

"Federation Corner" column
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Are you listening, officials?

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A lot of Montgomery County residents were listening during the 2006 election campaign when then-candidate for County Executive Isiah Leggett promised to make transparency, accountability and citizen inclusion in decision making hallmarks of his administration, if elected. The voters must have liked what they heard because they elected Leggett in 2006 and re-elected him in 2010.

To his credit, since his 2006 election Mr. Leggett has been listening to county residents in an ongoing series of Town Hall meetings conducted in live and online formats. His commitment to transparency and citizen inclusion in decision making is somewhat suspect, however, when one considers that back room deals concerning publicly owned real estate are still being made in the same non-transparent fashion they have been for decades.

A recent example of the problem is the deal Mr. Leggett made to void a farmer's existing lease of a 20 acre publicly owned property on Brickyard Road in Potomac, and instead rent it to Montgomery Soccer Inc. to convert to soccer fields which they will manage. The residents of Potomac were informed of the new lease agreement some six months after Leggett made the deal with MSI.

Partly in response to the covert Brickyard site process, earlier this year Expedited Bill 11-12 was introduced in County Council. The legislation will require the County Executive to notify Council of any proposed disposition (sale or lease) of county property valued at \$100,000 or more, and establishes procedures for Council to hold a public hearing on the sale or lease and to disapprove it if they believe it is not in the best interest of the county. The Civic Federation and residents from all parts of the county sent comments to Council supporting passage of the bill, believing it will insure the kind of transparency and citizen inclusion candidate Leggett claimed he favored.

On May 1 of this year the Council approved the County Property Disposition bill by a vote of 6 to 3 (Council members Berliner, Andrews, Leventhal, Elrich, Riemer and Navarro voted to approve), and transmitted the legislation to County Executive Leggett for signature. He vetoed the bill. And on May 15 the Council overrode his veto by a vote of 6 to 3. Council members Floreen, Ervin and Rice, the three who originally voted against the bill, also voted to support Leggett's veto. Were these three listening when citizens voiced their support for greater transparency in deals concerning public property owned by the residents of the county?

On May 15 the County Council approved Expedited Bill 17-12, legislation creating an Emergency Medical Transport Reimbursement program for Montgomery County, by a vote of 6 to 3. Council members Berliner, Andrews and Leventhal voted to oppose the bill. Were the other six listening when just 18 months ago the voters approved a referendum to strike down a prior attempt to impose an ambulance fee?

Many of us, voters and county residents, are listening to and watching you, Council members Berliner, Andrews and Leventhal. We saw that you supported the will of the people, and opposed reauthorizing an ambulance fee which the voters had eliminated a year and a half earlier. And we appreciate that you also voted to make disposition of county property a more transparent process.

We also saw that Council members Floreen, Ervin and Rice appeared deaf to the will of the people in opposing an ambulance fee, and these three did not vote for greater transparency in the disposition of the people's property, either.

By the way, certain county officials aren't the only ones guilty of not listening to their constituents. The Governor can be pretty deaf to the voice of the people, too. When O'Malley first proposed shifting teacher pension costs to the counties a coalition composed in part of county officials from across the state quickly formed and voiced their opposition to the initiative. But did the Governor listen to those officials? Nope.

As Governor O'Malley saw it, the pension cost shift was the only way to balance the state budget without increasing the tax burden on individuals. Oh, wait, the General Assembly in their recent Special Session also voted to increase state income taxes for individuals earning over \$100,000 and families earning over \$150,000. (So it looks like that plan for state-sponsored slot machine parlors to generate huge profits, which can be used to meet education costs, is working out just great.)

Now the Planning Board is considering requesting the County Council change the approval process for accessory apartments. County residents have already spoken loudly in opposition to allowing accessory apartments "by right", when the idea was floated as part of the rewrite of the Housing Element (chapter) of the county General Plan. You appeared to be listening to us at your December 2009 public hearing, Council members, because you removed the recommendation to allow accessory apartment "by right" from the revised Housing Element you approved in March of last year.

The Civic Federation and many neighborhood citizen groups support retaining the Special Exception approval of accessory apartments by the Board of Appeals. We do so not because we oppose creation of such dwelling units. Accessory apartments could be helpful in providing some households with needed additional income, and might provide an affordable housing type to meet the needs of some low-income renters.

But the current Special Exception process allows an opportunity for community comment during consideration of applications for new accessory apartments. If a change allows certain sized accessory apartments in certain locations to be approved by the Director of the Department of Housing and Community Affairs or their designee, there will be no such opportunity for public input...no citizen inclusion in decision making. Are you seeing the theme here? Are you listening, Council members?

Thomas Jefferson said that a well functioning democracy requires a well informed electorate. It also requires that, when voters go to the polls in the next election, they remember whether their elected officials listened to the voice of the people and responded to constituent concerns, or turned a deaf ear to them.

The views expressed in this column do not necessarily reflect formal positions adopted by the Federation. To submit an 800-1000 word column for consideration, send as an email attachment to theelms518@earthlink.net