

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of:

Virtual Legislative Session 2021, Legislative Day No. 6

March 15, 2021 – 6:00 P.M.

The meeting was called to order by Chair Sarah Lacey at 6:00 P.M. Mr. Pruski gave the Invocation, and led the Pledge of Allegiance. The meeting was held remotely via Zoom Webinar, beginning with roll call of all present. The Auditor's Office was represented by the County Auditor, Susan Smith.

The following members of the County Council were present:

Sarah F. Lacey	First District
Allison Pickard	Second District
Andrew C. Pruski	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Jessica Haire	Seventh District

Nathan Volke, Third District, was absent.

OPEN MEETINGS ACT

Laura Corby, Administrative Officer, read aloud a statement from the County Attorney regarding the Open Meetings Act:

The Maryland Open Meetings Act is a state law that requires public meetings to be open to the public and to be "held in places reasonably accessible to individuals who would like to attend these meetings." In addition, provisions of the County Charter and the Rules of Procedure the County Council require meetings to be open to the public and held in Annapolis as the County seat.

The virtual format of this meeting of the County Council is due to the COVID-19 emergency and is necessary in light of the serious health risks associated with public gatherings, as well as the various Executive Orders issued by the Governor and the County Executive that limit public gatherings. While a virtual meeting of this type was not envisioned by the Open Meetings Act, steps have been taken to ensure that this virtual meeting includes alternate accessibility features that the Open Meetings Act Compliance Board and the Courts have reviewed and approved, such as having a call-in phone number that allows anyone with a telephone to call and listen to the meeting, broadcasting the meeting with video and audio on cable TV and on the Web, allowing written comments from the public be filed with the clerk and considered by the Council, and allowing the public to call in via Zoom and testify live. The public access provided by this technology makes this virtual meeting reasonably accessible to the public, as required by the Open Meetings Act.

In addition, and for all the of same reasons, it is not necessary to suspend the Rules of Procedure of the County Council that apply to public participation and reasonable seating for the

public or media or the location of Council meetings. These rules have been deemed satisfied and do not need to be waived in order for this virtual meeting to be held.

ETHICS STATEMENT

Laura Corby, Administrative Officer, read aloud the Ethics Statement:

The Ethics Commission has asked that I advise you that under certain circumstances, members of the public may qualify as lobbyists when they testify before the County Council. If so, the law requires that certain information be filed with the Ethics Commission. The Chair of the Ethics Commission has asked that those who wish to testify in any form review the General Information on Lobbying sheet located on the Ethics Web Site under Forms and Publications. If there are any questions about lobbying requirements, please contact the Ethics Commission at 410-222-4413.

INVITATION TO AUDIENCE

The Administrative Officer stated there was one submission of written public testimony received for Invitation to Audience, which was shared with the Council and posted on the County Council website.

There was no one registered to speak and the hearing was concluded.

ITEMS NOT ON THE AGENDA

Mr. Pruski offered condolences to the family of Bob Pascal, former County Executive.

PRELIMINARY MOTION

On motion of Ms. Pickard, seconded by Ms. Rodvien, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

APPROVAL OF MINUTES

On motion of Ms. Rodvien, seconded by Mr. Pruski the minutes of March 1, 2021, were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 27-21 – AN ORDINANCE concerning: Public Works – Permits for Use of County Rights-of-Way – Maintenance Permit and Inspection Fees – FOR the purpose of requiring that a utility be invoiced quarterly for right-of-way maintenance permit and inspection fees; providing that a utility be assessed a penalty on maintenance permit and inspection fees unpaid after 30 days; and generally relating to public works.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 28-21 – AN ORDINANCE concerning: Subdivision and Development – Community Meetings – FOR the purpose of requiring a developer to record the proceedings of a community meeting; requiring a developer to provide the a copy of recording to the Office of Planning and Zoning; requiring the Office of Planning and Zoning to post the recording on the County website for a certain time period; and generally relating to subdivision and development.
by Mr. Volke and Ms. Haire

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 20-21 – RESOLUTION confirming the reappointment of an Anne Arundel County resident to serve on the Spending Affordability Committee
by Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 21-21 – RESOLUTION expressing the need for land located in Severn, Maryland and owned by the Anne Arundel County Board of Education for the Severn Intergenerational Center
by Ms. Lacey, Chair, and Ms. Pickard, Ms. Lacey, Mr. Pruski, and Ms. Rodvien

RESOLUTION NO. 22-21 – RESOLUTION appointing Michelle E. Bohlayer as County Auditor
by Ms. Lacey, Ms. Pickard, Mr. Pruski, Ms. Rodvien, and Ms. Fiedler

SUSPENSION OF RULES

On motion of Ms. Pickard, seconded by Ms. Rodvien, the motion to hear and vote on Bill No. 16-21, out of order, was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey
Nay – None
Absent – Mr. Volke

On motion of Ms. Rodvien, seconded by Ms. Fiedler, the motion to vote on Resolution No. 21-21 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey
Nay – None
Absent – Mr. Volke

The Chairman stated Resolution Nos. 20-21 and 22-21 would also be voted on at the end of the meeting.

PUBLIC HEARINGS AND CALL OF BILLS FOR FINAL READING AND/OR VOTE

BILL NO. 16-21

The Chair called for Bill No. 16-21, An Ordinance concerning: Personnel – Positions in the Exempt Service – Police Department – For the purpose of increasing certain exempt positions

in the Police Department; and generally relating to personnel; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Chief Amal Awad, Anne Arundel County Police Department, Anne Budowski, Acting Personnel Officer, Jackie Atkinson, Assistant Personnel Officer, Pearlene Collins, Personnel Department, Steven Theroux, Budget Office, and Lori Blair Klasmeier, Deputy County Attorney, Office of Law.

Mr. Baron stated the bill increases the Police Major position and Police Chief of Staff position by one, and adds them to the exempt service. He stated the Administration supported the bill.

Police Chief Awad expressed her view of the positions as critical to achieving her goals. She stated there are positions in community leasing, crisis intervention, and communications.

Ms. Fielder asked who was doing the work of the Executive Assistant to the Chief.

Chief Awad stated that a Deputy Chief was assisting her, but she was doing most of the work herself.

Ms. Haire asked why the positions were being looked at now as opposed to during the budget season.

Mr. Baron stated this would allow the process to begin.

Ms. Budowski stated this would allow the Chief to bring personnel on sooner than the budget date of July 1st.

The Chair opened the public hearing on Bill No. 16-21.

The Administrative Officer stated there were no submissions of written public testimony received on Bill No. 16-21.

There was no one registered to speak and the hearing was concluded.

The Chair called Bill No. 16-21, An Ordinance concerning: Personnel – Positions in the Exempt Service – Police Department; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Chair called for Amendment No. 1 and the Administrative Officer read the description:

This amendment adds the position ‘Executive Assistant to the Chief of Police’ to the exempt pay and benefit plan and adds the title to the list of exempt positions; approves a decrease of one Administrative Secretary to Department/Agency Head position in the Police Department as part of the FY21 budget; and approves an increase of one Executive Assistant to the Chief of Police position as part of the FY21 budget.

Mr. Baron stated this is a corrective amendment.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 1 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

The Chairman stated that Bill No. 16-21, as amended, would be heard on April 5, 2021.

BILL NO. 11-21 (As Amended)

The Chair called for Bill No. 11-21, as amended, An Ordinance concerning: Planning and Zoning – General Development Plan – Plan2040 – For the purpose of repealing the 2009 General Development Plan and amendments; adopting “Plan2040”, the County’s General Development Plan, consisting of Volume I, which includes visions, themes, goals, policies, strategies, planned land use maps, and implementation plan, and Volume II, which includes supporting background information; making certain findings of fact and stating the legislative intent relative to the General Development Plan; amending a reference to a certain enhancement area; and generally relating to “Plan2040”, the County’s General Development Plan; and the Administrative Officer read the title.

The Chair reminded everyone that the public hearing on Bill No. 11-21 was closed during the March 1, 2021 meeting and that amendments would be the focus of the discussion.

Mr. Pruski stated he was withdrawing Amendment No. 10.

Pete Baron, Director, Government Affairs, was accompanied by Matthew Johnston, Environmental Policy Director, Lori Rhodes, Deputy Chief Administrative Officer for Land Use, Steven Kaii-Ziegler, Director, Office of Planning and Zoning, Cindy Carrier, Office of Planning and Zoning, Michael Stringer, Office of Planning and Zoning, Christina Pompa, Office of Planning and Zoning, Mark Wildonger, Office of Planning and Zoning, Patrick Hughes, Office of Planning and Zoning, Kathleen Koch, Arundel Community Development Services, Erica Matthews, Chief of Capital Projects, Recreation and Parks, Martha Arzu-McIntosh, Planner, Office of Transportation, Al Herb, Sanitary Engineer, Department of Health, Lori Blair Klasmeier, Deputy County Attorney, Office of Law, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron answered Ms. Fiedler’s question from the work session regarding the Bay Bridge, stating he was working on a written response to be sent the Council. He spoke on the staff recommendations and the LUCA discussion.

Ms. Carrier gave more information on the staff recommendations and land use.

Ms. Lacey asked if there was a date when the needed information would be ready.

Mr. Baron stated within the week.

The Chair called Bill No. 11-21, as amended, An Ordinance concerning Planning and Zoning – General Development Plan – Plan2040; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Chair called for Amendment No. 1 and the Administrative Officer read the description:

This amendment changes the “targeted start date” for the second set of Region Plans to December 2022.

Ms. Lacey, Co-Sponsor, stated the Council should be available for the second set of plans.

The Administration supported the amendment.

Ms. Haire expressed her concern on moving the target date to December.

Ms. Lacey stated that there was no guarantee on what the schedule would be.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 1 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – Ms. Haire

Absent – Mr. Volke

Amendment No. 2

The Chair called for Amendment No.2 and the Administrative Officer read the description:

This amendment sets the Region Plan schedule as follows: the first set will be Regions 2, 4, and 7, the second set will be Regions 1, 3, and 9, and the third set will be Regions 5, 6, and 8.

Mr. Pruski, Co-Sponsor, stated the Council decides the order of the Regions for the plans and explained the reasoning behind the recommended order.

The Administration supported the amendment.

Ms. Haire asked how Planning and Zoning came up with the recommended alternative operating regions.

Ms. Pompa stated the order was derived from the perception of growth pressure.

Ms. Haire asked for the reasoning as to why the Route 3 corridor was placed at the end of the list of regions.

Mr. Pruski stated the Route 3 corrections would take three to five years to be completed.

Ms. Haire expressed the constituents concern for waiting.

Mr. Pruski stated the GDP does not stop development.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 2 was adopted by the following roll call vote:

Aye – Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – Ms. Fiedler

Absent – Mr. Volke

Amendment No. 3

The Chair called for Amendment No. 3 and the Administrative Officer read the description:

This amendment clarifies that the listed uses are anticipated uses for Plan2040 Planned Land Use Designations.

Ms. Haire, Sponsor, stated there were questions from constituents regarding Table 17, page 116, Volume 2, and this amendment would clarify the list.

The Administration supported the amendment.

Ms. Pompa agreed with the Administration.

On motion of Ms. Rodvien, seconded by Ms. Pickard, Amendment No. 3 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

Amendment No. 4

The Chair called for Amendment No. 4 and the Administrative Officer read the description:

This amendment adds language to Implementation Strategy “d.” for Goal HC8 and Policy HC8.1, under “Planning for Healthy Communities”, to include parks and points of interest; and adds language to require that certain types of trails in the southern half of the County be included in a comprehensive Countywide Trails Plan.

Ms. Haire, Sponsor, explained the trails located in Anne Arundel County and expressed the need for a plan of the southern area of the County.

The Administration supported the amendment.

On motion of Ms. Haire, seconded by Ms. Pickard, Amendment No. 4 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

Amendment No. 5

The Chair called for Amendment No. 5 and the Administrative Officer read the description:

This amendment adjusts the Land Use Classification for Application Number PDR-3 associated with a property located at 1024 Carrs Wharf Road; and revises the applicable land use charts and maps contained Plan2040 accordingly.

Ms. Haire, Sponsor, explained the current land use designation for this property was split, and this amendment would change the boundaries.

The Administration supported the amendment.

Ms. Pompa stated Planning and Zoning supported the amendment.

Ms. Lacey asked for clarification of the boundaries marked on the map.

Ms. Pompa explained the removal and addition of the lines on the map.

On motion of Ms. Haire, seconded by Ms. Pickard, Amendment No. 5 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

Amendment No. 6

The Chair called for Amendment No. 6 and the Administrative Officer read the description:

This amendment adds a paragraph describing the “Sustainable Community Action Plans” to the Commercial Revitalization section of the Planning for the Built Environment chapter of Plan2040.

Ms. Pickard, Sponsor, stated the amendment adds language for commercial revitalization areas and sustainable communities.

The Administration supported the amendment.

Mr. Hughes stated Planning and Zoning supported the amendment.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 6 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

Amendment No. 7

The Chair called for Amendment No. 7 and the Administrative Officer read the description:

This amendment updates the description of the Implementation Plan for the Goals and Policies of Plan2040 to include an a more detailed explanation of how implementation will occur, including the role of the County Council; and makes several technical edits to clarify certain parts of the Implementation Plan of Plan2040.

Ms. Pickard, Sponsor, stated the amendment adds language and clarification to the implementation plan and goals to provide details on how implementation will occur, which included the Council’s roles.

The Administration supported the amendment.

The Office of Planning and Zoning supported the amendment.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 7 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

Amendment No. 8

The Chair called for Amendment No. 8 and the Administrative Officer read the description:

This amendment adds “the development of a comprehensive resource guide” to an implementation strategy for increasing opportunities for business innovation and entrepreneurship.

Ms. Pickard, Sponsor, explained the amendment.

The Administration supported the amendment.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 8 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

Amendment No. 9

The Chair called for Amendment No. 9 and the Administrative Officer read the description:

This amendment adds Critical Corridors along certain areas of Veterans Highway and Hospital Drive to “Development Policy Areas” maps in the Plan.

Ms. Pickard, Sponsor, stated the amendment adds the area along Veterans Highway and Hospital Drive to the Critical Corridors. She expressed the need for sidewalks in that area.

The Administration supported the amendment. Mr. Baron stated this amendment adds the area along North Benfield and Veterans Highway.

Mr. Hughes explained the zoning and locations of the desired updates.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 9 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey
Nay – None
Absent – Mr. Volke

Amendment No. 10 was withdrawn.

The Chairman stated that Bill No. 11-21, as amended, would be heard on April 5, 2021.

BILL NO. 14-21 (As Amended)

The Chair called for Bill No. 14-21, as amended, An Ordinance concerning: Zoning and Construction Code – Setbacks and Permits for Certain Accessory Structures – For the purpose of decreasing the minimum setback from front lot lines for accessory structures other than certain sized sheds in R5 residential districts; increasing the allowable size of residential one-story detached accessory structures used as tool and storage sheds, playhouses, or similar uses that are exempt from the permit requirements of the Construction Code; and generally relating to zoning and construction and property maintenance codes; and the Administrative Officer read the title.

Mr. Pruski, Co-Sponsor, stated this bill fine tunes the construction and property maintenance codes regarding permits.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Assistant Planning and Zoning Officer, Kelly Kenney, Senior Assistant County Attorney, Office of Law, Nabeel Waseem, Inspections and Permits, and Greg Africa, Director, Inspections and Permits.

The Administration supported the bill.

The Chair opened the public hearing on Bill No. 14-21, as amended.

The Administrative Officer stated there were no submissions of written public testimony received on Bill No. 14-21, as amended.

There was no one registered to speak and the hearing was concluded.

The Chair called Bill No. 14-21, as amended, An Ordinance concerning: Zoning and Construction Code – Setbacks and Permits for Certain Accessory Structures; and the Administrative Officer read a portion of the title.

Bill No. 14-21, as amended, was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey
Nay – None
Absent – Mr. Volke

BILL NO. 17-21

The Chair called for Bill No. 17-21, An Ordinance concerning: Personnel – Positions in the Classified Service – Job Classifications – Position Control – Fire Department – For the purpose of adding certain fire communications operator positions to the classified service; providing for the pay and minimum qualifications applicable to the job classifications being added to the classified service; decreasing certain positions in the classified service; increasing certain positions in the classified service; and generally relating to personnel; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Deputy Fire Chief Ross Dinkle, Anne Budowski, Assistant Personnel Officer, Jackie Atkinson, Assistant Personnel Officer, Pearlene Collins, Personnel, Steven Theroux, Budget Office, and Lori Blair Klasmeier, Deputy County Attorney, Office of Law.

Mr. Baron stated the bill changes the title for Fire Communication Operating to Fire Communicator Operator I, and creates two new positions.

Ms. Fiedler asked for clarification on the overall number of positions.

Deputy Chief Dinkle stated the number of staff would not change, it would allow movement within the department.

The Chair opened the public hearing on Bill No. 14-21.

The Administrative Officer stated there were no submissions of written public testimony received on Bill No. 14-21.

There was no one registered to speak and the hearing was concluded.

Amendment No. 1

The Chair called for Amendment No. 1 and the Administrative Officer read the description:

This amendment correctly identifies the number of Fire Communications Operator positions approved as a part of the FY21 budget that are being decreased and the number of corresponding Fire Communications Operator I positions being increased.

Mr. Baron stated the bill noted the incorrect number of positions, and this amendment corrects that.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 1 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

The Chairman stated that Bill No. 17-21, as amended, would be heard on April 5, 2021.

RECESS

On motion of Ms. Pickard, seconded by Mr. Pruski, the Council vote to recess at 7:31 P.M.

RECONVENE

The Council reconvened at 7:45 P.M. with all Councilmembers except for Mr. Volke present.

BILL NO. 18-21

The Chair called for Bill No. 18-21, An Ordinance concerning: Budget – Departmental Personnel Summaries – Reclassification of Positions – For the purpose of modifying contents of departmental personnel summaries in the proposed current expense budget to allow reclassification of job classifications in the current expense budget under certain circumstances; and generally relating to the budget; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Anne Budowski, Assistant Personnel Officer, Jackie Atkinson, Assistant Personnel Officer, Pearlene Collins, Personnel, Steven Theroux, Budget Office, and Lori Blair Klasmeier, Deputy County Attorney, Office of Law.

Mr. Baron stated the changes included in the bill will not reclassify employees, but would reclassify the position. He stated the employees that were currently in a position that was reclassified through the budget, would serve as an under-fill role. Reclassification of filled positions would be notated in the Budget.

The Chair opened the public hearing on Bill No. 18-21.

The Administrative Officer stated there were no submissions of written public testimony received on Bill No. 18-21.

There was no one registered to speak and the hearing was concluded.

Bill No. 18-21 was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

BILL NO. 19-21

The Chair called for Bill No. 19-21, An Ordinance concerning: Crimes, Civil Offenses, and Fines – Crimes – Littering – For the purpose of adding a definition of “litter”; prohibiting littering; establishing sanctions for violations; and generally relating to crimes, civil offenses, and fines; and the Administrative Officer read the title.

Ms. Fielder, Co-Sponsor, stated the bill defines, prohibits, and establishes a civil fine for littering. She stated an officer or a witness would have to see a purposeful offence, and be willing to take action or testify to the action. She stated this would not hold a business or personal owner responsible for the crime.

Pete Baron, Director, Government Affairs, was accompanied by Major Ross Passman, Anne Arundel County Police Department, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

The Administration supported the bill.

The Chair opened the public hearing on Bill No. 19-21.

The Administrative Officer stated there were no submissions of written public testimony received on Bill No. 19-21.

There was no one registered to speak and the hearing was concluded.

Ms. Lacey asked if there would be a need for additional resources to cover this bill.

Major Passman stated more resources were not needed.

The Chair called Bill No. 19-21, An Ordinance concerning: Crimes, Civil Offenses, and Fines – Crimes – Littering; and the Administrative Officer read a portion of the title.

Bill No. 19-21 was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

BILL NO. 20-21

The Chair called for Bill No. 20-21, An Ordinance concerning: Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Forest Conservation – For the purpose of amending the definition of “standard grading plan”; requiring approval to clear a specific number of trees or area of forest if the clearing includes certain sensitive areas, plants, shrubs, or trees, or habitats; requiring replanting or payment of a fee-in-lieu of replanting when an approved standard grading plan allows for the clearing of certain trees; establishing civil fines for certain clearing violations; adding penalties for violations of erosion and sediment control and stormwater management provisions; adding penalties for clearing violations that occur during development; and generally relating to floodplain management, erosion and sediment control, and stormwater management and subdivision and development; and the Administrative Officer read the title.

Ms. Rodvien, Sponsor, stated the bill intends to close the loop hole found in the Forest Conservation Action. She stated that if an application was not submitted, then the requirements of the act do not apply. She shared some instances that have shown up in the county.

Pete Baron, Director, Government Affairs, was accompanied by Matthew Johnston, Environmental Policy Director, Greg Africa, Director, Inspection and Permits, Raghu Badami, Inspection and Permits, Erik Michelsen, Department of Public Works, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron explained how the loop hole has been used and how it effects the county.

Mr. Johnston thanked the sponsor.

The Chair opened the public hearing on Bill No. 20-21.

The Administrative Officer stated there were two submissions of written public testimony received on Bill No. 20-21 which were shared with the Council and posted on the County Council website.

The following registered speaker addressed Bill No. 20-21:

Ben Alexandra, Annapolis

There was no one else registered to speak and the hearing was concluded.

Amendment No. 1

The Chair called for Amendment No. 1 and the Administrative Officer read the description:

This amendment removes certain types of plants, shrubs or trees from the list of areas that require approval for clearing.

Ms. Rodvien, Sponsor, stated the amendment simplifies the bill by removing Numbers 2, 3, and 4 from Section 16-3-201, subsection A4.

The Administration supported the amendment.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 1 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

Amendment No. 2

The Chair called for Amendment No. 2 and the Administrative Officer read the description:

This amendment makes clearing three trees or more a violation if the canopy coverage of the trees is 2,500 square feet or more.

Ms. Rodvien, Sponsor, stated the amendment raises the number of trees if the coverage is more than 1,600 square feet.

The Administration supported the amendments.

Mr. Johnston stated the state definition of forests was 400 square feet, and after speaking with constituents, there was a need to increase the size.

Ms. Rodvien thanked Ms. Kenney for her help.

Ms. Lacey explained her reasoning to not support the amendment.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 2 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski

Nay – Ms. Lacey

Absent – Mr. Volke

Amendment No. 3

The Chair called for Amendment No. 3 and the Administrative Officer read the description:

This amendment requires that the factors to consider in assessing fines for critical area violations listed in § 16-5-105(b)(4) shall be considered in determining the amount of fines assessed for forest clearing violations.

Ms. Rodvien, Sponsor, stated the amendment gives the discretion for assessing the fines, and she explained the discretions.

The Administration supported the amendment.

Mr. Johnston stated the language reflected the approach already being taken by different departments.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 3 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey
Nay – None
Absent – Mr. Volke

The Chairman stated that Bill No. 20-21, as amended, would be heard on April 5, 2021.

BILL NO. 21-21

The Chair called for Bill No. 21-21, An Ordinance concerning: Zoning – Landscaping and Tree Contracting with Accessory Recycling of Logs into Firewood – For the purpose of allowing “landscaping and tree contracting with accessory recycling of logs into firewood” as a special exception use in RA residential districts; adding the special exception use requirements for “landscaping and tree contracting with accessory recycling of logs into firewood”; and generally relating to zoning; and the Administrative Officer read the title.

Ms. Haire, Sponsor, explained that under existing County Code, a landscaping business could cut or prune a tree, but could not cut the tree into firewood to sell to the owner or others. Right now the businesses must take the tree to be recycled into logs or take it to the landfill. She explained the conditions needed to make it possible for the business to recycle the logs into firewood itself.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Assistant Planning and Zoning Officer, Steven Kaii-Ziegler, Director, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron thanked all who were involved in the bill and stated the Administration supported the bill.

Ms. Rodvien thanked Ms. Haire for finding a solution to this issue.

Ms. Haire asked if the County has means to enforce the control of the decibel level.

Ms. Miller affirmed.

The Chair opened the public hearing on Bill No. 21-21.

The Administrative Officer stated there were four submissions of written public testimony received on Bill No. 21-21 which were shared with the Council and posted on the County Council website.

There was no one registered to speak and the hearing was concluded.

The Chair called Bill No. 21-21, An Ordinance concerning: Zoning – Landscaping and Tree Contracting with Accessory Recycling of Logs into Firewood; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Chair called for Amendment No. 1 and the Administrative Officer read the description:

This amendment amends one of the requirements for “landscaping and tree contracting with accessory recycling of logs into firewood” as special exception use to require compliance with the hours of operation for “landscaping and tree contracting”.

Ms. Haire stated the amendment adds the needed verbiage for the hours of operation.

On motion of Ms. Haire, seconded by Mr. Pruski, Amendment No. 1 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

The Chairman stated that Bill No. 21-21, as amended, would be heard on April 5, 2021.

RESOLUTION NO. 17-21

The Chair called for Resolution No. 17-21, Resolution endorsing financial assistance from the Maryland Economic Development Assistance Fund to L3 Technologies, Inc.; and generally relating to zoning; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Ben Birge, Chief Administrative Officer, Sarah Horta, AAEDC, Wes MacQuilliam, AAEDC, and Lori Blair Klasmeier, Deputy County Attorney, Office of Law.

Mr. Baron stated L3 Harris Technologies, Inc. requested \$300,000 in funding with a 10% matching requirement, which AAEDC would need to process. He stated that L3 Harris planned to renovate a facility in Council District 4 and lease a new facility in Council District 1, with a total investment from the company of \$3 million. It will add 90 new, permanent, full time employees by December of 2023.

Mr. Birge stated the 90 positions were a 70% increase in employment.

The Chair opened the public hearing on Resolution No. 17-21.

The Administrative Officer stated there were no submissions of written public testimony received on Resolution No. 17-21.

There was no one registered to speak and the hearing was concluded.

The Chair called Resolution No. 17-21, Resolution endorsing financial assistance from the Maryland Economic Development Assistance Fund to L3 Technologies, Inc.; and the Administrative Officer read a portion of the title.

Resolution No. 17-21 was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

RESOLUTION NO. 18-21

The Chair called for Resolution No. 18-21, Resolution supporting the goals and recommendations of the Joint Initiative to Eliminate the Opportunity Gap Committee; and the Administrative Officer read the title.

Ms. Pickard, Co-Sponsor, stated the Committee asked for a resolution of support.

Pete Baron, Director, Government Affairs, was accompanied by Jennifer Purcell, Joint Initiative to Eliminate the Opportunity Gap Committee, Pamela Brown, Joint Initiative to Eliminate the Opportunity Gap Committee, and Lori Blair Klasmeier, Deputy County Attorney, Office of Law.

Mr. Baron stated Ms. Brown spoke at the February 9th work session. He stated the Administration supported the resolution.

Ms. Purcell explained the updates that occurred since the work session.

Ms. Pickard explained the Committee's involvement in the school system.

The Chair opened the public hearing on Resolution No. 18-21.

The Administrative Officer stated there was one submission of written public testimony received on Resolution No. 18-21 which was shared with the Council and posted on the County Council website.

There was no one registered to speak and the hearing was concluded.

The Chair called Resolution No. 18-21, Resolution supporting the goals and recommendations of the Joint Initiative to Eliminate the Opportunity Gap Committee; and the Administrative Officer read a portion of the title.

Resolution No. 18-21 was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

RESOLUTION NO. 19-21

The Chair called for Resolution No. 19-21, Resolution supporting the development of a statewide comprehensive plan to divert food residuals from landfills; and the Administrative Officer read the title.

Mr. Pruski, Co-Sponsor, expressed the need to take action and shared some facts on facilities and constituents that do composting.

Pete Baron, Director, Government Affairs, was accompanied by Matthew Johnston, Environmental Policy Director, Christopher Phipps, Director, Department of Public Works, and Lori Blair Klasmeier, Deputy County Attorney, Office of Law.

Mr. Baron stated the abundance of food residuals was a hard issue to solve. He stated the County runs a small food and scrap program, but the County would not be able to afford a larger scale version.

Ms. Lacey asked if other areas that use composting had found a decrease in recycling.

Mr. Johnston stated that other states had successfully used a private market.

Mr. Phipps stated food should not be placed in recycling bins, and the department had not kept data on this.

Ms. Fiedler asked about the accessibility of the compost bins in the County.

Mr. Phipps stated backyard composting kits were provided through Waste Management Services to waste customers.

Mr. Pruski explained the information found on the County website.

Ms. Pickard expressed her thanks for the resolution.

The Chair opened the public hearing on Resolution No. 19-21.

The Administrative Officer stated there were no submissions of written public testimony received on Resolution No. 19-21.

There was no one registered to speak and the hearing was concluded.

The Chair call Resolution No. 19-21, Resolution supporting the development of a statewide comprehensive plan to divert food residuals from landfills; and the Administrative Officer read a portion of the title.

Resolution No. 19-21 was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

RESOLUTION NO. 20-21

The Chair called for Resolution No. 20-21, Resolution confirming the reappointment of an Anne Arundel County resident to serve on the Spending Affordability Committee; and the Administrative Officer read the title.

Mr. Baron stated this resolution reappoints Ejaz Younas to the SAC.

The Chair called Resolution No. 20-21, Resolution confirming the reappointment of an Anne Arundel County resident to serve on the Spending Affordability Committee; and the Administrative Officer read a portion of the title.

Resolution No. 20-21 was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – None

Absent – Mr. Volke

RESOLUTION NO. 21-21

The Chair called for Resolution No. 21-21, Resolution expressing the need for land located in Severn, Maryland and owned by the Anne Arundel County Board of Education for the Severn Intergenerational Center; and the Administrative Officer read the title.

Ms. Lacey, Sponsor, stated this resolution is a necessary step to complete the community center.

Pete Baron, Director, Government Affairs, was accompanied by Kathy Koch, Arundel Community Development Services, Alex Szachnowicz, Chief Operating Officer, Anne Arundel County Public Schools, and Greg Swain, County Attorney.

Mr. Baron stated this would be the first community center built in the County in a long time.

The Chair called Resolution No. 21-21, Resolution expressing the need for land located in Severn, Maryland and owned by the Anne Arundel County Board of Education for the Severn Intergenerational Center; and the Administrative Officer read a portion of the title.

Resolution No. 21-21 was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey
Nay – None
Absent – Mr. Volke

RESOLUTION NO. 22-21

The Chair called for Resolution No. 22-21, Resolution appointing Michelle E. Bohlayer as County Auditor; and the Administrative Officer read the title.

Ms. Lacey, Co-Sponsor, stated Susan Smith would be retiring on April 1, 2021 and would like to have Ms. Bohlayer appointed in her place. She thanked Ms. Smith for her work in the County.

Mr. Pruski expressed his thanks to Ms. Smith.

Ms. Smith thanked the Council and her staff for all their work.

The Chair called Resolution No. 22-21, Resolution appointing Michelle E. Bohlayer as County Auditor; and the Administrative Officer read a portion of the title.

Resolution No. 22-21 was passed by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey
Nay – None
Absent – Mr. Volke

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Ms. Haire, the meeting adjourned at 8:56 P.M.

The Chair stated that the next regular Council meeting will be held on Monday, April 5, 2021, and reminded everyone that a special work session will be held on April 1, 2021.

Respectfully submitted,

/s/ Anna Macaulay

by Anna Macaulay

/s/ Laura Corby

for Laura Corby
Administrative Officer