

New money for roads, schools in danger

Leopold, council fight over funding options

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Growing tension among county leaders appears to have killed one plan to fix aging schools, and may jeopardize other efforts to land more money for expanded schools and roads.

"Unfortunately, I think that the friction is starting to build," County Council Chairman Cathy Vitale, R-Severna Park, said, referring to the rift between the governing styles of the council and County Executive John R. Leopold. "When the legislative branch and the executive branch are at odds over issues, that's one thing, but I'm most concerned when the discussion goes in a different direction than the issue."

The issue is how to best pay for the demands that new growth and new residents place on the county's infrastructure, but the discussions have turned to squabbles and become barbed with innuendos of malfeasance.

The question is whether to quadruple impact fees to pay for new roads and schools, or to increase taxes on the sale of land to fix the aging ones. The national impact fee consultant hired by the county recommended both higher fees and said that "the fairest" method to help aging schools would be to increase transfer taxes.

However, this week some councilmen have lobbed accusations that Mr. Leopold proposed impact-fee hikes simply to protect his political image and to publicly distance himself from campaign contributors.

Mr. Leopold has accused councilmen of giving "a slap in the face to taxpayers" by not holding a public hearing on the idea to increase transfer taxes.

The council also did not tell Mr. Leopold about the transfer tax idea before they voted

on it, and Mr. Leopold said he will not support it.

Councilmen said Leopold's staff was aware it was on the table, and they needed to introduce it and vote on it quickly so the county's delegation to the Maryland General Assembly could introduce the bill necessary to enact it.

Already, the council's idea to deliver an estimated \$18 million of new transfer taxes to fix crumbling schools appears to have died because county councilmen and Mr. Leopold disagree about it. The proposal to hike impact fees to make developers pay for growth may be the next casualty in the growing political scuffle among county leaders.

Del. Mary Ann Love, D-Glen Burnie chairman of the county's House delegation, said the transfer-tax proposal backed by the council "has some problems." The real estate community has already begun to protest, she said.

But even so, she would not introduce for discussion the state bill needed to make it happen until the County Council irons out its differences with Mr. Leopold. Mr. Leopold said he refuses to support the transfer tax because of a "philosophical difference" about how development should pay for itself.

Even if the transfer tax proposal, which supporters say would chip away at the county's \$1.5 billion backlog of school renovations, gets its day in front of the delegation, its chances are slim.

Few senators and delegates voted for all the taxes during the special session and Anne Arundel's slate of Republicans and moderate Democrats are already squeamish about voting for county fee increases this session, let alone a broad tax hike.

"I can almost guarantee it has virtually no support," Del. James King, R-Gambrills."

Council members said the transfer tax is the only way to get new funds for existing problems. Mr. Leopold argued that any proposal has better chances if county leaders are united.

"I think that in the first year of this administration, there was a well-established understanding that it was far more effective to go to the General Assembly with the County Council and the county executive on the same page," Mr. Leopold said.

He pointed out that even when the county government leaders were united on raising the car rental tax last year, delegates chose not enter legislation to enact it.

"It's far more effective that there be a collaborative effort by the county executive and the council. ... It improves the changes for success immensely."

A collaborative effort also appears unlikely.

At a public hearing last week, some councilmen said they were willing to let Mr. Leopold's impact fee bill expire instead of voting on what Councilman Jamie Benoit, D-Crownsville, described as a "rigged" proposal by Mr. Leopold's administration.

Backed with analysis from County Auditor Teresa Sutherland, the council blasted the administration for what some said was faulty data given to the national consultant James C. Nicholas, who used that data to calculate how much it costs to build new roads and schools to accommodate growth.

Council plans to hire a second consultant to examine the numbers. Council debate is scheduled to continue on Feb. 19.

The county's current impact fees are among the lowest in the state.

At the same hearing, Councilman Ed Middlebrooks, R-Severn, gave a two-minute speech deriding Mr. Leopold for taking \$350,000 from the county's development community and then introducing a bill harmful to developers, simply to appear that he was not beholden to his contributors.

Mr. Leopold has dismissed all allegations as false, and gave other examples of legislation that was unfavorable to developers. He said his administration had never manipulated any data given to the consultant.

"The previous administrations, as does this one, respect the judgment of the national consultant who has worked in Anne Arundel County for two decades," Mr. Leopold said.

Councilmen also complain, both publicly and privately, about a lack of communication with Mr. Leopold. They say he drafted and released the impact fee bill with unprecedented increase and did so without consulting them.

Councilman Vitale said she was unaware of the administration's proposed 300 percent hike until a reporter called asking for comment on the bill.

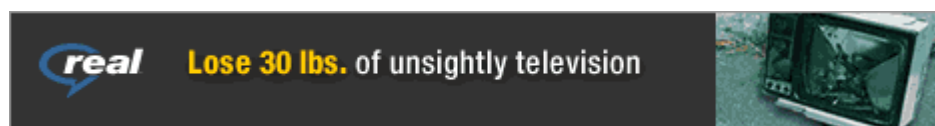
She said Mr. Leopold's staff asked her to consult her colleagues and come up with politically palatable amount at which to set the fees. When she could not find

consensus, she said, the administration moved on without the council.

"They were given an opportunity to be equal partners and to share in the drafting in the bill," Mr. Leopold said. "I'm always open to any suggestion on any issue and to sit down with any member of the council. Over the last couple months I invited them to discuss issues of importance, and all but one did."

- No Jumps-

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