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TO PRINT, USE PRINT VERSION

of note

Next MCCF Meeting

Monday, March 12, 2018, 7:45 p.m. @ the Executive Office Building in Rockville. "MCCF's Annual Program on the State of the County Environment"

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MCCF's Annual Awards Dinner

Here's the Reservation Form **P. 17**
ONLINE VERSION

February Meeting Minutes

February 12th Meeting #892 [with links to YouTube videos] **P. 21**
Executive Committee Meeting **P. 23**

Membership Application

Join or Renew Now **SEE FORM**

Federation Meeting 893

Monday, March 12, 2018

7:45 p.m.

Lobby Level Auditorium

Executive Office Building

101 Monroe Street

Rockville, Maryland

AGENDA

- 7:00 Social Time for Members
- 7:45 Call to Order/Introductions
- 7:50 Approval of Agenda
- 7:51 Announcements
- 7:55 Approval of Minutes, Feb. 12th Meeting **P.21**
- 7:56 Treasurer's Report
- 8:00 Program: Annual State of the Environment **P.3**
- 9:25 Committee Reports
- 9:35 Old and New Business
- 9:45 Adjournment

About MCCF Meetings

All monthly MCCF meetings are open to the public. They are held on the second Monday of each month, September through June, at 7:45 p.m.

The March meeting will be held in the **Lobby Level Auditorium of the Executive Office Building at 101 Monroe Street, Rockville, Maryland.**

Walkers can enter by buzzing security at the door. You can park for free either in the lot at E. Jefferson and Monroe Streets or in the lowest level of the EOB. Drive onto the ramp in the front of the building (ignore "permit parking only" sign), turn left at the second, lower level; use the intercom at the gate to the parking garage and at the door to the elevators to inform security you're attending the MCCF Meeting. ■

The **Montgomery County Civic Federation, Inc.**, is a county-wide nonprofit educational and advocacy organization founded in 1925 to serve the public interest. Monthly MCCF meetings are open to the public (agenda and details at left).

The *Civic Federation News* is published monthly except July and August. It is emailed to delegates, associate members, news media, and local, state, and federal officials. **Recipients are encouraged to forward the Civic Federation News to all association members, friends, and neighbors.** Permission is granted to reproduce any article, provided that proper credit is given to the "*Civic Federation News* of the Montgomery County (Md.) Civic Federation."

Civic Federation News

civicednews AT montgomerycivic.org

TO SUBMIT AN ARTICLE, SEE PAGE 25

Annual Program on the State of Montgomery County's Environment on March 12th

By Bailey Condrey and Danila Sheveiko, MCCF First and Second Vice Presidents

The Federation's 893rd general session on March 12th will focus on the state of our environment. We will take an objective look at the health of our environment and solutions to the County's most urgent environmental problems.

Do you think that's air you are breathing right now? We don't really know because we are in a non-attainment area and the **air quality monitors are hidden in the woods**. What about our water quality? The County is reporting improvement, but our creeks are losing banks to erosion at an alarming rate.

Despite spending hundreds of millions of dollars in taxpayer funds on watershed restoration projects,

Montgomery County has been in violation of the federal Municipal Separate Storm Sewer System Permit for almost three years now and is **facing a consent decree** from U.S. Environmental Protection Agency and Maryland's Department of the Environment. Is the fish caught in the **Potomac River safe to eat**? What are the real levels of radon gas in Montgomery County Public Schools buildings? The County passed a law to curb energy use and greenhouse gas emissions a decade ago; **are we meeting the mandate**?

We will try to answer these and other questions with easy-to-follow graphics backed up by publicly available data, including government reports, studies from regional environmental nonprofits, our own research, and investigations by the local press.

The County's ecosystems are facing numerous and growing threats, from stormwater pollution in our rivers and creeks to loss of wildlife habitat and, of course, human civilization's existential challenge we call climate change and our local contribution to the global problem.

Yet **practical real-world solutions to our environmental problems already exist**, if only we can embrace them and work together with nature instead of against it, while improving our quality of life, **generating green jobs**, and building a resilient local economy. Technological and policy prescriptions are standing at the ready and the opportunities to implement them abound, so all we are missing is the political will to pressure the decision makers and turn dreams into progress. ■

You Think That's Air You Are Breathing Now? The County's Grade Says Otherwise

By Danila Sheveiko, Second Vice President

According to latest analysis by the American Lung Association, the **air in Montgomery County** gets a grade of "C." This is an improvement from last year's grade of "D" and D.C., Maryland, and Virginia are now requesting that the **U.S. Environmental Protection Agency redesignate our area** from marginal nonattainment to attainment. This would be something to celebrate, unless one looks into the details.

Both ALA's grade and Maryland's request for redesignation are based on **EPA design values** that are, in turn, applied to **data from air quality monitors**, and therein lies the rub: The only air quality monitor in Montgomery County is located in the middle of the woods behind Lake

Frank. Not along a road or a highway, not in a commercial or industrial or even residential zone, but *in the middle of the woods*. It's the same situation with nearby monitors at research stations in Prince George's County, which are in the woods

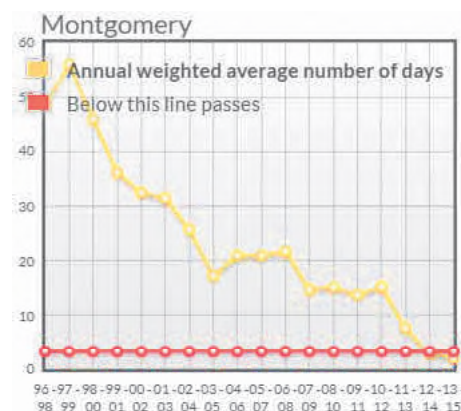
behind Muirkirk South Park and in the woods in the Patuxent Research Refuge.

It is hard to imagine how these sylvan air quality monitors can represent an accurate picture of the air County residents breathe where they are every day—on roads and highways, in schools and urban centers, at home, and at the shopping mall. As of this year, **most Virginia jurisdictions are no longer reporting data**, but last year, the American Lung Association gave "F" grades to parts of Northern Virginia that had monitors placed in urban areas, so it would be safe to assume that monitors placed in the middle of Bethesda, Silver Spring, or Rockville would paint a similarly dire picture as well.

The Mont. Dept. of Environmental

MORE

COUNTY HIGH OZONE DAYS



You Think That's Air, cont.

Protection does have an [Air Quality webpage](#) where it does admit that the Washington region is a nonattainment area for ozone and fine particulate matter, but dangerous levels of ground level ozone are not a topic often discussed by County politicians, and the [link to air quality data](#) on the Washington Metropolitan Council of Government's website is broken.

According to the ALA, ozone is currently one of the least well-controlled pollutants in the United States and also **one of the most dangerous**. Ozone develops in the atmosphere from gases that come out of tailpipes, smokestacks, and many other sources. When these gases come in contact with sunlight, they react and form ozone smog, exacerbated by the urban heat island effect prevalent in

MORE

THE LOCATION OF THE COUNTY'S
ONLY AIR QUALITY MONITOR

You Think That's Air, cont.

Montgomery County's overbuilt and over-paved environment with some of **the worst traffic congestion in the nation** and the world **set to explode in the coming years**.

According to data from the ALA, Montgomery County has many at-risk resident populations, including 23,542 children with pediatric asthma, 70,667 adults with asthma, and 49,114 with COPD. Even low levels of ozone may be deadly, and high levels can cause immediate breathing problems, increased risk of respiratory infections, and cardiovascular effects even in healthy people.

EPA has supported the development of low-cost mobile monitors that can reveal pollution hotspots. Montgomery County needs to launch its own environmental justice initiative in this regard. ■

Your Right to Know & the Maryland Public Information Act
Let the Sun Shine In: Tips and Resources for Filing an MPIA

By Carole A. Barth, Environment Committee Chair

Sunshine Week this year is March 11-17. The Civic Fed is a strong proponent of transparency and open government and this week we celebrate those objectives. There are lots of activities nationwide, including here in the metropolitan area. If you have ever wondered about getting information from our government—whether local, county, state or federal—these events are wonderful opportunities to find out the best ways to get those documents that the government tells you don't exist. All these events are either free or inexpensive and all are open to the public. [Find a list of events here.](#)

Of course, the Civic Fed doesn't wait for Sunshine Week to pursue

government accountability. Since 1925, we have been ferreting out government waste and abuse. Last month, our program featured a "Know Your Rights" presentation ([video here](#)), explaining how whistleblowers and victims can be protected in their quest to make the truth known. One of our most frequently used tools in the quest for the truth is the MPIA (Maryland Public Information Act) request.

According to the Attorney General, the public's right to information about government activities lies at the heart of a democratic government. The MPIA means that, if the County or State government holds records, you as a resident of the State have a right to access those

MORE

Your Right to Know, cont.

records. You can obtain the records by sending or emailing a short letter to the agency, which has 30 days to respond to your request. Given the culture of secrecy prevalent within Montgomery County Government, this is a process all citizen activists need to understand.

TIPS AND TRICKS

Remember that the Act grants you access to public records, not answers to your questions. So if you want to know how much MCDOT has spent on BRT-related giveaways, you need to think about what kind of documents (contracts, reports, memos, plan sets, emails, and databases) might contain the information you are looking for. Also consider what format would be most useful—e.g., a searchable spreadsheet or a high-

resolution PDF—and be sure to request the materials in that format.

You also want your request to be comprehensive enough to turn up records that you don't already know about, but specific enough that the agency can't claim they don't know what you want. Often it is good to specify a timeframe such as the last five or ten years. This may allow you to document trends. At the same time, specifying a date range keeps the agency from denying your request on the basis that it is unreasonably broad (i.e., it would require searching through every agency record).

While the agency has 30 days to respond to your request, you should receive an email acknowledging their receipt of the request fairly quickly. If you don't, contact them noting when you sent the request and asking them to acknowledge receipt.

Keep track of the timeline, so you can document it if you don't receive a response within 30 days. [View a sample MPIA request here](#). Note that the request contains some useful boilerplate language starting with "If there are any fees incurred for collecting this information...."

So go on and give it a try, and let us know what you uncover. As Patrick Henry said, "The liberties of a people never were, nor ever will be, secure, when the transactions of their rulers may be concealed from them."

RESOURCES

- [Maryland's Public Information Act](#)
- [Sunshine Week FOI Resources](#)
- [FOIAdvocates](#)
- [Investigative Reporters/Editors](#)
- [National FOI Coalition](#)
- [List of PIA Representatives](#) ■

Empty Promises in Empty Rooms: Greenwashing in Montgomery County on the IgCC

By Danila Sheveiko, First Vice President

On December 18th, 2017, members of the Civic Federation took time off work during the day to attend a Department of Permitting Services Open House on the recently adopted International Green Construction Code—the first model overlay code that addresses the [entire spectrum of building sustainability challenges](#) from design to construction, operation, and beyond. With the codes scheduled to go into effect on December 27th, you might think the Lobby Level Auditorium at the County Executive Building in Rockville would be packed, but you would be wrong. An empty room with lights turned off is all that greeted the activists.

A [fake open house](#) is not the only

thing that's empty in the County's adoption of the 2012 International Green Construction Code as amended by DPS and sponsored by the County Executive as an Executive Regulation. The County spent five years promising speedy adoption



and touting the many benefits of IgCC: "water conservation, material conservation, energy conservation, emission reduction, indoor environmental quality, etc." In reality, DPS eviscerated the Code's baseline of minimum sustainability requirements. DPS has for years asserted to the environmental community that the Code as amended is better than nothing, and is a good small step forward, but in reality added a compliance exemption to LEED-certified construction projects, which explains the empty room, because why would builders be interested in IgCC compliance if they can just do LEED certification? Fully aware of the [amazing opportunity to improve our environment](#) and address everything from stormwater pollution

MORE

Empty IgCC Promises, cont.

to the heat island effect plaguing our community, the County Council nevertheless decided to ignore years of alerts and concerns from the Civic Federation's Environment Committee, and enacted what's left of the Code after amendments below.

RED means entire chapters and sections have been deleted or removed to "Appendix A: Electives."

YELLOW means sections with some requirements have been deleted, removed, or weakened.

BASE CODE REQUIREMENTS 2012 International Green Construction Code (IgCC)

Effective code requirements based on Department of Permitting Services Executive Regulation 21-15 filed by County Executive Isiah Leggett on September 28th, 2016.

Chapter 1: Scope And Administration

Chapter 2: Definitions

Chapter 3: Jurisdictional Requirements and Life Cycle Assessment

Section 301—General

Section 302—Jurisdictional Requirements

Section 303—Whole Building Life Cycle Assessment

Chapter 4: Site Development and Land Use

Section 401—General

Section 402—Preservation of Natural Resources

Section 403—Storm Water Management

Section 404—Landscape Irrigation and Outdoor Fountains

Section 405—Management of Vegetation, Soils and Erosion Control

Section 406—Building Site

Waste Management

Section 407—Transportation Impact

Section 408—Heat Island Mitigation

Section 409—Site Lighting

Chapter 5: Material Resource Conservation And Efficiency

Section 501—General

Section 502—Construction Material Management

Section 503—Construction Waste Management

Section 504—Waste Management and Recycling

Section 505—Material Selection

Section 506—Lamps

Section 507—Building Envelope Moisture Control

Chapter 6: Energy Conservation, Efficiency and CO₂e Emission Reduction

Section 601—General

MORE

Empty IgCC Promises, cont.

Section 602—Modeled Performance Pathway Requirements

Section 603—Energy Metering, Monitoring and Reporting

Section 604—Automated Demand-Response (Auto-DR) Infrastructure

Section 605—Building Envelope Systems

Section 606—Building Mechanical Systems

Section 607—Building Service Water Heating Systems

Section 608—Building Electrical Power and Lighting Systems

Section 609—Specific Appliances and Equipment

Section 610—Building Renewable Energy Systems

Section 611—Energy Systems Commissioning and Completion

Chapter 7: Water Resource

Conservation, Quality and Efficiency

Section 701—General

Section 702—Fixtures, Fittings, Equipment and Appliances

Section 703—HVAC Systems and Equipment

Section 704—Water Treatment Devices and Equipment

Section 705—Metering

Section 706—Non-Potable Water Requirements

Section 707—Rainwater Collection and Distribution Systems

Section 708—Gray Water Systems

Section 709—Reclaimed Water Systems

Section 710—Alternate Onsite Non-Potable Water Sources

Chapter 8: Indoor Environmental Quality And Comfort

Section 801—General

Section 802—Building Construction Features, Operations and Main-

tenance Facilitation

Section 803—HVAC Systems

Section 804—Specific Indoor Air Quality and Pollutant Control Measures

Section 805—Prohibited Materials

Section 806—Material Emissions and Pollutant Control

Section 807—Acoustics

Section 808—Daylighting

Chapter 9: Commissioning, Operation And Maintenance

Section 901—General

Section 902—Approved Agency

Section 903—Commissioning

Section 904—Building Operations and Maintenance

Chapter 10: Existing Buildings

Section 1001—General

Section 1002—Additions

Section 1003—Alterations to Existing Buildings

Section 1004—Change of Occu-

MORE

Empty IgCC Promises, cont.

pancy

■ Section 1005—Historic Buildings

■ Section 1006—Demolition

■ Section 1007—Jurisdictional Requirements

Chapter 11: Existing Building Site Development

■ Section 1101—General

■ Section 1102—Additions

■ Section 1103—Alterations to Existing Building Sites

■ Section 1104—Change of Occupancy

■ Section 1105—Historic Building Sites

Chapter 12: Reference Standards

Appendix A: Project Electives

Appendix B: Radon Mitigation

Appendix C: Optional Ordinance

Appendix D: Enforcement Procedures ■

Montgomery County Public Schools Exposes Critical Systems and Student Data to Potential Cyber Attacks Vulnerabilities in Critical Information Technology (IT) Infrastructure Have Gone Unaddressed for Nearly a Decade

By Danila Sheveiko, 2nd Vice Pres.

After students at several Montgomery County **middle schools were targeted for nude photos** via Snap-Chat earlier this year, astonishing vulnerabilities in IT infrastructure of Montgomery County Public Schools have been uncovered in the latest investigation by volunteers from the Mont. County Civic Federation, Inc.

According to Maryland State Office of Legislative Audits 2009 and “2016” audits of the nation’s 14th largest school district, MCPS has repeatedly exposed “critical student information and financial management system applications and databases.... As a result, unauthorized or inappropriate activities affecting

the integrity of critical production application programs and data files could occur and remain undetected.”

While the 2009 State Audit was a **polite warning**, the “2016” Audit **did not mince words and revealed gross violations** of IT industry standards and best practices. Misconfigured firewalls “allowed overly broad network level access from all locations (including the Internet) to all devices on the MCPS network.” Insecure connection protocols “transmitted information including logon credentials in clear text.” “Thirty critical nonpublic servers were improperly placed in a network segment that contained publicly accessible serv-

MORE

MCPS IT Vulnerable, cont.

ers. In addition, 13 servers hosting email that should not be publicly accessible were publicly accessible....” Traffic from 86 third parties “had network level access to the entire MCPS network.” “The student information system database software and the operating system software on the server hosting this database were susceptible to known vulnerabilities.”

Despite what amounts to RED ALERTS from State Auditors, MCPS remains recalcitrant. Internal controls in the **County’s 2016 financial report** and the **2016 financial audit commissioned by MCPS** to independent auditors CliftonLarsonAllen did not address the critical vulnerabilities exposed by the 2009 and the “2016” State Audits.

Civic activists were expecting

the State Audit released in 2015—in accordance with Maryland law—six years after the first State Audit was completed in 2009. The Parents’ Coalition of Montgomery County blog reported that the “2016” State Audit was **completed**, but **withheld from the public** until “a week after the Montgomery Council already voted to raise Montgomery County citizens’ taxes to support the alleged need of Montgomery County Public Schools for more money.”

According to Gordon Brenne, a member of the Taxpayers’ League of Montgomery County, the 2016 County financial report is “worthless because scope did not include necessary tests and was county-wide,” and the 2016 Clifton audit “scope wasn’t sufficient to permit adequate testing.” “As a Certified Information Systems Auditor, I can tell you the 2009 [State Audit] findings were

paint by numbers observations and nothing to get excited about. The 2016 [State Audit] findings are a different story altogether and are quite alarming concerning student information.”

Hiding the truth and managing scandals appears to be a higher priority to MCPS than securing critical systems and student data. The 2017 MCPS internal financial audit has not been released to the public yet. **Read the 2017 Board of Education Single Audit Report here.**

How does MCPS expect to ever improve without annual testing of internal controls in the financial audit? MCPS recalcitrance makes the case for **Governor Hogan’s proposal for a ‘corruption’ investigator** of Maryland’s public schools. The Parents’ Coalition statement in support of Governor Hogan’s bill **is published here.** ■

When Comparing Two Renewable Energy Bills, What Constitutes Truly Clean Energy?

By Marion Edey

This compares the 50% bill, or Clean Energy Jobs Initiative (SB732 and HB1453), and the 100% Clean Renewable Energy and Equity Act (HB878). The latter has more ambitious numbers. But what may be more important are differences in the definitions of what constitutes truly clean energy and the mechanisms used to achieve our goals.

Because the bills are so different, one is *not* a stepping stone on the way to the other. The legislature is tired of wrestling with these energy policies. Once it acts, it is unlikely to revisit this issue for a long time. In 2016 they directed the state Power Plant Research Program to do a thorough study of the RPS and how well it works. The interim report won't be ready until December 2018.

If the legislature isn't ready for the 100% bill, it would be better not to pass anything this year. They should wait until they can see the results of their own study.

CEJI

The Clean Energy Jobs Initiative gradually increases the mandates in the existing Renewable Portfolio Standard (RPS), requiring that we get 50% of our electricity from "renewable" sources by 2030. It doubles down on a mechanism which is fatally flawed. About half the energy sources now used to meet the RPS mandate come from dirty combustion sources, some worse than coal. CEJI removes trash incineration and refuse-derived fuel from the RPS. They would no longer be eligible. But other dirty

energy sources in the RPS would remain, including black liquor, landfill gas, and the burning of forests or chicken litter. Increasing the RPS mandates raises the incentives for both clean and dirty energy.

It also means relying on an unpredictable market for Renewable Energy Credits, or RECs. Under the RPS system and the Clean Energy Jobs bill, Maryland utilities can continue to purchase most of their RECs from other states. Maryland ratepayers are sending tens of millions of dollars out of state every year. Some of this money goes to Virginia, where burning forests for energy has become a growth industry. Virginia now has six utility-scale biomass plants and eight pellet plants, causing massive defor-

MORE

Two Energy Bills, cont.

estation, subsidized by our electric bills.

We buy most of our clean energy from out of state, too. Because wind from the Midwest is abundant and cheap, increasing the RPS mandates won't help us grow a wind industry in Maryland. CEJI does increase a

special mandate for solar energy. The solar carve-out would gradually increase from 5.5% in 2019 to 14.5% in 2030, probably the best thing about this bill. CEJI would use money in the Strategic Energy Investment Fund for apprenticeships and worker training in clean energy industries, including efficiency improvements. The bill limits ratepayer increases caused by bigger RPS mandates to an additional \$2 per month.

THE 100% CLEAN RENEWABLE ENERGY AND EQUITY ACT

This bill requires that Maryland get 100% of its electricity from truly clean, noncombustion sources by 2035. Eligible sources include only wind, solar, and small-scale hydro-electric power. Because the RPS system is so flawed, the bill does not use the RPS at all but creates a new

system entirely. Maryland utilities are required to use power-purchasing agreements to buy increasing amounts of energy from clean sources. The wind and solar power industries would no longer be buffered by constantly changing prices of renewable energy credits (now too cheap to do them much good).

The 100% bill sets up two special programs to boost clean energy production here in Maryland. It creates a Megawatt Block program to provide up-front rebates for in-state solar power investments and installation, modeled after a successful program in New York. The bill also requires utilities to enter into long-term contracts with offshore wind providers. This kind of long-term commitment and predictability is essential in order to get investments in this fledgling industry, which has

MORE



Two Energy Bills, cont.

the potential to create many long-term manufacturing jobs and drive a renovation of Maryland ports. These offshore wind requirements are modeled on a law already in place in Massachusetts. Together, these two programs could create more than 10,000 new clean energy jobs in Maryland by 2025.

The 100% goal will require a transformation of our electricity grid, requiring utilities to buy as well as sell energy to consumers, and making it more efficient. The bill should cost consumers no more than \$1.50 a month and it protects low-income households by capping their electricity bills at no more than 6% of their income. The 100% bill also provides for job training in clean energy industries, paid for by utility compliance fees. ■

MCCF Annual Awards Celebration is Friday, May 18th

By Bailey Condrey, First Vice President

The Montgomery County Civic Federation will hold its annual awards celebration on Friday, May 18th at New Fortune Chinese Restaurant in Gaithersburg. The restaurant is just north of I-370 on Route 355 at So. Westland Drive. The address is 16515 South Frederick Avenue, Gaithersburg, MD 20877. The phone is 301.548.8886.

Tickets are \$50/person, \$75/couple and, if three tickets are purchased, the fourth one is free. However, to obtain the fourth free ticket, that three-ticket purchase must be made in advance by Wednesday, April 18th.

The menu for the evening will include the following dishes:

■ Egg Drop soup and vegetable egg



rolls,

■ Chinese broccoli with oyster sauce,

■ Double mushrooms with vegetables,

■ Chicken or vegetable lo mein,

■ Tofu with mixed vegetables in garlic sauce with ginger.

For dessert: Oranges and fortune cookies. Soft drinks will be provided. Beer and cocktails may be purchased separately from the bar. The Civic Federation will provide red and white wine.

MCCF presents three awards annually to deserving residents

MORE

MCCF Annual Awards, cont.

of Montgomery County. The Executive Committee is seeking both volunteers to serve on the Awards committee and nominations for the awards. The following awards will be presented:

■ **The Sentinel Award**, sponsored by *The Montgomery Sentinel* newspaper, is awarded to an individual or group for a significant contribution to good government at the local level.

■ **The Wayne Goldstein Award** recognizes and honors an individual

or group for outstanding service to the people of Montgomery County.

■ **The Star Cup** is awarded to the Civic Federation delegate or committee performing the most outstanding public service on behalf of Montgomery County.

If you know of someone or some group in your community, or county-wide, that has done or continues to do extraordinary, above-and-beyond volunteer work in the county during the past year, please contact info@montgomerycivic.org with a brief (a few paragraphs) description of the person or organization and what qualifies them to receive the award, as well as your contact information for follow-up. If the nominated organization (or person) has a website, please include that.

Use the registration form on the next page (or on the MCCF website) to make your reservations. ■



CIVIC FED TONIGHT!

**SEEKING POSSIBLE SPEAKERS
FOR YOUR CIVIC ASSOCIATION
MEETINGS?**

Members of the MCCF Executive Committee have extensive experience in issues such as transportation, land use and zoning, schools, parks, environmental concerns, taxes, and public spending. Plus, they have a community-oriented perspective on these matters. If you would like an executive committee member to speak at a meeting, contact President Jim Zepp at [president at montgomerycivic dot org](mailto:president@montgomerycivic.org). Include topics/possible dates.

Reserve Your Tickets Now for Montgomery County Civic Federation's 2018 ANNUAL AWARDS DINNER

FRIDAY, MAY 18, 2018

Dinner

6:30 to 9:00 p.m.

Awards Presentations

7:15 to 8:15 p.m.

NEW FORTUNE RESTAURANT

16515 South Frederick Avenue
Gaithersburg, Maryland 20877

*Buffet dinner includes appetizers,
choice of five entrées, dessert,
red/white wine, and soft drinks.
Beer and cocktails at cash bar.*

SPACE IS LIMITED

PLEASE RESERVE BY APRIL 18

Questions? Contact Bailey Condrey,
veep1 AT montgomerycivic DOT org

MCCF Annual Awards Dinner

I/We will attend the Awards Dinner on Friday, May 18, 2018:

☐ \$50 per person ☐ \$75 per couple ☐ \$150 per group of four*

*Group of four tickets must be purchased by Wednesday, April 18

Number Attending _____

Name(s): _____

Association or Organization (as applicable): _____

Contact Information: Phone _____

Email _____

Please print or cut off and fill in this form with check payable to:

Montgomery County Civic Federation, Inc., and mail to Montgomery County
Civic Federation, Awards Celebration, P.O. Box 1123, Bethesda, MD 20827-1123

Twenty Million Dollars in Property Tax Revenues Lost to Archaic Process

*By Joan Fidler and Gordon Brenne,
Montgomery County Taxpayers
League*

The County Council's Government Operation Committee meets March 1 to discuss lost property tax revenues. The average taxpayer is subsidizing wealthier residents and projected budgets are \$450 million out of balance. We need your help to fix this problem.

Did you know that Maryland is one of only two States that assess residential property at the State level (OLO 2018-1, pg. 1)? Taxpayers are concerned about the fairness of this antiquated system and inefficient workflows between the State and County that result in delayed and incomplete reassessments.

I Tax Equity. How much are

unimproved property taxpayers subsidizing owners of more expensive, improved properties? Under assessments are much more than the \$20 million a year OLO estimated when homes without major improvements are eliminated from OLO's sample. Homes with missed final inspections for improvements may not get picked up in the out-of-cycle reassessment process.

I Lost Revenues. Fixing the process the County shares with the State would capture additional revenues the County needs to resolve its serious fiscal balancing problem due to projected revenue shortfalls. Plus, reducing reliance on volatile income taxes by boosting property tax revenues is a good strategy. We disagree with the County's conclu-

sion that higher assessments for major improvements are subject to Charter limits.

I Fairness and Extra Revenue. Our County is already paying for half of the state's very labor-intensive process. It might be less costly to achieve tax equity by having the County perform the entire process (as is done by most local governments around the nation). One hundred forty million dollars in additional annual property tax revenue could be realized if the County got a waiver to take over the process entirely and earned the 10% share of property taxes the state is currently getting.

The full report from the Montgomery County Taxpayers League is [available online on the MCTL website](#). ■

The Very Model of a Modern Inspector General

By Jim Zepp, President

Although much of the current wave of accountability/transparency measures gained momentum in 2008 with the initiatives of the Obama Administration, the MCCF throughout its 90+ year history has supported efforts and mechanisms for insuring open and accountable government.

In the current state Legislative Session, State Del. Ben Kramer has introduced a bill that would establish an Inspector General for the WSSC (it can be identified as either PG/MC 101-18 or HB 419). The agency managed to have this proposal defeated in last year's Session. However, it has been endorsed by both the County Executive and County Council. It was unanimously approved by the House members (i.e.,

State Delegates from the County). Local bills such as this are usually first approved by the members of the Montgomery County State Delegation so **its progress can be tracked on the Delegation's website**. Because the WSSC is a bicounty state agency, the bill must also be approved by the Prince George's County State Delegation before the entire State Assembly can vote on it.

The Washington Suburban Sanitary Commission's FY2014 budget was \$1.4 billion. WSSC is among the largest water and wastewater utilities in the country, providing water and sewer services to 1.8 million residents in Montgomery and Prince George's counties. It has approximately 475,000 customer accounts, serves an area of around 1,000 square miles, and currently employs

more than 1,500 people. The commission operates three reservoirs, two water filtration plants, and six wastewater treatment plants. The six wastewater treatment facilities, as well as the Blue Plains Advanced Wastewater Treatment Plant, handle more than 200 million gallons of wastewater per day. The commission maintains more than 5,700 miles of water main lines and over 5,500 miles of sewer main lines.

The MCCF has supported this proposed Inspector General in both Sessions because it is a basic measure for ensuring government accountability and avoiding corrupt activities. A similar bill was passed last year, creating an Inspector General's Office for the Maryland-National Capital Park and Planning

MORE

Inspector-General, cont.

Commission. And the County government has had an Inspector General since 1997. Because WSSC has state agency status, the County Inspector General has no authority over it. And review by the Council and state government are relatively cursory. This means that far smaller government activities are subject to more oversight than the WSSC is.

In reaction to recent revelations of failures to maintain school facilities in Baltimore, cheating on graduation requirements in Prince George's County, and other abuses occurring around the state, Gov. Hogan has requested legislation (SB302) to create a State Investigator General for School Districts. The bill establishes the Education Monitoring Unit as an independent unit

in the State to investigate, analyze, and report on upholding of teacher, student, and parent civil rights; on fraud, abuse, and waste regarding public funds and property; on child abuse, neglect, and safety; and on a range of specified matters relating to public schools and public school facilities. The unit must also establish and publicize an anonymous electronic tip program. The bill establishes an investigator general position as well as an investigator general selection and review commission within the unit.

This is important because school districts also have state agency status, which means that local governments have very limited oversight and—due to the State Maintenance of Effort funding requirement—minimal control over spending. The Investigator General may be an

independent resource for addressing concerns about public school employees victimizing students.

While Inspector Generals may be new concepts for American government, as early as 581 AD the Chinese government had Imperial Censors who were responsible for:

- gathering complaints from the people, and
- impeaching officials for misconduct.

The imperial Censors even had the authority to criticize the Emperor himself, the "Son of Heaven," if his behavior did not set a good example for his subjects. The practice of having Imperial Censors continued until 1912. So let's modernize the management of WSSC and the state's school districts to the best thinking in good 6th Century public administration! ■

Nominations Time!

By Paula Bienenfeld

The Civic Fed is working on our annual nominations for officers for the coming year. Per our Bylaws, elections will be held at the general meeting in June and officers will assume their duties for the coming year at that same meeting. Our elected officials are: President, First Vice President, Second Vice President, Recording Secretary, and Treasurer.

Please contact us if you are willing to be on the Nominating Committee or willing to stand for election to one of these offices. You can speak to any officer to find out what the job entails.

Please contact info@montgomerycivic.org for details. The slate will be published in the May issue of the *Civic Federation News*. ■

Minutes of the February 12th, 2018, Meeting #892

By Danila Sheveiko, Second Vice President

Call to Order: President Jim Zepp called the 892nd session to order at 7:46 p.m. Introductions followed.

Agenda: It was moved and seconded to approve the agenda.

Minutes: The January 8th, 2018, general meeting minutes were approved by affirmation.

Treasurer's Report: Treasurer's report is available upon request.

PROGRAM [w/ YOUTUBE LINKS]

Introduction to the annual Transparency and Accountability of Montgomery County Government program by 2nd Vice President

Danila Sheveiko was followed the keynote "Know Your Rights" presentation by Tom Devine, Legal Director, Government Accountability Project, and concluded by remarks by 2nd Vice President Bailey Condrey. The somber mood was broken when Sue Schumacher introduced some levity by explaining the "Chuck Colson" Method.

Jennifer Alvaro answered a question from the audience, saying, "We need the whole community to stand up and roar, because kids cannot speak for themselves." A Cloverly parent spoke about the teachers' union. Ed Amatteti asked about other local jurisdictions that have protected whistleblowers.

A GAP presentation to the teachers' union (Montgomery County

MORE

February Minutes, cont.

Education Association) was suggested: David Wilson, Brian Donlon, Chris Wilhelm, Jorge Ribas, Danielle Meitiv responded. A lively discussion ensued: Gail Dalferes, Carole Ann Barth, a Cloverly parent, Jim Zepp, Nancy Wallace, John Witty with some questions from a Cloverly parent and a final response by Jennifer Alvaro.

RESOLUTION

An MCCF Resolution on SB132/HB500, "Criminal Penalties for Failure to Report Child Sex Abuse," passed unanimously as amended on the floor to eliminate statute of limitations. [Read the final text here.](#)

COMMITTEE REPORTS

Legislation

■ State Delegate Ben Kramer (D-

19) legislation to create an Office of Inspector General for the Washington Suburban Sanitary Commission, a bicounty agency, is on hold in the Metro Washington Area Committee of the Montgomery County House Delegation. The current State OIG does not have jurisdiction for bi-county agencies such as WSSC and the Maryland National Capital Parks and Planning Commission or state agencies such as MCPS.

Education

■ The Committee always needs more members! Contact Second Vice President Danila Sheveiko for details at dsheveiko@hotmail.com

Environment

■ Committee members exploring the feasibility of filing a grievance with the MPIA Ombudsman at the Office of the Attorney General over

the stonewalled Maryland Public Information Act requests to the Montgomery County Public Schools for the required annual concussion safety test reports from the synthetic turf athletic fields operated at a number of high schools around the county.

■ The March 12th general session will feature our annual State of the County's Environment. Come and learn if that's really air you are breathing!

OLD BUSINESS

■ The March and April MCCF general sessions will be held at the same location: Executive Office Building Lobby Auditorium in Rockville, 101 Monroe Street.

Adjournment: The general meeting adjourned at approximately 9:52 p.m. ■

Minutes of the February 22, 2018, MCCF Executive Committee Meeting

By Bailey Condrey, First Vice President

The Executive Committee (Ex-Comm) convened at the Mid-County Services Center.

Call to Order: Jim Zepp, President, called the meeting to order at 7:08 p.m. Present: Jerry Garson, Danila Sheveiko, Carole Ann Barth, and Bailey Condrey.

Adoption of Meeting Agenda: Jim Zepp called for and received unanimous approval of the proposed agenda.

Treasurer's Report: It was suspended as all information remained the same since the General Meeting of February 12th.

ANNOUNCEMENTS

■ Jim Zepp noted that presentations at the General Meeting should also include potential solutions instead of just highlighting where the county was making mistakes, based upon feedback from delegates. They should also include action items.

■ Carole Ann Barth noted that a move was being considered to shift oversight of the Department of Environmental Protection to the Department of Transportation. The DEP currently oversees projects that are valued in the hundreds of millions of dollars.

■ Someone mentioned more cops in schools.

MARCH PROGRAM

State of the county environment. The program will take a brief look at:

■ the county Green Streets Program;

■ the status of the county's MS4 permit, which currently is out of compliance forcing MC to operate under a draft Consent Decree from the Maryland Department of the Environment;

■ the status of legislation seeking an inspector general for the Washington Suburban Sanitary Commission;

■ the county's water quality and air quality;

■ the status of the county's Renewable Portfolio Standard; and

■ whether the Randolph Jennings Reservoir should be tapped to provide MC residents with cleaner drinking water.

MORE

Feb. ExComm Mtg., cont.

MONTHLY PROGRAM TOPICS

■ March: State of the County Environment

■ April: County Budget

■ May: Transportation; Friday, May 18th/Annual Awards Ceremony

■ June: TBD.

ISSUES DISCUSSED

■ Future Annual Awards Event to be held May 18th @ New Fortune Chinese Restaurant in Gaithersburg. Volunteers needed. Bailey has secured the room with a \$200 deposit and the menu has been selected. The ticket price was agreed at \$50/person. \$75/couple. If you buy three tickets the fourth is free, but you must pay in advance by April 18th. We will publish the menu beforehand.

COMMITTEE REPORTS

Education

■ A conference call is planned for Friday evening, 02/23/18, at 7:00 pm to engage attendees from the previous General Meeting on outreach related to the child sexual abuse issues facing MCPS. The call will focus on general outreach as well as targeted outreach.

■ An MCEA Board member is asking the Government Accountability Project to speak at a union meeting. The rank and file members are not happy with leadership and they want change.

■ WJLA Channel 7 reported on the MCPS child sexual abuse scandal and how proposed legislation HB 500/SB 132 will not protect children as written.

■ Claudia Remington of the State Council on Child Abuse and Protection supports the CF's efforts.

Environment

■ Synthetic Turf: HB 505 restricts the use of Program Open Space Funds from being used to build new or replace existing synthetic turf fields and poured-in-place shredded vehicle tire playgrounds. Jerry Garson submitted testimony in support.

Transportation

■ The county continues to push bus rapid transit even though its efficacy remains questionable. They're now exploring options to place them in medians along major roadways.

■ UBER is seeking to drop its base rate to \$2.00/?

■ Free Ride-On bus transport would cost the county \$21 to \$23 million annually. Jerry has spreadsheet

MORE

Feb. ExComm Mtg., cont.

Public Finances

■ County and state legislators unsure of what to do regarding federal tax reform. The federal government has still not issued a new W-4 form.

■ The Seventh State has a good article on the MC budget.

■ Del. David Moon's proposal to tax country clubs was killed.

NOMINATIONS

■ MCCF is looking for volunteers to help with the nominations for new officers. The President and 1st VP may not participate.

NEW BUSINESS

■ Date and location of next General meeting: March 12th, 7:45–9:45 p.m., at the County Executive Office Building, 101 Monroe Street, Rockville, Md., in the main level meeting

room.

■ Stories for the newsletter must be submitted to Jacquie Bokow on March 26th.

■ The Civic Federation is seeking a Legislation Chairperson.

■ The crossover date for pending legislation at the MD GA is Monday, March 19th.

Adjournment: Jim called for and received unanimous approval for adjournment at 9:00 p.m. ■

Montgomery County Civic Federation

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Submit contributions for the next issue by the 26th of the current month. Send to CFN at civicfednews@montgomerycivic.org.

Send all address corrections to membership AT montgomerycivic.org.

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