

Brickyard Coalition

Preserving Our Neighborhood

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COUNTY COUNCIL PRESIDENT BERLINER REVEALS LEGGETT MADE SECRET DEAL FOR BRICKYARD LAND

POTOMAC, MD - January 16, 2012—Montgomery County Council President Roger Berliner has disclosed that County Executive Ike Leggett made a secret political deal to turn the 20-acre public land site on Brickyard Road into a private commercial soccer complex.

Ginny Barnes, Environmental chair of WMCCA, pressed Berliner as to why he had not fought for a transparent process. Berliner replied that he tried to get Leggett to change his mind about the Brickyard deal but lost. “I went to the County Executive but he made a commitment here” said Berliner, and was not interested in a transparent open process. He revealed this information to a group of over 100 county residents at a January 10, 2012, WMCCA meeting. But apparently Leggett did not disclose to Berliner to whom he had made the “commitment”. **The Berliner video clip is attached.**

Asked to comment by a reporter from WJLA-ABC 7 last Friday, Patrick Lacefield, a Leggett spokesman did not dispute Berliner’s statement and said only, “I don't know anything about that.” See full video clip of the Channel 7 News story at:

<http://www.wjla.com/articles/2012/01/potomac-residents-oppose-plan-turning-organic-farm-into-soccer-fields-71408.html#commentformstory71408>

This bombshell revelation of a secret political deal by the County Executive helps explain the apparent cover-up and lack of transparency Leggett has engaged in for this proposed project the past two years. County residents and civic organizations have opposed the Brickyard lease to the County since it was publicly disclosed on March 3, 2011. The County Executive’s backroom deal violates everything Montgomery County is supposed to stand for: open government, community involvement, transparency and respect for communities, neighborhoods and citizens.

Due to Berliner’s disclosure of the County Executive’s secret “commitment,” the Montgomery County community now knows that those secret actions were part of a still undisclosed deal with some as-yet undisclosed organization.

Revelation of the political deal regarding Brickyard raises many questions:

- With whom did the County Executive make this political deal?
- Why didn’t the County Executive disclose this deal to the public?
- What did the County Executive receive from the political deal?
- Should public school land be traded in a political deal to a private organization?

- Were any laws broken?

Residents at the meeting also accused Berliner of knowing about the county's intent to lease the Brickyard property in late September of 2010, well before the decision was made public. Representatives of the Brickyard Coalition cited an e-mail between David Dise, director of the Montgomery County Department of General Services, and Kassa Seyoum, capital projects manager, dated Sept. 30, 2010, which states: "I [David Dise] met with Roger Berliner this afternoon who asked that we postpone the Brickyard Road component until he has time to prep residents"

A fact sheet regarding the Brickyard matter is attached.

The Brickyard Coalition is an umbrella organization of civic groups and private citizens joined in opposition to the proposed secretly planned soccer complex in a quiet residential neighborhood. Participating organizations include the West Montgomery County Citizens Association (WMCCA); the Civic Association of River Falls (CARF); and the Brickyard Road Citizens' Association.

End

Brickyard Fact Sheet

- On March 23, 2009, the Board of Directors of Montgomery County Soccer, Inc. (MSI) approved the sum of \$350,000 for lobbyists and other professionals to facilitate the securing of land to be used for premium quality fields in private public partnership with local governments.¹
- MSI stated that “it should be viewed that this significant expenditure is in place of land acquisition costs, but at a fraction of the cost of what we would otherwise have to spend to secure land.”²
- On November 10, 2009, Ike Leggett, Montgomery County Executive, first secretly wrote to the BOE regarding leasing the Brickyard public property for ball fields.³
- On December 23, 2009, Patricia O’Neill, then President of BOE, secretly replied to Ike Leggett stating that staff meetings between BOE and the County had been scheduled to discuss the proposed Brickyard lease.⁴
- On January 31, 2010, Montgomery Soccer, Inc. (MSI) states they are “working closely with our professional consultant . . . on a public-private partnership proposal with the county government and MCPS”.⁵
- In March-April of 2010, MSI representatives secretly met with Ike Leggett. MSI states “positive discussions were conducted and points of contact were provided to help MSI continue to pursue future development opportunities.”⁶
- On May 12, 2010 Superintendent Weast sent a confidential memorandum to the BOE members, stating that agreement to lease the Brickyard public property to the County had been reached at a staff level and that “staff will proceed with drafting of a lease and staff is scheduled to discuss this matter during the BOE meeting on June 8, 2010, in closed session.”⁷
- On June 8, 2010, the BOE considers the proposed Brickyard lease in an illegal closed session.⁸

¹ MSI Board of Director minutes of March 23, 2009.

² MSI Board of Director minutes of March 23, 2009.

³ Letter of November 10, 2009, from Ike Leggett to Shirley Brandman, President of BOE.

⁴ Letter from Patricia O’Neill, President of BOE to Ike Leggett dated December 23, 2009.

⁵ MSI Board of Directors Meeting Minutes of January 31, 2010

⁶ MSI Executive Committee Minutes of April 13, 2010.

⁷ Weast confidential memorandum to the BOE members of May 12, 2010. This memorandum was not made public until June of 2011 after a Maryland Public Information Request.

⁸ See Open Meetings Compliance Board Opinion of June 27, 2011. The OMA Board has twice found the Board of Education to be in violation of the Open Meetings Act in regard to the Brickyard property.

- By June 15, 2010 MSI knew that a deal had been agreed to and stated they are “prepared to develop and submit a bid for soccer field development at GXS and Brickyard when RFP’s are requested by the County.”⁹ Yet, the public did not find out that the BOE intended to enter into a lease of the Brickyard Property with the County until March 3, 2011—nine months later.
- On March 8, 2011 the BOE voted¹⁰ to lease the property for private ball fields without a public hearing to determine the best use of the property, without competitive bidding, and without advertising the availability of the property.

⁹ MSI Executive Committee Minutes of June 15, 2010

¹⁰ Two board members voted against the proposed lease and a third voted to delay the vote and then voted in favor of the lease.