



# Civic Federation News

January, 2013

Serving the Public Interest since 1925

Official Publication of the  
Montgomery County Civic  
Federation

[www.montgomerycivic.org](http://www.montgomerycivic.org)  
[montgomerycivic@yahoo.com](mailto:montgomerycivic@yahoo.com)

Peggy Dennis, Editor - Phone: 301-983-9738 - Email: [hotyakker@gmail.com](mailto:hotyakker@gmail.com)  
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## January Program – Economic Development by Dan Wilhelm

A major topic of the presidential campaign was about the creation of jobs. As this article is being written, the Speaker of the House tried and failed to get his Plan B passed by the house. After that failure, Congress and the President left town for their Christmas break. They may return later in the month to address the fiscal cliff. I think it is a safe bet that taxes are going to go up and federal spending down. The question is how much for both. What they decide could have a detrimental effect on jobs. One thing I learned as part of the Transportation Task Force is that the census found that Montgomery County lost some 5000 jobs between 2000 and 2010. The loss of jobs means that there will be less tax revenue to pay for the services we want or the tax rate will have to be increased. Both alternatives are undesirable. Another alternative is to attract more jobs to the county.

Montgomery County has a Department of Economic Development whose job is to work to keep the employers we have in the county and to attract new businesses to the county. The department focuses on small business, not just the large businesses that we often hear about. Many of us think that new businesses lead to more development. While that is sometimes the case, there are also many existing commercial buildings that need new tenants.

The January 14 program will be on economic development, a topic which I don't recall MCCF ever previously featuring. We will have *(Continued on next page)*

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Mark Your Calendar Now  
for the  
Montgomery County Civic Federation's  
**2013 ANNUAL AWARDS BANQUET**  
**Friday, May 3, 2013**  
**6:00 to 9:30 p.m.**  
at the  
**Golden Bull Restaurant**

## Reile and Suddarth to be honored as Community Heroes by Jim Humphrey, MCCF Planning & Land Use Committee Chair

At our January 14 meeting, MCCF will honor David Reile and Barbara Suddarth as Montgomery County Community Heroes for their commitment to ensuring that new development approved for the Olney area adheres to the spirit and intent of the 2005 master plan for that community.

Of particular note, the married couple has spent the past several years, and an enormous financial outlay, waging a judicial appeal of the Planning Board approval to build a large private institutional facility on Emory Church Road, the rural rustic road on which they live in southeast Olney. And this past September the county Circuit Court struck down the Board's approval of the project on the grounds that it was not in conformance with the area master plan.

The issue was detailed in the Federation Corner column published in the September 20, 2012 issue of The Montgomery Sentinel ("Court strikes down approval of Olney development"). This column can be accessed in the Federation Corner column archives on the MCCF website.

The couple is now trying to get legislation introduced in the Maryland General Assembly that would hold the state, counties or municipalities financially liable in cases where a court rules they have violated the laws of the jurisdiction. They are not seeking to make the legislation retroactive to benefit *(continued on next page)*

## January program

*(continued from p 1)* two speakers: Steve Silverman, Director of the Department of Economic Development and Nancy Floreen, Chair of the Council Planning, Housing & Economic Development (PHED). These two speakers will provide the perspective of both the Council and Executive branches of County Government.

I expect many of you are like me in that we don't have a good understanding of everything the county is doing to foster economic development and how they are going about it. Come to the January 14 meeting to learn more.

## Community Heroes

*(continued from p 1)* them and help in recovering the costs of their recent legal battle. Instead they are trying to prevent future cases in which individuals or community associations are overburdened by the costs of ensuring government obeys its own laws.

Please join us in honoring these two Community Heroes at the upcoming MCCF meeting.

## President's Message By Carole Ann Barth

Dear Santa, all I Want for Christmas is an Effective, Efficient, Responsive, and Transparent County Government in 2013.

We've celebrated Eid, Hanukkah, the winter solstice, Christmas, and Kwanzaa: times for giving gifts and gathering together with families and friends. Now at the closing of the old year, and the dawning of the new, it is time for reflecting on what has gone before and formulating aspirations for the year to come.

With that in mind, I'd like to suggest some New Year's resolutions for government that would bring cheer to all of the county's citizens.

*Talk Less, Listen More:* Spend less time telling communities your vision for how we should live and less time giving us your expert opinion on what you believe citizens should want. Instead, seek substantive public input and give the resulting feedback serious consideration. Neighborhoods have on-the-ground knowledge and wisdom you can't get any other way.

But you don't have to take my word for it. A National Academy of Sciences study concluded that stakeholder involvement processes can improve the quality of policies and help them become implemented. "Public

participation should be fully incorporated into environmental assessment and decision-making processes, and it should be recognized by government agencies and other organizers of the processes as a requisite of effective action, not merely a formal procedural requirement." (Dietz and Stern, 2008)

As an added bonus, many MOCO residents are highly skilled professionals. It's amazing that government will pay top dollar for consultant advice while ignoring equally-qualified professionals who are willing to volunteer some time and talent.

*Spend Less Time Chasing Awards and More Time Honestly Communicating:* MOCO agencies have fully embraced the self-esteem movement. They love to trumpet "gold" ratings and "award-winning" programs. Unfortunately, many of these are self-certified awards. (That's like me qualifying for a weight-loss award without ever having to get on a scale.)

These meaningless awards are no substitute for transparency and well-crafted performance measures. We don't need more PR and window dressing, we need a more open government. Too often government decisions are based on "black box" calculations or on aggregated budget categories. The public should have ready access to the detailed information underpinning these decisions.

However, open government means more than just randomly publishing data. We also need to have a conversation about what information government is collecting and how it's being utilized. (For example, one cannot analyze the effectiveness of a new management approach unless baseline information is collected first. In other words, I have to get on the scale before starting a new diet.)

*Learn to Share:* Most jurisdictions in our area co-locate government facilities. For example, in Prince George's County, recreation centers and schools are often built together with a shared gymnasium. Co-location saves money and offers residents the convenience of accomplishing multiple goals with a single trip. In Montgomery County, however, government offices and facilities are spread across the landscape like feudal bastions.

*Don't Neglect Unglamorous Tasks:* Every politician and commissioner loves big, showy new projects like multi-million dollar buildings, billion-dollar transportation schemes, and bold new policy initiatives. There are contracts to let, press conferences to hold, groundbreaking and ribbon-cutting ceremonies to attend.

On the other hand, there are the unsexy tasks: digging into the details of proposed budgets, figuring out how to properly maintain existing infrastructure then filling those potholes and sweeping those gutters and storm drains, effectively crafting (then implementing) laws and policies, and providing high-quality public services while being frugal with tax dollars. Most of the crucial actions are in this unglamorous management arena. This is where we determine whether government works or fails.

It's an ambitious list, but I believe it's achievable.

## Two Tree Bills and a Resolution in Support

by Ginny Barnes, Environmental Chair

It has been a long time coming but more than two years after DEP offered to draft tree legislation, the County Executive has finally sent an urban tree bill - Bill 35-12, the Montgomery County Urban Canopy Bill - to the Council. The purpose of this bill is to discourage the common practice of clearing trees from small lots during redevelopment. Unlike the County Forest Conservation Law, in effect since 1992 which addresses protection of forest stands on large lots, this bill focuses on the continued canopy depletion in urban areas and close-in suburbs where the loss of individual and small stands of trees has been both significant and cumulative. It requires that fees be collected whenever tree canopy is disturbed on any lot where a sediment control permit is required. Disturbance of 5,000 square feet or more triggers a sediment control permit. The fees collected will be paid directly into a mitigation fund and used to plant native trees in the same sub-watershed where canopy is lost. While Montgomery County has an overall canopy cover of roughly 50%, some of the most urban parts of the County are down to as low as 8% and continuing to decline. The 50% overall canopy is a testament to the success of our Forest Conservation Law and the ability to find mitigation sites, particularly in the Agricultural Reserve. But canopy cover has suffered in older downcounty communities where redevelopment and stormwater management requirements have taken out large specimen trees without providing mitigation or replacement species.

A second piece of legislation, Council Bill 41-12, the Montgomery County Streets and Roadside Tree Protection Bill, introduced by Councilmembers Berliner and Elrich will require a county permit for any work in the County Right-of-Way (this is usually the strip of land between the street and any private property line) that

will damage trees. The Department of Permitting Services (DPS) would work with the Chief of Tree Maintenance in the County Department of Transportation (DOT) to determine if a tree can be saved and if not, the applicant would contribute to a tree fund to insure replacement.

A Public Hearing before the County Council on both bills is scheduled for January 17th.

I urge all community leaders to call 240-777-7803 and sign up to testify in support of both bills.

**Resolution on Forest and Tree Protection** to be voted on at the January 14 meeting.

*Whereas*, Montgomery makes a significant contribution to the health of the Anacostia and Potomac Rivers and the Chesapeake Bay, and

*Whereas*, forest and tree cover has long been recognized as invaluable ecological and public health assets; cleaning our atmosphere by intercepting airborne particles, carbon dioxide, and other greenhouse gases, attenuating stormwater runoff, filtering groundwater and contributing to a clean public water supply, cooling and reducing energy consumption and mitigating climate change, and

*Whereas*, despite the existence of the County Forest Conservation Law, overall tree canopy is declining on an average of 2% a year nationwide and in Montgomery County, urban areas are especially depleted, and

*Whereas*, in the interest of both ecological and public health the County needs to increase tree and forest canopy cover whenever and wherever possible,

**Therefore, be it resolved that the Montgomery County Civic Federation urges County and State governments to facilitate and expand efforts to protect and increase tree canopy on both public and private lands.**

## Artificial Turf Playing Fields Resolution

By Paula Bienenfeld, Jim Humphrey & Peggy Dennis

At its December meeting the MCCF Executive Committee voted to put forward the following resolution for discussion and a vote at the January meeting: ***Be it resolved that the Montgomery County Civic Federation opposes construction of artificial turf***

***playing fields because of the known and unknown negative environmental and human health impacts.***

**Background**

Artificial turf (AT) playing fields manufactured by FieldTurfTarkett have been installed in MCPS high schools including Walter Johnson HS, Montgomery Blair HS, and Richard Montgomery HS, and are scheduled for installation at Thomas S. Wootton HS. Both MCPS and the Parks Department have plans to install additional AT playing fields in all high schools and many county public parks. These fields consist of a layer of crushed gravel covered by an artificial green grass carpet. The leaves of the “grass” are held upright by a thick layer of crumb rubber made from ground-up, used truck and automobile tires. The used tires are classified as toxic waste when whole, but are unregulated when ground up and pulverized. One football field contains 120 tons of crumb rubber, or rubber from 20,000 used tires.

The crumb rubber in AT fields absorbs heat from the sun (much like an asphalt parking lot) and becomes 10° to 30° F hotter than a natural grass field. These “heat islands” where temperatures of up to 140 degrees Fahrenheit have been documented here in Montgomery County. Heat related illness and skin injury can result from even a ten-minute contact with a surface that runs about 120° F.

Artificial turf field material includes zinc, aluminum, arsenic, antimony, barium, cadmium, chromium, cobalt, copper, vanadium, and titanium. Researchers have also found halides, like bromine and chlorine, in AT fields (<http://link.springer.com/article/10.1007%2FBF02040154>).

Crumb rubber contains carcinogens and toxins including carbon black, lead, polycyclic aromatic hydrocarbons (PAH), and heavy metals. These carcinogens and components such as lead can adversely affect the health of our children, adult players and all persons in the vicinity of the field. The tiny particulates from the pulverized tires can be ingested through the mouth, breathed into the lungs, or taken directly into the blood stream through cuts and abrasions.

As AT fields deteriorate with time and constant use, these toxins are blown into the air and washed into our streams, rivers, and ultimately, the Chesapeake Bay. “Riverkeeper”, a well-known non-profit environmental organization that works to protect the Hudson River and the New York City drinking water supply, has stated that run-off from AT fields is potentially toxic, as it contains rubber tire crumbs from the fields, which are

comprised of polycyclic aromatic hydrocarbons (PAHs), a group of chemicals that includes compounds classified as known or probable human carcinogens. Unlike natural sod, AT fields do not absorb rain or other precipitation. As a result, this low water retention rate, which maximizes the recreational potential of such fields, is also a stormwater nightmare.

In sum, research shows that there are dangerous amounts of carcinogens, chemicals, heavy metals, and toxins in these artificial turf fields, which as the fields deteriorate through time, seep into our water, air, and soil. The Civic Fed Executive Committee advocates instead for the use of natural sod fields rather than dangerous artificial turf for our children and for ourselves and we urge the membership to vote for the resolution.

For more information please refer to [www.synturf.org](http://www.synturf.org), the website kept by the granddaddy of AT opponents; [www.safehealthyplayingfields.org](http://www.safehealthyplayingfields.org), the website of the Safe, Healthy Playing Fields Coalition. Also, review the May 19, 2011 Sentinel Federation Corner column (“Artificial turf vs. natural sod playing fields,” at <http://montgomerycivic.org/files/fedcorner20110519.pdf>); the Civic Fed newsletter announcement of the May 2012 program on artificial turf playing fields (May 2012 newsletter, page 1, at <http://montgomerycivic.org/files/201205.pdf>); and the write-up in the minutes of the May 2012 meeting on that program (June 2012 newsletter, page 9)

## **State Legislation**

### **by Dan Wilhelm, Legislative Chair**

The General Assembly convenes on January 9, for the start of the 90 day 2013 legislative session. The Montgomery County Delegation has already started considering local and Montgomery/Prince George’s bi-county bills. The bi-county bills affect WSSC and M-NCPPC. They held a priorities hearing in November and two public hearings the first week of December.

The major points many speakers made at the priorities hearing was the need for capital funding for education (MSPS, Montgomery College and Universities at Shady Grove) and the need for transportation funding with top priority being the Purple Line and Corridor Cities Transitway.

The local and bi-county bills can be found at [montgomerycountydelegation.com](http://montgomerycountydelegation.com). The MCCF Executive Committee (ExComm) considered those bills of interest to us as reported in the December 13 minutes. After discussing MC 2-13 dealing with bow &

arrow hunting for deer, Peggy discovered we already had taken a position that allows MCCF to support this bill. At the January meeting, we will bring the following bills forward for your consideration and vote:

MC 7-13 would make two changes. First it would increase from 7 to 9 the number of Board of Education (BoE) members (not counting 1 student member). The ExComm opposes this increase since it would add cost without any real improvement in how the Board operates. The second change is to elect district members solely from their district rather than county wide. The ExComm supports this change since it may make the district members more responsive to local issues. Therefore the motion is that MCCF support the election of district BoE members solely by voters in their district, and oppose an increase in the number of BoE members.

MC 8-13 would increase the pay of BOE members from \$18,500 to \$25,000. The ExComm was split on this subject but a majority opposed it. Some felt that BOE should be paid a fair wage and thus supported it while others felt the BOE needed to be more responsive to voters before being given a pay raise. The motion is to oppose this bill.

MC/PG 102-13 would repeal the current requirement that not more than three members of the Maryland–National Capital Park and Planning Commission from Montgomery County be members of the same political party. The ExComm felt that it is important to retain political party diversity on the commission and thus opposed this bill. The motion is to oppose this bill.

MC/PG 103-13 would authorize the County Councils of Montgomery and Prince George's Counties to grant exemptions to the WSSC System Development Charge for 501(C)(3) organizations. The ExComm felt that everyone should pay their fair share of the costs and that includes non-profit organizations. The motion is to oppose this bill.

MC/PG 104-13 would establish the Water Conservation on Bill Financing Program within WSSC for the purpose of providing assistance to customers for water conservation upgrades to specified residential and commercial property. Effectively this would be a loan that would be paid back on the monthly water and sewer bills over time. We understand it would function similarly to the front foot benefit where WSSC pays initially for installing the water and sewer service in front of the house when it is built and then the homeowner repays WSSC back over 23 years on the property tax bill. The ExComm didn't vote on this but

my motion is to support the bill. A four page fiscal and policy note is found at [www.montgomerycountydelegation.com/MCPG104-13.html](http://www.montgomerycountydelegation.com/MCPG104-13.html)

## **Positive Movement to Liberalize Deer Hunting**

### **By Peggy Dennis, Immediate Past President**

Last winter the Civic Federation voted to approve the following resolution: *“Be it resolved that the Montgomery County Civic Federation urges our county and state officials to expand funding and to work collaboratively towards liberalizing appropriate regulations to extend the hunting season for deer, and facilitate controlled and safe hunting on both public and private lands.”* The vote was 19 in favor, one opposed and one abstention.

Our resolution has gotten results. State Delegate Eric Luedtke has introduced a local bill, MC2-13, that will allow Montgomery County to implement regulations and join other counties that have already approved a lesser “safety zone” around residences for bow & arrow hunters to cull the herds of white-tailed deer. This is “enabling legislation” that it will allow our county government to enact regulations to allow hunting to be safely carried out in suburban neighborhoods. Hunters would likely be limited to working only from the locations agreed to by willing residents and their neighbors. As with the current law, no hunting would presumably be permitted without the written consent of the property owners.

My own neighborhood is infested with deer. Twenty to fifty at a time emerge from the C. & O. Canal National Historical Park where they have completely destroyed the understory of the forest. They wander across MacArthur Boulevard where it is not unusual to see the carcasses of the injudicious being feasted upon by vultures. During all seasons they defoliate most plants, bushes and trees up to the height of six feet by rearing up on their hind legs to get every bit of greenery they can reach. In the winter, there is little left for the herds to browse on and they starve. Nature is not kind when its balance has been badly skewed, and overpopulation has pitiful consequences. I believe judicious culling is long overdue, and it will start to bring the deer herds into a healthier, more sustainable balance.

## Rapid Transit Update.

### Dan Wilhelm, Transportation Chair

A number of transit related actions have occurred over the last month.

**Transit Corridors Functional Master Plan.** This was once called the Master Plan of Roads and Transitways. The date for the staff draft is being pushed back from the end of December to March, when it will be posted on the Planning Board's web site. The extra time is needed by staff to undertake additional studies. The public hearings are targeted for early May. The tentative MCCF program for April will give us the opportunity to learn about the staff draft.

**2012 County Capital Improvement Program (CIP) amendment** The County Executive has submitted a CIP amendment to the Council with a hearing scheduled for January 15. The CIP amendment requests \$1M to undertake a number of needed studies which were identified by the Transit Task Force (TTF). Many speakers at the September public hearing indicated they wanted the answers the studies would provide.

The original package from the County Executive was not entirely clear but has since been clarified. The Executive is focusing on the TTF's phase 1 network which covers MD 355, US29, Randolph Road, the ICC, the Corridor Cities Transitway (CCT), Viers Mill Road and Georgia Avenue between Glenmont and Olney. The ICC is already built so no additional study of that route is needed. Studies are already underway by the state for the CCT, Viers Mill Road, and Georgia Avenue. The Transit Corridors Function Master Plan will be looking at a number of corridors including MD355, US29, and Randolph Road. Also recall that the Governor selected the use of dedicated bus lanes over light rail and the project has been submitted to the Federal Department of Transportation for some possible funding.

The CIP amendment will cover work other than the design of the corridors, including:

- Service planning and integration of Ride On and Metrobus with the new rapid transit routes
- Pedestrian and bicycle access to the stations
- Parking requirements
- Signal prioritization,
- Corrections to organizational structure to efficiently and effectively design, build, operate and maintain the RTS and ensure sustainability and integration with Ride On and Metrobus services

- Development of the framework and polices associated with future right-of-way and operational agreements with the state (most corridors use existing state road right-of-way).

**2013 CIP.** The biannual CIP will be submitted to the Council in the middle of January. We understand that part of it will include more CIP projects. At this time, we don't know what they will cover. The Council will hold hearings on the entire set of CIP projects and make a decision in May about which ones to fund and by how much.

**Rapid Transit System (RTS) Steering Committee.** The County has formed a RTS Steering Committee to support and provide advice to the Chief Administrative Officer (CAO) and County Executive on the implementation of a Rapid Transit System in the county, within the framework of adopted and soon to be adopted Master Plans in the county, and within the fiscal constraints and overall policy direction of the County Executive. The Committee has 16 voting members, including three members of the TTF, two public members who are transit experts, a number of county department heads, and representatives from WMATA and MD DOT. I am one of the three TTF members on this committee. In early December we had a kick-off meeting. The presentation from that meeting can be found at <http://www.montgomerycountymd.gov/dot/index.html>

## Education Committee Report

### By Paula Bienenfeld, Education Committee Chair

#### School Start Times

A group of parents has re-opened the discussion concerning the early start times of our public high schools.

There is growing medical and scientific evidence that high school students fare better when school starts later in the morning. When teens get the required 8.5 to 9 hours of sleep school attendance goes up and tardiness decreases. Well rested teens sleep less in class, get in fewer car crashes, visit nurses and counselors less often, report less depression and irritability, and drink less caffeine. Sleep deprivation is also proven to contribute to obesity.

Currently, MCPS high schools begin at 7:25 a.m., and bus pick-up times are much earlier. The group is working towards changing the start time to 8:15 a.m. This subject was last reviewed by MCPS in 1998-99, and

since that time new scientific data have come to light about the adverse impact on adolescents caused by such early start times. Led by Mandi Mader, residents have started a local Montgomery County chapter and joined the national Start School Later (SSL) ([www.startschoolater.net](http://www.startschoolater.net)) - a national coalition working to ensure that all public schools can set hours that are compatible with health, safety, equity, and learning. For more information email Mandi at [madertherapy@aol.com](mailto:madertherapy@aol.com). There is an online petition to MCPS Superintendent Josh Starr, which says, “We respectfully request our school board to officially recognize the large and compelling body of research regarding teen sleep and academic achievement, and, with a resolution, to set a goal to start high schools in Montgomery County, MD, after 8:15 AM.” To sign the petition and leave comments, go to <http://signon.org/sign/changing-montgomery-county>.

**MCPS\_Better\_Food Group**

MCPS\_Better\_Food is a group of parents committed to helping Montgomery County Public Schools serve delicious, fresh, whole and nutritious foods to our children and reduce the availability of foods that are low in nutritional value. They seek to collaborate with MCPS and other community stakeholders, recognizing that wholesome food is an educational investment that leads to academic success, improved behavior, and better health outcomes. They believe that improving students’ food options is a critical part of MCPS’ commitment to support the ‘whole child.’

They are looking for volunteers for each public school. So far there are volunteers in the schools listed below. If you would like to join and represent a school please contact Karen Devitt at [kmdevitt@yahoo.com](mailto:kmdevitt@yahoo.com).

**Bethesda-Chevy Chase Cluster:** Westland MS, Chevy Chase ES, Rock Creek Forest ES, Rosemary Hills ES, Somerset ES

**Northeast Consortium:** Stonegate ES

**Walt Whitman Cluster:** Thomas W. Pyle MS, Bradley Hills ES

**Downcounty Consortium:** Eastern MS, New Hampshire Estates, Oak View ES, Silver Spring International MS, Forest Knolls ES, Sligo Creek ES, Flora Singer ES, Takoma Park MS

Their next meeting is in early January.

To join the yahoo group and subscribe, go to [MCPS\\_Better\\_Food-subscribe@yahoogroups.com](mailto:MCPS_Better_Food-subscribe@yahoogroups.com).

**New Report Card Format**

The Pearson curriculum continues its rollout, and is now underway in all kindergarten through third grade classes. Report card grades have been changed in these grades, and are the subject of much discussion. MCPS has replaced the traditional letter grading (A-F) system with the new system, in which students receive markings of ES (exceptional), P (demonstrating proficiency), I (in progress), or N (not yet making progress). Please let me know your thoughts on the change from the traditional ‘A-F’ letter grading system to the new system.

**Fiscal Year 2014 MCPS Budget: More than \$2.2 Billion**

The Board of Education is rolling out its Fiscal Year (FY) 2014-15 budget. Current student enrollment is 148,779, an increase of almost 2,300 students from FY12, according to MCPS. The overall budget is proposed at \$2,217,247,656 Billion, an increase of \$48,950,123, or 2.3 percent, over the current FY13 budget. The additional request works out to \$21,282 per additional student. This amount puts the county approximately \$10million over the Maintenance of Effort (MOE) number. With the new state law regarding the MOE, if this budget is enacted, taxpayers will be required to meet the additional minimum amount in the future. To review the entire budget, go here:

<http://www.montgomeryschoolsmd.org/departments/budget/fy2014/>.

The MCPS budget is over half of our entire county budget. That means MCPS spends more than the county spends on all other agencies combined, including health and human services, libraries, parks, police, firefighters, and first responders. Please read the budget carefully and send your comments to the Board of Education, the County Council and the County Executive. Comments can be sent to the Board of Education at [BOE@mcpsmd.org](mailto:BOE@mcpsmd.org), to the County Council at [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov), and to Chief Executive Ike Leggett at [ocemail@montgomerycountymd.gov](mailto:ocemail@montgomerycountymd.gov).

Here is the Board of Education Operating Budget Timeline:

|  |                                    |
|--|------------------------------------|
| <a href="#">BOE Operating Budget Hearings</a>      | January 10 & 17, 2013 at 7:00 p.m. |
| <a href="#">BOE Operating Budget Work Sessions</a> | January 22 & 24, 2013 at 6:00 p.m. |

|   |                   |
|---|-------------------|
| BOE Operating Budget Action/Adoption  | February 12, 2013 |
| BOE FY 2014 Operating Budget Request presented to County Executive and County Council | March 1, 2013     |
| County Executive issues Operating Budget  | March 15, 2013    |
| County Council holds Operating Budget Hearings and Work Sessions                      | April – May 2013  |
| Council approves Operating Budget   | May 16, 2013      |
| Final Board of Education Action to approve FY 2014 Operating Budget                   | June 13, 2013     |

## 2013 Awards Committee

The Civic Federation’s Annual Awards Banquet on May 3 will come upon us as sure as daffodils and azaleas will follow our winter weather. The Awards Committee is looking for others to work with us to take nominations for awardees, evaluate those nominations and make final recommendations to the membership. Our work should be of short duration and will probably not require any face-to-face meetings. The Awards Committee will be confirmed at the February Executive Committee meeting in February.

Everyone, please start thinking now about individuals and groups you would like to nominate. Here are the descriptions of the awards and the justification for which each is award is made.

**The Gazette Award** - sponsored by the Montgomery Gazette newspapers and to be awarded to an individual or group for outstanding service to the people of Montgomery County.

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

**The Star Cup** - sponsored by the Federation and to be awarded to a Delegate or Committee of the Federation for outstanding public service on

behalf of Montgomery County.

Please contact Jesse Cantrill at 301-718-7286, [jtcantrill@aol.com](mailto:jtcantrill@aol.com) or Peggy Dennis at 301-983-9738, [hotyakker@gmail.com](mailto:hotyakker@gmail.com) to help us out or to nominate someone for an award. We cannot do this without your help!

## Please Spread the Word

By Peggy Dennis, Editor

Please remember to forward the electronic version of this newsletter to others in your local association, friends and neighbors. Information is like manure – it’s better if you spread it around, far and wide!

Keep well, have a wonderful winter and a Happy New Year, and thank you for your interest and activism

## Submit a Federation Corner Column

By Jim Humphrey, Liaison to *The Montgomery Sentinel*

Want to let others know about a problem affecting your community, or comment on an issue impacting the entire county? The Montgomery Sentinel publishes a weekly column entitled the "Federation Corner", providing us with a platform to educate the public about MCCF and the issues of concern to our members. As the disclaimer on each week’s column states, "The views expressed in this column do not necessarily reflect formal position adopted by the Federation." To submit an 800 to 1000 word column for consideration, send as an email attachment to Jim Humphrey, column coordinator, at [theelms518@earthlink.net](mailto:theelms518@earthlink.net)

## Mark Your Calendars for Our 2013 Meetings

|        |                        |
|--------|------------------------|
| Monday | January 14             |
| Monday | February 11            |
| Monday | March 11               |
| Monday | April 8                |
| Friday | May 3 – Awards Banquet |
| Monday | May 13                 |
| Monday | June 10                |

## Minutes of the December 3 Meeting

By Sue Schumacher, Secretary

**Call to Order:** President Carole Ann Barth called the meeting to order at 7:45 pm. Introductions followed.

**Agenda:** The agenda was approved.

**Announcements:** President Carole Barth announced that Washington Revels, a past Community Hero winner, will be performing their annual “Christmas Revels” in celebration of the Winter Solstice at GW Lisner Auditorium on December 8 & 9, and 14-16. A representative of Montgomery Countryside Alliance announced that there will be a conference open to the public on “Farming at Metro’s Edge” January 11-12 at the University of Maryland at Shady Grove. Paula Bienenfeld, Education Chair announced that Open Checkbook and Open Government would be available on the Montgomery County website. A representative from the Brickyard Farm stated that the Sunlight Foundation was having an Open House on Wednesday, December 5.

**Minutes:** It was moved and seconded to approve the minutes of the November 11 meeting as they appeared in the Newsletter, with the understanding that the typo in Committee Reports where it was Parts be corrected to Parks. The minutes were approved as corrected.

**Treasurer’s Report:** Bill Schrader reported that membership renewal was slightly behind where it was last year at this time.

**Community Hero:** Peggy Dennis introduced Sophia Maravell, founder and President of the Brickyard Educational Farm. This organization grew out of Nick’s Organic Farm which has been located on MCPS land for years. This is on land that the County Executive has proposed converting into a private soccer complex to be operated by Montgomery Soccer, Inc. The Brickyard Educational Farm is for school children to learn about organic and sustainable farming. It also produces fresh vegetables for the school lunch programs, and produces and preserves heirloom seed stock.

**Program:** President Carole Barth introduced the guest speaker, Ann English, a landscape architect who is the Rainscapes Program Coordinator for the County Department of Environmental Protection. Ann began with the county’s watersheds and their conditions. They are all in danger because of storm water runoff. Ann explained that the county was at one time forest and at that time soil absorbed the water. Now the land is urban/suburban and the rainwater zips across the paved and hard packed land picking up pollutants that then drain into the streams that begin the watersheds, and eventually into Chesapeake Bay. She indicated that there are new Storm Water Laws that were enacted in 2010. However, any construction project approved prior to May 2010 may continue to use the old rules and any construction disturbing less than 5,000 square

feet is exempt from storm water regulations. She added that restoration work must be done by 5pm, February 15, 2015 on 4,500 acres. She next discussed retrofits and green streets. This includes projects such as rain gardens in the right-of-way to catch and infiltrate storm water. Lastly, she discussed the county’s rebate program for residential properties which provides up to \$2,500. Commercial, multi-family, HOA common land, and institutions can receive rebates up to \$10,000. A question and answer period followed.

**Resolution:** Donna Savage, Dan Sheveiko, and Karen Cordry of the Stop Costco Gas Coalition introduced the resolution as it appears on page 3 of the December Newsletter. The resolution was moved and seconded which was then followed by discussion. There was a request to add wordage concerning hearing dates. The vote was 16 for, 1 opposed and 1 abstention. The additional wording is:

*“Further, the Montgomery County Civic Federation supports recently filed request to postpone the hearing dates for Special Exception application S-2863. We agree with the Stop Costco Gas Coalition that the currently scheduled dates, which begin in mid-March 2013, provide too little time for adequate review of the application by Planning Department staff, our member groups and individuals, and other interested parties.”*

### Committee Reports

**Public Finance:** Chuck Lapinski reported that Maryland’s state finance numbers show no improvement. There are tax increases, state costs have been moved to the counties, and he sees debt by 2014. In addition he feels that the state is “loosey-goosey” on eminent domain. Chuck also indicated that some state officials are considering stricter rules on state-wide petitions.

**Transportation:** Dan Wilhelm reported that the County Executive has sent a CIP amendment to the Council for \$1 million to undertake the following studies, many of which the public called for at the BRT September hearing.

- Service planning and integration of Ride On and Metrobus with the new RTS routes
- Pedestrian and bicycle access to the stations
- Parking requirements
- Signal prioritization
- Correct organizational structure to efficiently and effectively design, build, operate and maintain the RTS and ensure sustainability and integration with Ride On and Metrobus services

- Development of the framework and policies associated with future right-of-way and operational agreements with the state (most corridors use existing state road right-of-way).

**Planning and Land Use and Housing:** Virginia Sheard, a committee member reminded that all should check the MCCF website to see the latest on the Zoning Code.

**Education:** Paula Bienenfeld announced that the A through F grading system is no longer used in county schools. It is now an S.

**Parks and Recreation:** Carole Barth reported that the county is not giving any details. She noted that the money the county is asking for is not enough for deferred maintenance.

Peggy Dennis, immediate past President, discussed the proposed change in state law dealing with bow and arrow hunting in Montgomery County. This law would help control the White Tail Deer population.

**Adjournment:** The meeting adjourned at 9:45pm.

## Minutes of the December 13 Executive Committee Meeting

Peggy Dennis, Acting Recording Secretary

**Call to order** at 8:00 by President Barth at the Bethesda/Chevy Chase Regional Services Center with special thanks to Jesse Cantrill for arranging the venue and providing drinks and cookies. Attendees: President Carole Ann Barth, Bill Schrader, Dan Wilhelm, Jesse Cantrill, Jim Zepp, Paula Bienenfeld, Sandy Vogelgesang, Jim Humphrey and Peggy Dennis.

**Agenda** for the meeting was approved.

**Minutes** of the November 15 ExComm meeting published in the December newsletter were approved.

**Treasurer's Report:** Bill Shrader handed out his report with the amount of the income to date corrected to \$2,755.

**Programs:** The January program will have Steve Silverman presenting on the "County's Economic Development." Dan will invite Nancy Floreen to join Silverman as a second presenter.

February may be on the two tree bills which are now, suddenly before us. Ginny Barnes should organize if she believes it is timely and useful.

March: CIP Budget with Chuck to organize or Dan as fallback.

April: Transit Corridors Functional Master Plan with Larry Cole from the Planning staff. Dan will organize. This program was originally planned for December, but postponed when draft was pushed back from December to March.

Future possible topics: Maryland State "Real Progress Indicators" with Carole organizing; Michael Schuman with Jim Humphrey organizing; Parks Dept. Playing Field Study

**Community Hero:** Jim Humphrey nominated and it was unanimously agreed that Dr. David Reile, former President of South-East Rural Olney Civic Association (SEROCA) and his wife, Dr. Barbara Suddarth, would be recognized for leading their community's effort to stop construction of the First Baptist Church of Wheaton (a mega-church) in a rural area which, had it been approved, would have violated the Olney Master Plan and the sewer category recommendation. It was tentatively decided to honor the group putting out the word on the proposed changes to the Accessory Apartments regulations in February.

### Discussion Issues

The **Safe, Healthy Playing Fields Coalition** has asked for MCCF backing for State Delegate Waldstreicher to introduce a bill that would prevent Open Space funds from being used to construct playing fields with artificial turf (AT). Although we would prefer a state-wide moratorium on AT playing fields, it was agreed that Dan and Carole would draft and send a letter to Waldstreicher indicating that Open Space funds should be used to acquire land rather than for construction of fields or buildings, but if playing fields are built, they should only use natural turf. Jim and Paula will write up a resolution calling for a moratorium on AT field construction.

### Montgomery County & Bi-County Bills

MC 2-13 introduced by Delegate Luedtke adds MC to list of counties that would allow bow hunting within 50 yards from buildings occupied by humans for deer hunting. This is enabling legislation that would allow Montgomery County Council to put regulations in place. Discussion focused on safety concerns and objections from the animal rights perspective. ExComm voted to support the bill: 4 yes, 3 no, 2 abstentions.

MC 5-13: Dan recommended and it was agreed that we would take no position on this bill.

MC 7-13: The bill would increase from 7 to 9 the number of Board of Education members (not counting student member). Four will be at large, rather than

current 2. It was agreed that we would support election of BoE members voted for solely by district, but not an increase in the number of BoE members.

MC 8-13: The bill would increase pay of board member from \$18,500 to \$25,000. Doesn't change president's pay who gets \$4000 extra. Dan recommended we support because members sometimes have to spend many hours on their duties and should be fairly compensated. Increased pay might attract better candidates. ExComm voted to oppose bill: 5 opposed, 3 supported, 1 abstained.

MC 16-13: no position taken

MCPG 102-13: We voted to oppose this bill which would repeal the requirement that not more than three members of the Maryland–National Capital Park and Planning Commission from Montgomery County be members of the same political party. We want to retain the present arrangement where no more than 3 members can be from any single political party. Vote to oppose the bill: 8 yes, 0 no, 1 abstain.

MCPG 103-13: ExComm voted to oppose this bill to grant exemptions to a WSSC System Development Charge because all parties who benefit should share in the cost: 8 in favor of opposing, 1 abstention.

MCCF Blog was discussed in relation to the WeAreMoCo website and blog already established. Discussion will be continued.

Checkbook Online: Paula has met with Hans Riemer who is interested in the Checkbook Online system being implemented in some jurisdictions. Legislation has passed in MoCo providing something like Checkbook Online but in a watered down form. See [www.datamontgomery.gov](http://www.datamontgomery.gov). It remains to be seen whether this will be a useful instrument for citizens to monitor their government or merely an avalanche of raw and overwhelming data.

### Committee Reports

**Parks & Recreation:** Carole said the Parks Department wants comments by January 4 on their proposed new policy to allow corporations and “entities engaging in commercial activities” to pay for “naming rights” for various parks and/or park facilities. ExComm agreed with the general concept but believes it should be expanded to allow non-profit and civic groups to also apply for naming rights. Policy should also address and preclude potential conflict of interest problems. Carole also agreed to ask about reduced fees for civic groups.

**Planning and Land Use:** Jim reported on the new legislation proposed on Accessory Apartments. It is felt that any new process created by the legislation will require rapid posting of permit applications and provide funding for adequate DHCA inspectors. Bill is before the PHED Committee, but date for a vote is not yet fixed.

**Committee for Montgomery:** Dan reported that the CfM breakfast on Dec. 14 anticipated a record 72 tables (720 people). Legislative session in Annapolis convenes on Jan. 9.

**Transportation:** Dan reported that DOT has formed a steering committee on transit implementation. This will be covered in more detail in the newsletter.

**Education:** Paula reported that MCPS has presented a \$2.22 Billion budget to the BoE, more than 10 million over what the Maintenance of Effort law requires. This will be problematic in that it will increase the base against which future MoE requirements are calculated. Charles Barkley is the new President of the Board of Education, and Phil Kaufman is the new VP. The Start School Later petition has been turned in and Starr has announced a study will be undertaken to consider the feasibility of changing school start times. The results are expected next spring. A new group has been established to advocate for healthier foods in school lunches.

January ExComm meeting to be on Tuesday, January 22 at Sandy Vogelgesang's. In case of inclement weather, the meeting will be held by teleconference.

Meeting adjourned at 10:00

### **Federation Meeting**

#### **Session 843**

Monday, January 14, 2013  
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  
7:56 Approval of Minutes of December 3rd meeting  
7:58 Treasurer's Report  
8:00 Community Heroes: Drs. Reile & Suddarth  
8:15 Program: Economic Development in MoCo  
9:15 Resolutions on Trees, Artificial Turf Fields and State Legislation  
9:30 Committee Reports  
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. 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 or emailed 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, January 27.** 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: TUESDAY, JANUARY 22, 7:45 P.M.**

**AT THE HOME OF SANDY VOGELGESANG**

**9009 CHARRED OAK DRIVE, BETHESDA**



Official Publication of the  
Montgomery County Civic Federation

**Dan Wilhelm, Database Manager**

**904 Cannon Road**

Silver Spring, MD 20904

[DJWILHELM@VERIZON.NET](mailto:DJWILHELM@VERIZON.NET)

**First Class Mail**

*Address service requested*