF leader and expert on finance, Marvin Weinman.
- **Nominating Committee.** The Committee is still conferring. However, Peggy reported that Sue Schumacher and Bill Schrader have agreed to continue, respectively, as secretary and treasurer.
- **Price for Annual Awards Banquet.** ExComm agreed, pending new information from Treasurer on costs, that the price per person should be \$35.00.
- **Blog/Facebook/Twitter/Website.** ExComm agreed to put priority on continuing improvement of the excellent website developed and maintained by Jim Humphrey

and to proceed as well on ideas for blog/facebook outreach to younger audience.

- **Checkbook Online for Board of Education.** Paula Bienenfeld, Education Chair, agreed to explore the value of this fiscal management tool that has helped achieve greater transparency elsewhere in the U.S.
- **Brochure:** No new developments

**Next ExComm Meeting:** To be held on April 19 at Sandy Vogelgesang's

#### **Committee Reports.**

**Public Finance.** Chuck Lapinski, Chair, reported on likely speakers for the two upcoming MCCF meetings on the County capital and operating budgets. They are Jennifer Hughes and Steve Farber. He also indicated some of the key budgetary challenges at the State and County levels. Peggy encouraged Chuck to formulate a formal position on the proposed budget which might be presented at the April meeting.

**Education.** Paula Bienenfeld, Chair, reported on the successful Board of Education Candidates' Forum held, March 15, in Silver Spring.

**Public Safety.** Jim Zepp, Chair, reported on the curfew issue (no longer discussed actively); efforts to achieve a more data-driven approach to police control of crime (including Federal funds available for such programs); and Target's Safe Cities Initiative whereby businesses work with communities, using technology, to help policing. Peggy agreed to check with County Councilmember Phil Andrews on the status of action taken to curb abuse of police disability payments system.

**Parks.** Carole Ann Barth, Chair, reported on the County Council's 6-3 vote to spend \$6 million on one soccer field – a measure opposed by the affected Northwood Corners community. A proposed plan on the need for ball fields in the County is to be presented in April.

**Legislation/Committee for Montgomery/Transportation.** Dan Wilhelm, Chair, said there was nothing new to report beyond the information from Annapolis that he had circulated to ExComm over last few weeks and what had been indicated at last delegates' meeting. The date for release of the Transit Task Force report is not yet set but is expected around mid-April

**Old and New Business.** None. The meeting adjourned at 10:20 PM.

**Reserve Your Tickets Now For The**  
Montgomery County Civic Federation's  
**2012 ANNUAL AWARDS BANQUET**

**Friday, May 11, 2012**

**Cocktail Reception 6:00 to 7:00 p.m.**

**Banquet Dinner & Awards 7:00 to 9:30 p.m.**

New Fortune Restaurant

16515 S. Frederick Avenue, Gaithersburg

\$35 per person if reserved by Wednesday, May 9

\$40 per person after May 9 or at the door

\$10 per person for reception only, 6:00 to 7:00 p.m.

Dinner Menu: Dumpling Appetizer, Cantonese-style Steamed Fish, Soy Sauce Chicken, Beef Chow Foon, Chinese Broccoli with Oyster Sauce, Fried Tofu with Vegetables, Twice-cooked Pork, Singapore Noodles, Boiled Rice, Orange Wedges.

Price includes wine and sodas at the reception. Cash bar available for beer & mixed drinks

Questions? Call Peggy Dennis: 301-983-9738

Please cut off and fill in the stub below. Mail with a **check** payable to the **Montgomery County Civic Federation** to:

Mr. William Schrader  
MCCF Treasurer  
12824 Middlevale Lane  
Silver Spring, MD  
20906

✂-----

I/We will attend the banquet \_\_\_\_\_

(Please print name(s) as you wish them to be on your name badge at the banquet)

Association or Organization (if applicable) \_\_\_\_\_

Contact information \_\_\_\_\_

(Telephone)

(Email)

### **Federation Meeting**

#### **Session 836**

Monday, April 9, 2012  
7:45 1st Floor Auditorium  
County Council Office Building.  
100 Maryland Avenue  
Rockville, MD

#### Agenda:

7:45 Call to Order & Introductions  
7:50 Approval of Agenda  
7:52 Announcements  
7:53 Approval of Minutes of March 12 meeting  
7:55 Treasurer's Report  
7:55 Community Hero: Coach David Lucia  
8:00 Program: County's FY13 Operating Budget  
9:15 Committee Reports  
9:40: Old Business / New Business  
9:45 Adjournment

The **Montgomery County Civic Federation** is a county-wide nonprofit educational and advocacy organization. It was founded in 1925 to serve the public interest. Its monthly Federation meetings are open to the public and are held on the second Monday of each month September through June at 7:45 p.m. in the First Floor Auditorium, County Council Office Building, 100 Maryland Avenue, Rockville, MD.

The **Civic Federation News** is published monthly, except in July and August. It is mailed to delegates; associate members; news media, and local, state, and federal officials. Permission is granted to reprint any article provided proper credit is given to the "**Civic Federation News of the Montgomery County Civic Federation.**"

Submit contributions for the next issue by: **Sunday, April 22**. Prepare submission as an MS Word, Word Perfect or text-only document, **attach** it to an e-mail, and send to: **hotyakker@gmail.com**

Please send all **address corrections** to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or [djwilhelm@verizon.net](mailto:djwilhelm@verizon.net).

### **NEXT EXECUTIVE COMMITTEE MEETING**

**DATE: THURSDAY, APRIL 19 7:45 P.M.**

At the home of Sandy Vogelgesang  
9009 Charred Oak Drive, Bethesda 20817



Official Publication of the  
Montgomery County Civic Federation

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**First Class Mail**

*Address service requested*