



AGENDA
COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Virtual County Council Meeting
Legislative Session 2021, Legislative Day No. 11
May 17, 2021 – 6:00 P.M.

- A. Invocation
- B. Pledge of Allegiance
- C. Open Meetings Act Statement
- D. Ethics Statement
- E. Invitation to Audience
- F. Announcement of Items not Appearing on Agenda
- G. Preliminary Motion
- H. Approval of Minutes

April 19, 2021 – Legislative Day No. 8
May 3, 2021 – Legislative Day No. 9

- I. Introduction of Bills

BILL NO. 51-21 – AN ORDINANCE concerning: Crofton Special Community Benefit District – Approval of Loan and Assignment Agreement – FOR the purpose of obligating the County to levy the special tax known as the special community benefit assessment on the Crofton Special Community Benefit District in an amount sufficient to repay a loan from Severn Bank to the Crofton Civic Association, Inc., in each of fifteen (15) fiscal years during the term of the loan.
by Ms. Lacey, Chair
(by request of the County Executive)

BILL NO. 52-21– AN EMERGENCY ORDINANCE concerning: Current Expense Budget – Fourth Quarter Fund Transfer and Supplementary Appropriations – FOR the purpose of transferring appropriations of funds between certain offices, departments, institutions, boards, commissions or other agencies in the general fund; making supplementary appropriations from unanticipated revenues to certain offices, departments, institutions, boards, commissions or other agencies in the general fund and to certain special funds of the County government for the current fiscal year; making this Ordinance an emergency measure; and generally relating to transferring appropriations of funds and making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2021.

by Ms. Lacey, Chair
(by request of the County Executive)

BILL NO. 53-21– AN EMERGENCY ORDINANCE concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfers of Funds – FOR the purpose of transferring appropriations of funds between certain offices, departments, institutions, boards, commissions or other agencies in the general fund; making supplementary appropriations from unanticipated revenues to the Local Education Fund for the current fiscal year; making this Ordinance an emergency measure; and generally relating to transferring appropriations of funds and supplementary appropriations to the current expense budget for the fiscal year ending June 30, 2021.

by Ms. Lacey, Chair
(by request of the County Executive)

BILL 54-21 – AN ORDINANCE concerning: Finance, Taxation, and Budget – Community Benefit Program – Grants for Councilmanic Districts – FOR the purpose of adding all Councilmanic districts as eligible for grants under the community benefit program; establishing grants to be approved by individual Councilmembers and funded by the County Executive’s budget under certain circumstances; and generally relating to finance, taxation, and budget.

by Mr. Volke

J. Introduction of Resolutions

RESOLUTION NO. 27-21 – RESOLUTION confirming the appointment of a member to serve on the Personnel Board for Anne Arundel County

by Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 28-21 – RESOLUTION approving the appointment of a Severn River Commission member

by Ms. Lacey, Chair
(by request of the County Executive)

K. Public Hearings and Call of Bills and Resolutions for Final Reading and/or Vote

CONSTANT YIELD TAX RATE

BILL NO. 28-21 (As Amended) – 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, Ms. Haire, and Ms. Fiedler

BILL NO. 31-21 (Amendments Proposed) – AN ORDINANCE concerning: Boards, Commissions, and Similar Bodies – FOR the purpose of establishing the “Resilience Authority of Annapolis and Anne Arundel County”; defining certain terms; providing for articles of incorporation and amendment of articles of incorporation for the Resilience Authority; reserving certain authority of the County and the City with respect to the Resilience Authority; providing for the composition, term, and removal of members, meeting standards, and reimbursement of expenses of members; providing the qualifications, duties, compensation, and appointment of the Resilience Authority Director and Chief Financial Officer; establishing the powers of the Resilience Authority; providing for the issuance of bonds by the Resilience Authority; requiring annual reports by the Resilience Authority; approving proposed Articles of Incorporation for the Resilience Authority of Annapolis and Anne Arundel County; providing for a delayed effective date; making this Ordinance subject to a certain contingency; and generally relating to Boards, Commissions, and Similar Bodies.
by Ms. Lacey, Chair
(by request of the County Executive)

BILL 50-21 – AN EMERGENCY ORDINANCE concerning: Proclamation of Civil Emergency in Anne Arundel County – Termination – FOR the purpose of amending the termination date established by Bill No. 24-20 and making this Ordinance an emergency measure.
by Mr. Volke

RESOLUTION NO. 24-21 (Hearing Concluded) (Eligible for Vote) – RESOLUTION opposing the Baltimore-Washington Superconducting Maglev Project
by Ms. Lacey

L. Other Business

M. Adjournment

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You may call and listen to the May 17, 2021 Council meeting by dialing any one of the following telephone numbers and entering the appropriate ID and passcode when prompted:

Dial any one of the following telephone numbers:

+1 301 715 8592
+1 470 381 2552
+1 470 250 9358
+1 669 900 6833
+1 669 219 2599
888 475 4499 (Toll Free)
833 548 0276 (Toll Free)

ID and passcode for the meeting:

ID: 892 8047 3859
Passcode: 55679387

For more details on all the ways to participate, watch, or listen please visit <https://www.aacounty.org/services-and-programs/county-council-virtual-meetings>



**ANNE ARUNDEL COUNTY
OFFICE OF THE COUNTY AUDITOR**

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: May 12, 2021
Subject: Auditor Review of Legislation for the May 17, 2021 Council Meeting

**Bill 28-21:
Subdivision and
Development –
Community Meetings –
Recordings (As Amended)**

Summary of Legislation

This bill requires the developer of a subdivision to record the proceedings of each community meeting and provide a copy of the recording to the Office of Planning and Zoning (OPZ). Additionally, this bill requires OPZ to post the recording of the meeting to the County's webpage for at least 90 days.

We commented on this bill in our letters dated April 14, 2021 and April 28, 2021. At the May 3, 2021 Council meeting, this bill was amended to clarify that a developer may record the proceedings of a community meeting by audio or audio-visual means. We have no further comments on this bill.

**Bill 31-21:
Boards, Commissions, and
Similar Bodies – Resilience
Authority of Annapolis
and Anne Arundel County**

Summary of Legislation

This bill establishes the Resilience Authority of Annapolis and Anne Arundel County to undertake and support resilience infrastructure projects in Anne Arundel County and the City of Annapolis (City).

Items to Note: The Administration intends to bring forth amendments for the following:

- Adding grandchildren to the membership restrictions in §§ 3-8A-103(a) and 3-8A-107(c);
- Specifying that the annual report required in § 3-8A-113(a) must include annual audited financial statements; and
- Adding language to allow examination of books and accounts by the County Attorney, Controller, County Auditor, and City Manager.

These amendments would be consistent with other similar bodies, such as the Tipton Airport, and they will assist the County and City in its proper oversight responsibilities of the Resilience Authority.

Bill 31-21(continued)**Review of Fiscal Impact**

We agree with the information presented in the fiscal note. The fiscal year 2022 proposed budget includes \$500,000 in funding for the Resilience Authority in the department budget for the Chief Administrative Officer. This funding will be used for one year of the Executive Director's salary and benefits (estimated to be \$200,000 - \$250,000), a support staff position, and other expenses, such as office supplies and contractual support.

**Bill 50-21:
Proclamation of Civil
Emergency in Anne
Arundel County –
Termination****Summary of Legislation**

This bill amends the termination date of the Proclamation of Civil Emergency by the County Executive established by Bill 24-20 to 48 hours after the effective date of this bill 50-21 as an emergency ordinance.

The Executive Orders (EO) related to the state of emergency currently in effect are:

- EO #30 – Prohibiting Termination of Certain Residential Utility Service,
- EO #44 – Postponing Tax Sale for Certain Fiscal Year 2021 Taxes and Charges, and
- EO #46 – Terminating Prior Executive Orders and Eliminating Restrictions Related to Covid-19.

EO #46 includes provisions that the “Criteria for Reopening Restaurants and Social Clubs as a Temporary Use,” which allows outdoor seating areas for restaurants as a temporary use, shall remain in effect for the duration of the local emergency proclamation.

Review of Fiscal Impact

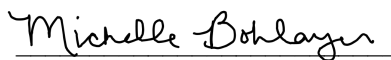
The fiscal impact of this bill on restrictions or allowances related to this state of emergency is not readily determined.

**Resolution 24-21:
Opposing the Baltimore-
Washington
Superconducting Maglev
Project****Summary of Legislation**

This resolution opposes the Baltimore-Washington Maglev Project and urges the Federal Railroad Administration and the Maryland Department of Transportation to better address all alternatives to reduce or eliminate potential negative impacts.

We commented on this bill in our letter dated April 14, 2021. At the April 19, 2021 Council meeting, this bill was held until the May 17, 2021 meeting. We have no further comments on this bill.

Sincerely,


Michelle Bohlayer, CPA
County Auditor

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of

Virtual Legislative Session 2021, Legislative Day No. 8

April 19, 2021 – 6:00 P.M.

The meeting was called to order by Chair Sarah Lacey at 6:00 P.M. Ms. Rodvien 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 following members of the County Council were present:

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

The Auditor's Office was represented by the County Auditor, Michelle Bohlayer, Linda Schuett, Legislative Counsel, was also present.

OPEN MEETINGS ACT

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

ETHICS STATEMENT

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

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

There were no items on the agenda presented.

PRELIMINARY MOTION

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

INTRODUCTION OF BILL

BILL NO. 31-21 – AN ORDINANCE concerning: Board, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County – FOR the purpose of establishing the “Resilience Authority of Annapolis and Anne Arundel County”; defining certain terms; providing for articles of incorporation and amendment of articles of incorporation for the Resilience Authority; reserving certain authority of the County and the City with respect to the Resilience Authority; providing for the composition, term, and removal of members, meeting standards, and reimbursement of expenses of members; providing the qualifications, duties, compensation, and appointment of the Resilience Authority Director and Chief Financial Officer; establishing the powers of the Resilience Authority; providing for the issuance of bonds by the Resilience Authority; requiring annual reports by the Resilience Authority; approving proposed Articles of Incorporation for the Resilience Authority of Annapolis and Anne Arundel County; providing for a delayed effective date; making this Ordinance subject to a certain contingency; and generally relating to Board, Commissions, and Similar Bodies.

by Ms. Lacey, Chair

(by request of the County Executive)

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

BILL NO. 11-21 (As Amended)

The Chair called for the public hearing on 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; renaming “small area plans” to be “region plans”; amending the composition of the planning committees; adding a requirement that the County Executive’s appointments to planning committees be approved by resolution of the County Council; providing that any land use map changes adopted during the region plan process shall be shown in a map, include a description of how the changes are consistent with the goals and policies of the General Development Plan, and be considered amendments to the current General Development Plan; and generally relating to “Plan2040”, the County’s General Development Plan; and the Administrative Officer read the title.

Pete Baron, Director of Government Affairs, was accompanied by Lori Rhodes, Deputy Chief Administrative Officer of Land Use; Matthew Johnston, Environmental Policy Director; Steve Kaii-Ziegler, Planning and Zoning Officer, and his staff, Cindy Carrier, Michael Stringer, Christina Pompa, Mark Wildonger, and Patrick Hughes; Kathleen Koch, Executive Director, Arundel Community Development Services, Inc.; Chris Phipps, Director, Department of Public Works; Erica Matthews, Chief of Planning and Construction, Department of Recreation and Parks; Ramond Robinson, Transportation Officer, and Martha Arzu-McIntosh, Senior Planner, Office of Transportation; Al Herb, Department of Health; and Greg Swain, County Attorney, Lori Blair Klasmeier, Deputy County Attorney, and Kelly Kenny, Supervising County Attorney.

Mr. Baron thanked the Councilmembers, members of the Administration, Office of Planning & Zoning and other departments and agencies for the hard work that was put into this plan. He said that there would be amendments introduced at the appropriate time.

Mr. Pruski stated to the public that this is not the end of the process. This plan2040 is a guide. When the County goes through the region process is when things change such as comprehensive rezoning.

The Chair opened the public hearing on Bill No. 11-21, as amended.

The Administrative Officer stated there were sixty four submissions of written public testimony received on Bill No. 11-21, as amended, through the online testimony tool, and one letter that was in the drop box, which were shared with the Council and posted on the County Council website.

The following registered speakers addressed Bill No. 11-21, as amended:

Ana Henry, Annapolis
John Pantelides, Annapolis
Mike Werner, Millersville
Challis Pulliam, Pasadena
Gregory Pantelides, Annapolis
Tony Pierra, Annapolis
Sager Williams, Annapolis
Joseph Devlin, Annapolis
Gary Mauler, Jessup
Walter Reiter, Severna Park
Paul Arcand, Pasadena
Jim Lyons, Edgewater
Benjamin Wechsler, Annapolis
Francis Spadaro, Severna Park
Matt Minahan, Edgewater
Kyle Pullen, Severn
Jesse Iliff, Annapolis
Lisa Arrasmith, Hanover
Chip Walsh, Gambrills
Wayne Berwager, Crownsville

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

The Chairman 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.

(A copy of the following amendments to Bill No. 11-21, as amended, are attached to these minutes.)

Amendment No. 56

The Chair called for Amendment No. 56, and Administrative Officer read the description.

Lori Rhodes, Deputy Chief Administrative Officer, Planning & Zoning, Land Use, explained what region planning is and what the Administration is trying to accomplish with this amendment.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 56 was adopted by the following roll call vote:

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

Amendment No. 57

The Chair called for Amendment No. 57, and the Administrative Officer read the description.

Ms. Pickard, Sponsor, explained Amendment No. 57.

Mr. Baron stated the Administration supports Amendment No. 57.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 57 was adopted by the following roll call vote:

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

Amendment No. 58

The Chair called for Amendment No. 58, and the Administrative Officer read the description.

Ms. Fiedler, Sponsor, explained Amendment No. 58.

Mr. Baron stated the Administration supports Amendment No. 58.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 58 was adopted by the following roll call vote:

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

Amendment No. 59

The Chair called for Amendment No. 59, and the Administrative Officer read the description.

There were no further comments from the Sponsors or the Administration.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 59 was adopted by the following roll call vote:

Aye – Ms. Haire, Mr. Volke, Ms. Fiedler, Ms. Rodvien

Nay – Pickard, Pruski, Lacey

Amendment No. 60

The Chair called for Amendment No. 60, and the Administrative Officer read the description.

Mr. Baron stated that Amendment No. 60-21 adds some clarifying language to the plan and a more refined info-graph to help folks better understand the cyclical nature of the County's planning process.

Mr. Kaii-Ziegler further explained the reasoning behind the cyclical process.

There was further discussion between the Councilmembers and the Administration concerning the cyclical process.

On motion of Ms. Pickard, seconded by Ms. Rodvien, Amendment No. 60 was adopted by the following roll call vote:

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

Nay – Ms. Haire, Mr. Volke, Ms. Fiedler

Amendment No. 61

The Chair called for Amendment No. 61, and the Administrative Officer read the description.

Ms. Haire explained Amendment No. 61.

Mr. Baron stated the Administration supports Amendment No. 61.

On motion of Ms. Haire, seconded by Mr. Volke, Amendment No. 61 was adopted by the following roll call vote:

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

Nay – None

Amendment No. 62

The Chair called for Amendment No. 62, and the Administrative Officer read the title.

Ms. Fiedler, Sponsor, withdrew Amendment No. 62.

Amendment No. 63

The Chair called for Amendment No. 63, and the Administrative Officer read the description.

Ms. Fiedler, Sponsor, explained Amendment No. 63.

Ms. Rhodes stated the Administration supports Amendment No. 63.

On motion of Ms. Pickard, seconded by Ms. Haire, Amendment No. 63 was adopted by the following roll call vote:

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

Amendment No. 64

The Chair called for Amendment No. 64, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 64.

Mr. Baron stated the Administration opposes Amendment No. 64.

On motion of Mr. Volke, seconded by Mr. Pruski, Amendment No. 64 was adopted by the following roll call vote:

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

Amendment No. 65

The Chair called for Amendment No. 65, and the Administrative Officer read the description.

Ms. Pickard, Sponsor, explained Amendment No. 65.

Mr. Baron stated the Administration supports Amendment No. 65.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 65 was adopted by the following roll call vote:

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

Amendment No. 66

The Chair called for Amendment No. 66, and the Administrative Officer read the description.

Ms. Fiedler, Sponsor, explained Amendment No. 66.

Mr. Baron stated the Administration opposes Amendment No. 66.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 66 was adopted by the following roll call vote:

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

Amendment No. 67

The Chair called for Amendment No. 67, and the Administrative Officer read the description.

Ms. Fiedler, Sponsor, explained Amendment No. 67.

Mr. Baron stated the Administration opposes Amendment No. 67.

On motion of Ms. Haire, seconded by Ms. Pickard, Amendment No. 67 was adopted by the following roll call vote:

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

Amendment No. 68

The Chair called for Amendment No. 68, and the Administrative Officer read the description.

Ms. Fiedler, Sponsor, explained Amendment No. 68.

Mr. Baron stated the Administration supports Amendment No. 68.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 68 was adopted by the following roll call vote:

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

Amendment No. 69

The Chair called for Amendment No. 69, and the Administrative Officer read the description.

Ms. Fiedler, Sponsor, explained Amendment No. 69.

The Administration had no comment on Amendment No. 69.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 69 was adopted by the following roll call vote:

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

RECESS

On motion of Ms. Pickard, seconded by Mr. Volke, the Council voted to recess at 8:00 P.M.

RECONVENE

The Council reconvened at 8:10 P.M. with all Councilmembers, Ms. Bohlayer, and Ms. Schuett present.

Amendment No. 70

The Chair called for Amendment No. 70, and the Administrative Officer read the description.

Ms. Rodvien, Sponsor explained Amendment No. 70.

The Administration had no comment on Amendment No. 70.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 70 was adopted by the following roll call vote:

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

Amendment No. 71

The Chair called for Amendment No. 71, and the Administrative Officer read the description.

Ms. Haire, Sponsor explained Amendment No. 71.

The Administration had no comment on Amendment No. 71.

On motion of Ms. Pickard, seconded by Ms. Rodvien, Amendment No. 71 was adopted by the following roll call vote:

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

Amendment No. 72

The Chair called for Amendment No. 72, and the Administrative Officer read the description.

Ms. Haire, Sponsor, explained Amendment No. 72.

Ms. Pompa stated that the Administration opposes Amendment No. 72.

Amendment No. 72 was adopted by the following roll call vote:

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

Amendment No. 73

The Chair called for Amendment No. 73, and the Administrative Officer read the description.

Ms. Pickard, Sponsor, explained Amendment No. 73.

Mr. Baron stated the Administration supports Amendment No. 73.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 73 was adopted by the following roll call vote:

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

Amendment No. 74

The Chair called for Amendment No. 74, and the Administrative Officer read the description.

Ms. Rodvien, Sponsor, explained Amendment No. 74.

Mr. Baron stated the Administration has no opposition to Amendment No. 74.

On motion of Ms. Haire, seconded by Mr. Pruski, Amendment No. 74 was adopted by the following roll call vote:

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

Nay – Mr. Volke, Ms. Fiedler

Amendment No. 75

The Chair called for Amendment No. 75, and the Administrative Officer read the description.

Ms. Haire, Sponsor, explained Amendment No. 75.

Mr. Baron stated the Administration supports Amendment No. 75.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 75 was adopted by the following roll call vote:

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

Nay – None

Amendment No. 76

The Chair called for Amendment No. 76, and the Administrative Officer read the description.

Ms. Pickard, Sponsor, explained Amendment No. 76.

Mr. Baron stated the Administration supports Amendment No. 76.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 76 was adopted by the following roll call vote:

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

Nay – None

Amendment No. 77

The Chair called for Amendment No. 77, and the Administrative Officer read the description.

Ms. Pickard, Sponsor, explained Amendment No. 77.

Mr. Baron stated the Administration supports Amendment No. 77.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 77 was adopted by the following roll call vote:

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

Amendment No. 78

The Chair called for Amendment No. 78, and the Administrative Officer read the description.

Ms. Haire, Sponsor, explained Amendment No. 78.

Mr. Baron stated the Administration supports Amendment No. 78.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 78 was adopted by the following roll call vote:

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

Amendment No. 79

The Chair called for Amendment No. 79, and the Administrative Officer read the description.

Ms. Fiedler, Sponsor, explained Amendment No. 79.

Mr. Baron stated the Administration supports Amendment No. 79.

On motion of Ms. Haire, seconded by Ms. Pickard, Amendment No. 79 was adopted by the following roll call vote:

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

Amendment No. 80

Ms. Haire, Sponsor, withdrew Amendment No. 80.

Amendment No. 81

The Chair called for Amendment No. 81, and the Administrative Officer read the description.

Ms. Pickard, Sponsor, explained Amendment No. 81.

Ms. Rhodes stated the Administration supports Amendment No. 81.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 81 was adopted by the following roll call vote:

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

Nay – Ms. Haire, Mr. Volke, Ms. Fiedler

Amendment No. 82

Ms. Haire, Sponsor, withdrew Amendment No. 82.

Amendment No. 83

The Chair called for Amendment No. 83, and the Administrative Officer read the description.

Ms. Pickard, Sponsor, explained Amendment No. 83.

Mr. Baron stated the Administration supports Amendment No. 83.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 83 was adopted by the following roll call vote:

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

Nay – None

Amendment No. 84

The Chair called for Amendment No. 84, and the Administrative Officer read the description.

Ms. Pickard, Sponsor, explained Amendment No. 84.

Mr. Baron stated the Administration supports Amendment No. 84.

On motion of Mr. Pruski, seconded by Ms. Fiedler, Amendment No. 84 was adopted by the following roll call vote:

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

Amendment No. 85

The Chair called for Amendment No. 85, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 85.

The Administration had no comment on Amendment No. 85.

On motion of Mr. Pruski, seconded by Mr. Volke, Amendment No. 85 was adopted by the following roll call vote:

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

Amendment No. 86

The Chair called for Amendment No. 86, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 86.

The Administration had no comment on Amendment No. 86.

On motion of Ms. Pickard, seconded by Mr. Volke, Amendment No. 86 was adopted by the following roll call vote:

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

BLOCK AMENDMENT NOS. 87-106

On motion of Ms. Lacey, seconded by Ms. Rodvien, the vote to take Amendment Nos. 87-106 as a block, was adopted by the following roll call vote:

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

The Chair called for Amendment Nos. 87-106, and the Administrative Officer read the descriptions of all amendments.

Ms. Lacey, Sponsor, gave an overview of the amendments.

The Administration had no comment on Amendment Nos. 87-106.

The Chair called for Amendment Nos. 87-106, and the Administrative Officer read the descriptions.

Bill Nos. 87-106 were adopted by the following roll call vote:

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

Nay – Ms. Haire, Mr. Volke, Ms. Fiedler

Amendment No. 107

The Chair called for Amendment No. 107, and the Administrative Officer read the description.

Ms. Lacey, Sponsor, explained Amendment No. 107.

Mr. Baron stated the Administration supports Amendment No. 107.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 107 was adopted by the following roll call vote:

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

Nay – Mr. Volke

Amendment No. 108

The Chair called for Amendment No. 108, and the Administrative Officer read the description.

Ms. Lacey, Sponsor, explained Amendment No. 108.

Mr. Baron stated the Administration supports Amendment No. 108.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 108 was adopted by the following roll call vote:

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

Nay – Ms. Haire, Mr. Volke, Ms. Fiedler

Amendment No. 109

The Chair called for Amendment No. 109, and the Administrative Officer read the description.

Ms. Lacey, Sponsor, explained Amendment No. 109.

Mr. Baron stated the Administration had no comment on Amendment No. 109.

On motion of Ms. Pickard seconded by Ms. Rodvien, Amendment No. 109 was defeated by the following roll call vote:

Aye – Ms. Lacey

Nay – Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Rodvien

Amendment No. 110

The Chair called for Amendment No. 110, and the Administrative Officer read the description.

Ms. Lacey, Sponsor, explained Amendment No. 110.

Mr. Baron stated that the Administration supports Amendment No. 110.

On motion of Ms. Pickard seconded by Ms. Rodvien, Amendment No. 110 was adopted by the following roll call vote:

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

Nay – None

Amendment No. 111

The Chair called for Amendment No. 111, and the Administrative Officer read the description.

Ms. Lacey, Sponsor, explained Amendment No. 111.

Mr. Baron stated the Administration supports Amendment No. 111.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 111 was adopted by the following roll call vote:

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

Nay – None

RECESS

On motion of Ms. Pickard, seconded by Ms. Rodvien, the Council voted to recess at 10:20 P.M.

RECOVENE

The Council reconvened at 10:30 P.M, with all Councilmembers present, Ms. Bohlayer, and Ms. Schuett present.

Amendment No. 112

The Chair called for Amendment No. 112, and the Administrative Officer read the description.

Ms. Rodvien explained Amendment No. 112.

Mr. Baron stated the Administration supports Amendment No. 112.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 112 was adopted by the following roll call vote:

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

Amendment No. 113

The Chair called for Amendment No. 113, and the Administrative Officer read the description.

Ms. Fiedler, Sponsor, explained Amendment No. 113.

Mr. Baron stated the Administration supports Amendment No. 113.

On motion of Ms. Pickard seconded by Ms. Rodvien, Amendment No. 113 was adopted by the following roll call vote:

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

Amendment No. 114

Mr. Volke, Sponsor, withdrew Amendment No. 114.

Amendment No. 115

The Chair called for Amendment No. 115, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 115.

Mr. Baron stated the Administration opposes Amendment No. 115.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 115 was defeated by the following roll call vote:

Aye – Mr. Volke

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

Amendment No. 116

The Chair called for Amendment No. 116, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 116.

Mr. Baron stated the Administration opposes Amendment No. 116.

On motion of Mr. Pruski, seconded by Ms. Haire, Amendment No. 116 was defeated by the following roll call vote:

Aye – Ms. Haire, Mr. Volke

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

Amendment No. 117

The Chair called for Amendment No. 117, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 117.

Mr. Baron stated the Administration opposes Amendment No. 117.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 117 was defeated by the following roll call vote:

Aye – Ms. Haire, Mr. Volke, Ms. Fiedler

Nay – Ms. Pickard, Mr. Pruski, Ms. Rodvien, Ms. Lacey

Amendment No. 118

The Chair called for Amendment No. 118, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 118.

Mr. Baron stated the Administration opposes Amendment No. 118.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 118 was defeated by the following roll call vote:

Aye – Ms. Haire, Mr. Volke, Ms. Fiedler

Nay – Ms. Pickard, Mr. Pruski, Ms. Rodvien, Ms. Lacey

Amendment No. 119

The Chair called for Amendment No. 119, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 119.

Mr. Baron stated the Administration had no objection to Amendment No. 119.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 119 was adopted by the following roll call vote:

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

Nay – Ms. Rodvien, Ms. Lacey

Amendment No. 120

The Chair called for Amendment No. 120, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 120.

Mr. Baron stated the Administration had no objection to Amendment No. 120.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 120 was adopted by the following roll call vote:

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

Nay – Ms. Lacey

Amendment No. 121

The Chair called for Amendment No. 121, and the Administrative Officer read the description.

Mr. Volke explained Amendment No. 121.

Mr. Baron stated the Administration had no objection to Amendment No. 121.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 121 was adopted by the following roll call vote:

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

Amendment No. 122

The Chair called for Amendment No. 122, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 122.

Mr. Baron stated the Administration supports Amendment No. 122.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 122 was defeated by the following roll call vote:

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

Amendment No. 123

The Chair called for Amendment No. 123, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 123.

Mr. Baron stated the Administration supports Amendment No. 123.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 123 was adopted by the following roll call vote:

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

Amendment No. 124

The Chair called for Amendment No. 124, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 124.

Mr. Baron stated that the Administration had no objection to Amendment No. 124.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 124 was adopted by the following roll call vote:

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

Amendment No. 125

The Chair called for Amendment No. 125, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 125.

Mr. Baron stated the Administration opposes Amendment No. 125.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 125 was defeated by the following roll call vote:

Aye – Ms. Haire, Mr. Volke, Ms. Fiedler

Nay – Ms. Pickard, Mr. Pruski, Ms. Rodvien, Ms. Lacey

Amendment No. 126

The Chair called for Amendment No. 126, and the Administrative Officer read the description.

Mr. Volke, Sponsor, explained Amendment No. 126.

The Administration had no comment on Amendment No. 126.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 126 was adopted by the following roll call vote:

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

Ms. Lacey

Nay – None

Amendment No. 127

The Chair called for Amendment No. 127, and the Administrative Officer read the description.

Ms. Lacey, Sponsor, explained Amendment No. 127.

Mr. Baron stated the Administration supports Amendment No. 127.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 127 was adopted by the following roll call vote:

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

Nay – Mr. Volke

Amendment No. 128

The Chair called for Amendment No. 128, and the Administrative Officer read the description.

Mr. Pruski, Sponsor, explained Amendment No. 128.

Mr. Baron stated that the Administration supports Amendment No. 128.

On motion of Ms. Pickard, seconded by Ms. Rodvien, Amendment No. 128 was adopted by the following roll call vote:

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

The Chair stated that Bill No. 11-21, as amended, would be heard on Monday, May 3, 2021.

BILL NO. 20-21 (As Amended)

The Chair called for Bill No. 20-21, as amended, An Ordinance concerning: Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Forest Conservation; and the Administrative Officer read a portion of the title.

Pete Baron, Director of Government Affairs, was accompanied by Matthew Johnston, Director of Environmental Policy, Greg Africa, Director of Inspections and Permits, Erik Michelsen, Deputy Director, Department of Public Works, and Kelly Kenney, Supervising County Attorney, Office of Law.

The Chair stated that the public hearing was closed at the last meeting and reminded the Council that Bill No. 20-21, as amended, was eligible for vote.

Amendment No. 4

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

This amendment deletes language that would allow additional civil fines or fees-in-lieu for clearing in violation of the critical area law.

Ms. Rodvien, Sponsor, explained Amendment No. 4

Mr. Baron stated the Administration supports Amendment No. 4.

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

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

Amendment No. 5

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

This amendment adds a definition of “priority forest”; removes proposed language that would prohibit clearing more than three trees or 2,500 square feet of forest in certain areas; and requires replanting or payment of a fee-in-lieu for clearing with a grading permit in a priority forest.

Ms. Rodvien, Sponsor, explained Amendment No. 5.

Mr. Baron stated the Administration supports Amendment No. 5.

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

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

The Chair stated that Bill No. 20-21, as amended, would be heard on Monday, May 3, 2021.

BILL NO. 27-21

The Chair called for the public hearing on 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; and the Administrative Officer read the title.

Pete Baron, Director of Government Affairs, was accompanied by Alex Baquie, Erin Dey, and Karen Henry, Department of Public Works, Greg Africa, Inspections and Permits, Karin McQuade, Controller, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron provided background on Bill No. 27-21.

The Chair opened the public hearing on Bill No. 27-21.

The Administrative Officer state there was one submission of public testimony received for Bill No. 27-21, which was shared with the Council, added to the record, and posted on the Council website.

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

The Chair called for Bill No. 27-21, An Ordinance concerning: Public Works – Permits for Use of County Rights-of-Way – Maintenance Permit and Inspection Fees; and the Administrative Officer read a portion of the title.

The Chair stated that due to time, Bill No. 27-21 would be voted on Monday, May 3, 2021.

BILL NO. 28-21

The Chair called for the public hearing on 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; and the Administrative Officer read the title.

Pete Baron, Director of Government Affairs, was accompanied by Steve Kaii-Zeigler, Planning and Zoning Officer, and Greg Swain, County Attorney.

Mr. Volke, sponsor, explained the purpose of Bill No. 28-21.

Mr. Baron stated the Administration supports Bill No. 28-21.

Ms. Fiedler asked to be added as a co-sponsor to the bill.

The Chair opened the public hearing on Bill No. 28-21.

The Administrative Officer state there was one submission of written public testimony received for Bill No. 28-21, which was shared with the Council, added to the record, and posted on the County Council website.

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

The Chair stated that there was an amendment, but due to time, all legislative action on Bill No. 28-21 would have to be deferred to Monday, May 3, 2021.

RESOLUTION NO. 23-21

The Chair called for the public hearing on Resolution No. 23-21, Resolution in support of the Anne Arundel County Police Department adapting its policies to allow disciplinary hearings to be streamed over the internet; and the Administrative Officer read the title.

Pete Baron, Director of Government Affairs, was accompanied by Amal Awad, Chief of Police, and Greg Swain, County Attorney.

Ms. Rodvien, sponsor, provided background on Resolution No. 23-21.

Mr. Baron stated the Administration opposes Resolution No. 23-21. Chief Awad explained the reasons for the opposition.

The Chair opened the public hearing on Resolution No. 23-21.

The Administrative Officer stated there were four submissions of public testimony, all of which were shared with the Council, added to the record, and posted on the Council website.

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

The Chairman called for Resolution No. 23-21, Resolution in support of the Anne Arundel County Police Department adapting its policies to allow disciplinary hearings to be streamed over the internet; and the Administrative Officer read a portion of the title.

Resolution No. 23-21 was defeated by the following roll call vote:

Aye – Rodvien

Nay – Haire, Pickard, Volke, Pruski, Fiedler, Lacey

RESOLUTION NO. 24-21

The Chair called for the public hearing on Resolution No. 24-21, Resolution opposing the Baltimore-Washington Superconducting Maglev Project; and the Administrative Officer read the title.

Pete Baron, Director of Government Affairs, was accompanied by Steve Kaii-Ziegler, Planning and Zoning Officer, Chris Phipps, Director of Department of Public Works, Martha Arzu-McIntosh, Senior Planner, Office of Transportation, and Lori Blair Klasmeier, Senior Assistant County Attorney.

Ms. Lacey, sponsor, stated that due to late hour she would refrain from offering commentary on Resolution No. 24-21.

Mr. Baron stated the Administration opposes Resolution No. 24-21.

The Chair called for the public hearing on Resolution No. 24-21.

The Administrative Officer stated there 279 submissions of public testimony received for Resolution No. 24-21, all of which were shared with the Council, added to the record, and posted on the Council website.

The following registered speakers addressed Resolution No. 24-21:

Wayne Rogers, Annapolis

Kendrick Tilghman, Baltimore

James Spearman, Annapolis

Miriam Summers, Baltimore

Jason Rodriguez, Baltimore

Gerald Stansbury, Annapolis

Jermaine Jones, Baltimore

Gary Mauler was called but was not present. There was no one else registered to speak, and the hearing was concluded.

The Chairman called for Resolution No. 24-21, Resolution opposing the Baltimore-Washington Superconducting Maglev Project; and the Administrative Officer read a portion of the title.

There was discussion of Resolution No. 24-21 among the Councilmembers.

On motion of Ms. Lacey, seconded by Ms. Pickard, the Council voted to hold the vote on Resolution No. 24-21 until Monday, May 17, 2021, by the following roll call vote:

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

Nay – Mr. Volke, Ms. Fiedler

ADJOURNMENT

There being no further business, on motion of Ms. Rodvien, seconded by Ms. Haire, the meeting adjourned at 12:50 A.M.

The Chair stated that the next Council meeting will be held on Monday, May 3, 2021.

Respectfully submitted,

by Lee Longo

for Laura Corby
Administrative Officer

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of:

Virtual Legislative Session 2021, Legislative Day No. 9

May 3, 2021 – 6:00 P.M.

The meeting was called to order by Chair Sarah Lacey at 6:00 P.M. Ms. Lacey 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 following members of the County Council were present:

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

The Auditor's Office was represented by the County Auditor, Michelle Bohlayer. Linda Schuett, Legislative Counsel, was also present.

OPEN MEETINGS ACT

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

ETHICS STATEMENT

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

INVITATION TO AUDIENCE

The Administrative Officer stated there was 1 submission of 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.

PRELIMINARY MOTION

On motion of Mr. Pruski, seconded by Ms. Pickard, 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 Mr. Pruski, seconded by Ms. Pickard the minutes of April 5, 2021, were approved as presented.

INTRODUCTION OF BILLS

Bill No. 45-21 – AN ORDINANCE concerning: Personnel – Classified Service – Exempt Service – FOR the purpose of adding new pay schedules for certain classified employees; providing the method for certain classified employees to move to a new pay schedule; providing for increases in pay for certain employees; providing for lump sum payments for certain employees; modifying pay upon promotion; modifying pay upon movement between pay schedules; removing certain employees eligible for night differential pay; removing certain employees eligible for on-call pay; removing certain employees eligible for allowances; modifying disability leave for certain employees; modifying education assistance for certain employees; adding new pay schedules for certain exempt employees; confirming applicability of certain terms related to pay in memoranda of agreements; providing for the application of this Ordinance; and generally relating to personnel.

by Ms. Lacey, Chair

(by request of the County Executive)

Bill No. 46-21 – AN ORDINANCE concerning: Personnel – Positions in the Classified Service and the Exempt Service – FOR the purpose of amending the minimum qualifications for a certain position in the classified service; amending the pay grades for certain positions in the classified service; adding certain positions to the classified service; adding the pay grade, work week, and minimum qualifications for the positions being added to the classified service; removing a certain position from the exempt service; and generally relating to personnel.

by Ms. Lacey, Chair

(by request of the County Executive)

Bill No. 47-21 – AN ORDINANCE concerning: Zoning – Veterinary Clinics as a Conditional Use in Industrial Districts – FOR the purpose of allowing “veterinary clinics, if overnight stays are limited to those necessary for medical treatment without outside runs or pens” as a conditional use in W2 industrial districts; adding the conditional use requirements; and generally relating to zoning.

by Ms. Lacey and Ms. Rodvien

Bill No. 48-21 – AN ORDINANCE concerning: Zoning – Alcoholic Beverage Uses as Accessory to Other Uses – FOR the purpose of repealing a requirement for a certain distance between restaurants with an off-sale alcoholic beverage license and other businesses with the same license; repealing certain floor area restrictions and ownership requirements for a restaurant or package goods store with an off-sale alcoholic beverage license; making a technical change; and generally relating to zoning.

by Ms. Rodvien

Bill No. 49-21 – AN ORDINANCE concerning: Zoning – Requirements for Special Exception Uses – Assisted Living Facilities – FOR the purpose of amending the special exception use requirements for an assisted living facility to require the developer to have unified control of the entire facility; allowing assisted care units to be provided in certain additional types of dwelling units whether or not allowed in the applicable zoning district; providing that the bulk regulations for an assisted living facility are the only applicable bulk regulations; amending the bulk regulations applicable to an assisted living facility; and generally relating to zoning.

by Ms. Pickard and Mr. Volke

INTRODUCTION OF RESOLUTIONS

Resolution No. 25-21 – RESOLUTION approving the selection of SB & Company, LLC, an independent firm of certified public accountants, to perform the financial audit for Fiscal Year 2021

by Ms. Lacey, Chair, and Mr. Pruski

Resolution No. 26-21 – RESOLUTION celebrating Older Americans Month in Anne Arundel County

by Ms. Rodvien, Ms. Pickard, Mr. Volke, and Mr. Pruski

BUDGET BILLS

BILL NO. 32-21 – AN ORDINANCE concerning: Annual Budget and Appropriation Ordinance of Anne Arundel County - FOR the purpose of adopting the County Budget, consisting of the Current Expense Budget for the fiscal year ending June 30, 2022, the Capital Budget for the fiscal year ending June 30, 2022, the Capital Program for the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027; and appropriating funds for all expenditures for the fiscal year beginning July 1, 2021, and ending June 30, 2022.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 33-21 – AN ORDINANCE concerning: Tax Levies – Special Community Benefit Districts, Shore Erosion Control Districts, and Waterways Improvement Districts – FOR the purpose of levying and imposing the tax rates for special community benefit districts, shore erosion control districts, and waterways improvement districts required by the County Budget for Fiscal Year 2022.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 34-21 – AN ORDINANCE concerning: Tax Levies – Arundel Gateway Special Taxing District – FOR the purpose of levying and imposing the tax rates for the Arundel Gateway Special Taxing District required by the County Budget for Fiscal Year 2022.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 35-21 – AN ORDINANCE concerning: Tax Levies – Arundel Mills Special Taxing District – FOR the purpose of levying and imposing the tax rates for the Arundel Mills Special Taxing District required by the County Budget for Fiscal Year 2022.

by Ms. Pickard, Chair

(by request of the County Executive)

BILL NO. 36-21 – AN ORDINANCE concerning: Tax Levies – Dorchester Special Taxing District – FOR the purpose of levying and imposing the tax rates for the Dorchester Special Taxing District required by the County Budget for Fiscal Year 2022.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 37-21 – AN ORDINANCE concerning: Tax Levies – Farmington Village Special Taxing District – FOR the purpose of levying and imposing the tax rates for the Farmington Village Special Taxing District required by the County Budget for Fiscal Year 2022.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 38-21 – AN ORDINANCE concerning: Tax Levies – National Business Park Special Taxing District – FOR the purpose of levying and imposing the tax rates for the National Business Park Special Taxing District required by the County Budget for Fiscal Year 2022.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 39-21 – AN ORDINANCE concerning: Tax Levies – National Business Park-North Special Taxing District– FOR the purpose of levying and imposing the tax rates for the National Business Park-North Special Taxing District required by the County Budget for Fiscal Year 2022.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 40-21 – AN ORDINANCE concerning: Tax Levies – Two Rivers Special Taxing District – FOR the purpose of levying and imposing the tax rates for the Two Rivers Special Taxing District required by the County Budget for Fiscal Year 2022.

by Ms. Pickard, Chair

(by request of the County Executive)

BILL NO. 41-21 – AN ORDINANCE concerning: Tax Levies – Village South at Waugh Chapel Special Taxing District – FOR the purpose of levying and imposing the tax rates for the Village South at Waugh Chapel Special Taxing District required by the County Budget for Fiscal Year 2022.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 42-21 – AN ORDINANCE concerning: Property Tax and Semiannual Payment Service Charge – FOR the purpose of levying and imposing a property tax for the use of Anne Arundel County for the taxable year beginning July 1, 2021, and ending June 30, 2022; fixing the rate of the County property tax for the taxable year; and establishing the service charge to be paid by a property owner electing to pay real property taxes and all other taxes and charges billed on the real property tax bill under a semiannual payment schedule.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 43-21 – AN ORDINANCE concerning: Public Works – Solid Waste Collection – Solid Waste Service Charge – Solid Waste Landfill and Facility Delivery Fees – FOR the purpose of modifying the solid waste service charge; providing the method by which the solid waste service charge is set; modifying certain charges for delivery of solid waste to a landfill or waste disposal facility; providing for the effective date of this Ordinance; and generally relating to the solid waste service charge.

by Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 44-21 – AN ORDINANCE concerning: Property Tax and Semiannual Payment Service Charge – FOR the purpose of levying and imposing a property tax for the use of Anne Arundel County for the taxable year beginning July 1, 2021, and ending June 30, 2022; fixing the rate of the County property tax for the taxable year; and establishing the service charge to be paid by a property owner electing to pay real property taxes and all other taxes and charges billed on the real property tax bill under a semiannual payment schedule.

by Ms. Lacey, Chair

(by request of the County Executive)

The Chair stated Resolution Nos. 25-21 and 26-21 would be voted on at the end of the meeting.

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

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; renaming “small area plans” to be “region plans”; amending the composition of the planning committees; adding a requirement that the County Executive’s appointments to planning committees be approved by resolution of the County Council; providing that any land use map changes adopted during the region plan process shall be shown in a map, include a description of how the changes are consistent with the goals and policies of the General Development Plan, and be considered amendments to the current General Development Plan; and generally relating to “Plan2040”, the County’s General Development Plan; and the Administrative Officer read the title.

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, Christopher Phipps, Director, Department of Public Works, Erica Matthews, Chief of Capital Projects, Recreation and Parks, Martha Arzu-McIntosh, Planner, Office of Transportation, Lori Blair Klasmeier, Deputy County Attorney, Office of Law, Kelly Kenney, Senior Assistant County Attorney, Office of Law, and Gregory Swain, County Attorney.

Mr. Baron thanked all who worked on the bill. He explained the similarities between the public’s and government’s desires.

Ms. Rhodes expressed thanks to all who helped with the bill and highlighted the bill’s main points.

Mr. Kaii-Ziegler thanked the County Council for their work and explained what will happen over the next few months to implement Plan2040.

Ms. Pompa thanked the Council for their extensive work on the bill and spoke on the amendments.

Ms. Carrier expressed her thanks to all the teams who worked together to create this bill.

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

The Administrative Officer stated there was 1 submission of public testimony received for Bill No. No. 11-21, as amended, and it 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 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.

Ms. Fielder asked if there would be an opportunity in the future for any other residents to request that their property be rezoned.

Mr. Baron and Ms. Blair Klasmeier responded.

There was discussion regarding County growth, land use designation, and comprehensive rezoning in Plan2040

Amendment No. 129

The Chair called for Amendment No. 129, and the Administrative Officer read the description:

This technical amendment corrects typographic errors and other references in Plan2040.

Mr. Baron confirmed the amendment was technical and corrective.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 129 was adopted by the following roll call vote:

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

There were statements of Councilmember's separate opinions of Plan2040 and thanks expressed for all the work on the bill.

Bill No. 11-21, as amended, was passed by the following roll call vote:

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

Nay – Mr. Volke, Ms. Fiedler, Ms. Haire

BILL NO. 20-21 (As Amended)

The Chair called for Bill No. 20-21, as amended, An Ordinance concerning: Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Forest Conservation – For the purpose of adding a definition of “priority forest”; 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 grading permit allows for the clearing of certain trees in a priority forest; 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, explained the reasoning behind the bill.

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

Mr. Baron explained the Forest Conservation Plan and how this bill corrects the loophole found in it.

Mr. Johnston clarified two points of the bill.

Mr. Volke asked for examples of properties that received a positive effect from the Forest Conservation Plan.

Ms. Kenney responded in general terms.

Ms. Pickard commented on the addition of mitigation to smaller projects and asked for the Administration’s comments regarding this.

Mr. Johnston and Mr. Africa responded.

There was further discussion for clarification of the bill.

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

The Administrative Officer stated there were no submissions of public testimony received on Bill No. 20-21.

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

Michael Lofton, Harwood
John Zarkowsky, Annapolis

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

The Chair called Bill No. 20-21, as amended, An Ordinance concerning: Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Forest Conservation; and the Administrative Officer read a portion of the title.

Ms. Fiedler expressed her concerns on the bill.

Ms. Rodvien asked Inspections and Permits to discuss the forthcoming map changes.

Mr. Africa and Mr. Johnston responded.

Ms. Rodvien spoke on the fine and expressed her support of the bill.

RECESS

On motion of Ms. Rodvien, seconded by Mr. Pruski, the Council vote to recess at 8:00 P.M.

RECONVENE

The Council reconvened at 8:15 P.M. with all Councilmembers present.

Ms. Haire asked how information would be made available to citizens.

Mr. Africa explained the communication system with the public.

Mr. Volke asked for clarification on the definition of a contiguous forest.

Mr. Johnston answered.

There was further discussion regarding the definition of forests, how the public would be educated on the regulations, and the Site Development Plan.

Bill No. 20-21, as amended, was defeated by the following roll call vote:

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

BILL NO. 27-21

The Chair called for 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; and the Administrative Officer read the title.

The Chair reminded the Council that the public hearing of this bill was concluded and the vote was held due to being after midnight.

Pete Baron, Director, Government Affairs, was accompanied by Greg Africa, Director, Inspections and Permits, Alex Baquie, Department of Public Works, Erin Dey, Department of Public Works, Karin McQuade, Office of Finance, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the bill.

The Chair called Bill No. 27-21, An Ordinance concerning Public Works – Permits for Use of County Rights-of-Way – Maintenance Permit and Inspection Fees; and the Administrative Officer read a portion of the title.

Bill No. 27-21 was passed by the following roll call vote:

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

BILL NO. 28-21

The Chair called for 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; and the Administrative Officer read the title.

The Chair reminded the Council that the public hearing of this bill was concluded and the vote was held due to being after midnight.

Mr. Volke, Co-Sponsor, explained the bill.

Pete Baron, Director, Government Affairs, was accompanied by Steven Kaii-Ziegler, Director, Office of Planning and Zoning, Lori Blair Klasmeier, Deputy County Attorney, Office of Law, and Gregory Swain, County Attorney.

Mr. Baron stated that the Administration supported the bill.

Amendment No. 1

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

This amendment clarifies that a developer may record the proceedings of a community meeting by audio or audio-visual means.

Ms. Lacey, Sponsor, stated the amendment clarifies that a visual recording is not mandatory.

Ms. Haire asked if the amendment was needed.

Linda Schuett, Legislative Counsel, confirmed the need for the amendment.

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

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

The Chair stated Bill No. 28-21, as amended, would be heard on May 17, 2021.

BILL NO. 29-21

The Chair called for Bill No. 29-21, An Ordinance concerning: 2021 Amendments to the Anne Arundel County Solid Waste Management Plan 2013 – For the purpose of amending the Anne Arundel County Solid Waste Management Plan 2013; and generally relating to the Anne Arundel County Solid Waste Management Plan 2013; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Rich Bowen, Department of Public Works, Steven Kaii-Ziegler, Director, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron stated the bill amends the County's Solid Waste Management Plan. He stated the Lothian facility was given a compost permit.

Ms. Haire asked for clarification on leasing the property.

Ms. Kenney stated she would look into this and respond.

Ms. Haire confirmed that there was a Preliminary Plan Application submitted on June 12, 2019, along with a community meeting held on May 30, 2019.

Mr. Kaii-Ziegler confirmed.

Ms. Haire clarified there was a second community meeting on March 6, 2020 followed by a Sight Development Plan Application in June. She asked if the plan was approved on November 24, 2020.

Mr. Kaii-Ziegler confirmed.

Ms. Haire asked if the community meetings were virtual or in person.

Mr. Kaii-Ziegler answered.

Ms. Haire clarified there was public participation for the first two community meetings.

Mr. Kaii-Ziegler confirmed.

The Chair opened the public hearing on Bill No. 29-21.

The Administrative Officer stated there was 1 submission of public testimony received for Bill No. No. 29-21, and it was shared with the Council and posted on the County Council website.

The following registered speakers addressed Bill No. 29-21:

Frederick Tutman, Upper Marlboro

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

The Chair called Bill No. 29-21, An Ordinance concerning: 2021 Amendments to the Anne Arundel County Solid Waste Management Plan 2013; 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 technical amendment corrects a typographical error.

Mr. Baron confirmed that the amendment corrects a typo.

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

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

Ms. Haire asked if the Administration would consider holding the bill to review the open space and lease concerns.

Mr. Baron stated it would not be an issue to hold the bill.

Mr. Volke asked for clarification on the Council's say on this bill. He stated the MDE would have the final say if the Council does not approve the bill.

Ms. Kenney agreed.

Mr. Volke asked about the community's option to advocate if there were concerns about a facility.

Mr. Baron stated there were state officials and the MDE that the community could reach out to with concerns.

Mr. Pruski responded to the question also.

There was further discussion regarding the Site Development Plan.

Bill No. 29-21, as amended, was passed by the following roll call vote:

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

BILL NO. 30-21

The Chair called for Bill No. 30-21, An Ordinance concerning: Zoning – Definitions – Adult Independent Dwelling Unit – For the purpose of amending the definition of “adult independent dwelling unit”; and generally relating to zoning; and the Administrative Officer read the title.

Ms. Lacey, Co-Sponsor, read the Legislative Summary.

Pete Baron, Director, Government Affairs, was accompanied by Steven Kaii-Ziegler, Director, Office of Planning and Zoning, Lynn Miller, Office of Planning and Zoning, and Lori Blair Klasmeier, Deputy County Attorney, Office of Law.

Mr. Baron expressed the Administration's concern for the bill, but recognized the issue the sponsors were seeking to address. He stated the concerns of the bill were with policy and technical issues.

Ms. Miller explained the concerns in detail.

There was discussion regarding the zoning density and classification for adult independent units.

The Chair opened the public hearing on Bill No. 30-21.

The Administrative Officer stated there were 3 submissions of public testimony received on Bill No. 30-21, which were shared with the Council and posted on the County Council website.

The following registered speakers addressed Bill No. 30-21:

David Katz, Gambrills
Timothy Martin, Annapolis

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

The Chair called Bill No. 30-21, An Ordinance concerning: Zoning – Definitions – Adult Independent Dwelling Unit; and the Administrative Officer read a portion of the title.

Mr. Volke asked if this bill was age restricted only, or if it was for care facilities.

Ms. Miller stated it was age restricted only.

Ms. Lacey stated this bill is limited in scope and reverses an administrative interpretation.

Mr. Volke asked for clarification on the density bonus and AIDUs.

Ms. Miller responded.

There was further discussion regarding zoning.

Bill No. 30-21 was passed by the following roll call vote:

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

RESOLUTION NO. 25-21

The Chair called for Resolution No. 25-21, Resolution approving the selection of SB & Company, LLC, an independent firm of certified public accountants, to perform the financial audit for Fiscal Year 2021; and the Administrative Officer read the title.

Ms. Bohlayer stated proposals were requested from firms for audit purposes and SB & Company meets the requirements. She explained the qualifications of the company.

Resolution No. 25-21 was passed by the following roll call vote:

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

RESOLUTION NO. 26-21

The Chair called for Resolution No. 18-21, Resolution celebrating Older Americans Month in Anne Arundel County; and the Administrative Officer read the title.

Ms. Rodvien, Co-Sponsor, shared her excitement to celebrate older Americans and their contributions.

Mr. Pruski, Mr. Volke, and Ms. Pickard, all Co-Sponsors, shared their thankfulness and praise of the older community.

Resolution No. 26-21 was passed by the following roll call vote:

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

Ms. Lacey

Nay – None

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Mr. Pruski, the meeting adjourned at 9:47 P.M.

The Chair stated that the next Council meeting will be held on Tuesday, May 4, 2021.

Respectfully submitted,

by Anna Macaulay

for Laura Corby
Administrative Officer

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 11

Bill No. 51-21

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

By the County Council, May 17, 2021

Introduced and first read on May 17, 2021
Public Hearing set for June 7, 2021
Bill Expires on August 20, 2021

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Crofton Special Community Benefit District – Approval
2 of Loan and Assignment Agreement

3
4 FOR the purpose of obligating the County to levy the special tax known as the special
5 community benefit assessment on the Crofton Special Community Benefit District in
6 an amount sufficient to repay a loan from Severn Bank to the Crofton Civic
7 Association, Inc., in each of fifteen (15) fiscal years during the term of the loan.

8
9 WHEREAS, the Crofton Special Community Benefit District has been duly formed
10 and created, pursuant to procedures set forth in Anne Arundel County Code, Article
11 4, Title 7; and

12
13 WHEREAS, pursuant to § 4-7-204(t)(2) of the County Code, the purposes of the
14 Crofton Special Community Benefit District include “acquisition, improvement,
15 and maintenance of community real and personal property approved by a majority
16 vote of the general membership of the Crofton Civic Association, necessary to
17 support and accomplish community-wide projects”; and

18
19 WHEREAS, the Crofton Civic Association, Inc. (the “Association”) is the civic or
20 community association that meets the requirements of § 4-7-101(d) of the County
21 Code that administers the District; and

22
23 WHEREAS, the Association is entering into a loan agreement with Severn Bank in
24 the amount of \$2,700,000, with a term of fifteen (15) years, to be used to finance
25 the purchase of land located on Crain Highway, Crofton, Maryland, Tax Map 42,
26 Grid 11, Parcel 0195 (the “Loan”); and

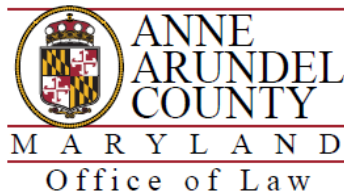
1 WHEREAS, to enable the Association to obtain the Loan from Severn Bank by
2 providing a source of funds for repayment of the Loan, the County is undertaking
3 the obligation set forth in this Ordinance; now, therefore,
4

5 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
6 That the County shall be obligated to levy the special tax known as the special community
7 benefit assessment on the Crofton Special Community Benefit District in an amount
8 sufficient to repay the Loan from Severn Bank to Crofton Civic Association, Inc., in each
9 of up to fifteen (15) fiscal years during the term of the Loan.
10

11 SECTION 2. *And be it further enacted,* That the County undertakes no obligation with
12 regard to the Loan except as expressly described in this Ordinance, is neither a co-obligor
13 nor guarantor of the Loan, and does not commit the full faith and credit of the County to
14 repayment of the Loan.
15

16 SECTION 3. *And be it further enacted,* That the County Executive is hereby authorized
17 to enter into such other and further agreements with the Association and Severn Bank as
18 are necessary to disburse directly to Severn Bank such amounts of the special community
19 benefit assessment levied on the Crofton Special Community Benefit District as are
20 collected by the County and are necessary to repay the Loan consistent with this Ordinance.
21

22 SECTION 4. *And be it further enacted,* That this Ordinance shall take effect 45 days
23 from the date it becomes law.



Gregory J. Swain, County Attorney

MEMORANDUM

To: Members, Anne Arundel County Council

From: Lori L. Blair Klasmeier, Deputy County Attorney /s/

Via: Gregory J. Swain, County Attorney /s/

Date: May 17, 2021

Subject: Bill No. 51-21 – Crofton Special Community Benefit District – Approval of Loan and Assignment Agreement

Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of the attached bill, which would approve a loan and assignment agreement for the Crofton Special Community Benefit District.

Purpose.

The purpose of the Bill is to approve the levy of the special community benefit district assessment necessary to repay a loan in the amount of \$2,700,000 from Severn Bank (the “Bank”) to Crofton Civic Association, Inc. (the “Association”), the community association responsible for administering the Crofton Special Community Benefit District under § 4-7-204(t) of the County Code, to fund acquisition of real property located on Crain Highway in Crofton and adjacent to community-owned property.

Background.

The purposes of the Crofton Special Community Benefit District include “the acquisition, improvement, and maintenance of community real and personal property approved by a majority vote of the general membership of the Crofton Civic Association, necessary to support and accomplish community-wide projects”. To fund the acquisition of the real property, the Association sought and has a commitment for a loan from the Bank in the amount of \$2,700,000, for a term of 1 year (the “Loan”). Interest is at the rate of 3.99% per annum, and there is a loan fee of 0.5%.

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

Security for the Loan includes a lien on the special community benefit district assessments collected within the Crofton Special Community Benefit District. The Bank is requiring assurance that the County will levy the SCBD assessment to repay the loan in each of the fiscal years of the term of the loan.

The County is not contracting with the Bank, is not obligated to repay the Loan with general County funds, and is not pledging the full faith and credit of the County for the repayment of the Loan. The County Council must approve all loans taken by the administering entities of special taxing districts that require the pledge of County-collected special tax revenues beyond the immediate fiscal year as collateral for the Loan.

County law requires annual budgeting and tax levies for special taxing districts, including special community benefit districts. The bill authorizes the County to levy the special community benefit district tax in an amount sufficient to repay the Loan in each fiscal year during the term of the Loan in which a payment is due on the Loan. It also requires the Association to budget annually for repayment of the Loan in those fiscal years. Even if the Association fails to submit a budget in any fiscal year during the term of the Loan, the Council will be obligated to assess to make the Loan payment during that fiscal year.

The County is requiring the Association to enter into an Agreement, a draft of which is attached, whereby the Association assigns its rights to receive the special community benefit district assessment collections designated for repayment of the Loan to the Bank. This Agreement obligates the Association to comply with all relevant provisions of the County Code related to special community benefit districts, including the submission and approval of annual budgets. The Agreement makes it clear that the County is not a creditor of the Association, is not a party to the Loan, does not pledge the full faith and credit of the County for the repayment of the Loan, and is otherwise under no contractual or moral obligation to remit any funds to the Bank other than those special community benefit district assessments collected by the County from owners of property within the Crofton Special Community Benefit District that are budgeted, appropriated, and encumbered for repayment of the Loan.

SECTION 1 of the bill provides that the County will levy the special tax known as the special community benefit assessment in an amount sufficient to repay the Loan in each fiscal year during the entire term of the Loan.

SECTION 2 provides that the County undertakes no obligations with regard to the Loan other than as set forth in Section 1, that the County is not a co-obligor or a guarantor of the Loan, and that the County does not pledge the full faith and credit of the County to repay the Loan.

SECTION 3 authorizes the County Executive to enter into such further agreements necessary to disburse the collected special community benefit district assessments directly to the Bank for repayment of the Loan.

SECTION 4 provides that the Bill takes effect 45 days after it becomes law.

The Office of Law is available to answer any additional questions regarding this bill. Thank you.

cc: Honorable Steuart Pittman, County Executive
Kai Boggess-deBruin, Chief of Staff
Matthew Power, Chief Administrative Officer
Peter Baron, Legislative Liaison
Chris Trumbauer, Budget Officer

**ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE**

BILL NUMBER: 51-21

INTRO. DATE: May 17, 2021

FISCAL NOTE

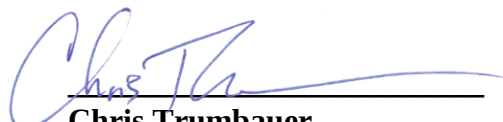
**BILL: AN ORDINANCE CONCERNING: CROFTON SPECIAL COMMUNITY
BENEFIT DISTRICT – APPROVAL OF LOAN AND ASSIGNMENT
AGREEMENT**

SUMMARY OF LEGISLATION

The purpose of this legislation is to provide the authority for the County to levy the special tax known as the special community benefit assessment on Crofton Special Community Benefit District in an amount sufficient to repay a loan of \$2,700,000 from Severn Bank during the fifteen-year term of the loan.

FISCAL IMPACT

The costs that the County will incur in administering the Crofton Special Community Benefit District multi-year payment of the loan will be offset by the administrative fee charged when taxes are collected.



Chris Trumbauer
Budget Officer

5/13/2021
Date

Prepared by: Janae Moulden
Reviewed by: Hannah Dier

cc: Karin McQuade, Controller

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 11

Bill No. 52-21

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

By the County Council, May 17, 2021

Introduced and first read on May 17, 2021
Public Hearing set for June 21, 2021
Bill Expires August 20, 2021

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Current Expense Budget – Fourth Quarter
2 Fund Transfer and Supplementary Appropriations
3

4 FOR the purpose of transferring appropriations of funds between certain offices,
5 departments, institutions, boards, commissions or other agencies in the general fund;
6 making supplementary appropriations from unanticipated revenues to certain offices,
7 departments, institutions, boards, commissions or other agencies in the general fund
8 and to certain special funds of the County government for the current fiscal year;
9 making this Ordinance an emergency measure; and generally relating to transferring
10 appropriations of funds and making supplementary appropriations of funds to the
11 current expense budget for the fiscal year ending June 30, 2021.
12

13 BY amending: Current Expense Budget
14

15 WHEREAS, under Section 711(a) of the Charter, the County Executive may
16 authorize transfers of funds within the same department and within the same fund;
17 and
18

19 WHEREAS, under Section 711(a) of the Charter, upon recommendation of the
20 County Executive, the County Council may transfer funds between offices,
21 departments, institutions, boards, commissions or other agencies of the County
22 government and within the same fund of the Current Expense Budget; and
23

24 WHEREAS, under Section 712 of the Charter, upon the recommendation of the
25 County Executive, the County Council may make supplementary appropriations
26 from revenues received from anticipated sources but in excess of budget estimates
27 and from revenues received from sources not anticipated in the budget for the

current fiscal year, provided that the Controller shall first certify in writing that such funds are available for appropriation; and

WHEREAS, the County Executive has recommended the transfer and supplementary appropriation of certain funds, and the Controller has certified in writing that such funds are available for appropriation; now, therefore,

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That the Current Expense Budget for the fiscal year ending June 30, 2021, be and it is hereby amended by making an emergency and supplementary appropriation and transfer of funds in the amounts set forth from:

Office of Finance (Non-Departmental) – General Fund Appropriation

Debt Service

Debt Service \$ 2,100,000

Chief Administrative Officer – General Fund Appropriation

Contingency

Grants, Contributions & Other \$ 426,000

Unappropriated Fund Balance – General Fund \$ 5,717,800

and by transferring and making a supplementary appropriation of such funds to the below-listed departments in the amounts set forth:

Board of Supervisors of Elections – General Fund Appropriation

Brd of Supervisor of Elections

Contractual Services \$ 250,000

Health Department – General Fund Appropriation

Disease Prevention & Mgmt

Contractual Services \$ 5,000,000

Orphans' Court – General Fund Appropriation

Orphans Court

Contractual Services \$ 10,000

Office of Information Technology – General Fund Appropriation

Office of Info. Technology

Personal Services \$ 85,000

Office of Emergency Management – General Fund Appropriation

Office of Emergency Mgt

Personal Services \$ 150,000

Office of Finance – General Fund Appropriation

Accounting & Control

Personal Services \$ 200,000

1	Police Department – General Fund Appropriation	
2	Operations & Investigations	
3	Contractual Services	\$ 450,000
4	Admin Services	
5	Personal Services	\$ 800,000
6		
7	Department of Public Works – General Fund Appropriation	
8	Bureau of Highways	
9	Personal Services	\$ 130,000
10	Contractual Services	\$ 1,052,500
11	Supplies & Materials	\$ 116,300
12		

13 SECTION 2. *And be it further enacted*, That the Current Expense Budget for the fiscal
14 year ending June 30, 2021, be and it is hereby amended by making supplementary
15 appropriations from revenues received from federal and State grants, sources of which were
16 not anticipated in the budget or from revenues received from anticipated sources but which
17 are in excess of budget estimates as follows:

18		
19	Unappropriated fund balance of the Garage Vehicle	
20	Replacement Fund	\$ 58,000
21		
22	Unappropriated fund balance of the Self Insurance Fund	\$ 344,000
23		
24	Unappropriated fund balance of the Health Insurance Fund	\$ 8,000,000
25		
26	Unappropriated fund balance of the National Business Park –	
27	North Tax Increment Fund	\$ 18,400
28		
29	State & Federal Grants in the Grants Special Revenue Fund	\$ 50,000
30		

31 and by adding such funds to the below-listed funds, in the respective amounts set forth:

32		
33	Office of Central Services – Garage Vehicle Replacement Fund	
34	Vehicle Replacement	
35	Capital Outlay	\$ 58,000
36		
37	Office of Central Services – Self Insurance Fund	
38	Risk Management	
39	Contractual Services	\$ 344,000
40		
41	Office of Personnel – Health Insurance Fund	
42	Health Costs	
43	Personal Services	\$ 3,000,000
44	Grants, Contributions & Other	\$ 5,000,000
45		
46	National Business Park - North Tax Increment Fund	
47	Office of Finance (Non-Departmental)	

1	Tax Increment Districts		
2	Grants, Contributions & Other	\$	18,400
3			
4	Grants Special Revenue Fund		
5	Health Department		
6	Administration & Operations		
7	Personal Services	\$	37,500
8	Contractual Services	\$	5,500
9	Supplies & Materials	\$	6,000
10	Business & Travel	\$	1,000

11

12 SECTION 3. *And be it further enacted*, That this Ordinance is hereby declared to be an

13 emergency ordinance and necessary for the immediate preservation of the public peace,

14 health, safety, welfare, and property, and being passed by the affirmative vote of five

15 members of the County Council, the same shall take effect from the date it becomes law.

**ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET**

BILL NUMBER: 52-21

INTRO. DATE: May 17, 2021

FISCAL NOTE

**BILL: AN EMERGENCY ORDINANCE CONCERNING: CURRENT EXPENSE
BUDGET – FOURTH QUARTER FUND TRANSFER AND
SUPPLEMENTARY APPROPRIATIONS**

SUMMARY OF LEGISLATION

The purpose of this emergency legislation is to make supplementary appropriations from unanticipated grant revenue, recognize general fund unappropriated fund balance, and transfer appropriations between departments. **Exhibit 1** summarizes the appropriation of \$8,243,800 within the General Fund.

Exhibit 1		
General Fund Transfers and Appropriations		
<u>Department</u>	<u>Description</u>	<u>Amount</u>
Finance (Non-Departmental)	Debt Service	\$2,100,000
Chief Administrative Officer	Contingency	426,000
Unappropriated Fund Balance	General Fund Fund Balance	5,717,800
Total Transfers		\$8,243,800
Board of Elections	State costs share	\$250,000
Health Department	FEMA Reimbursement from CARES	5,000,000
Orphans' Court	Recording equipment	10,000
Information Technology	Unrealized turnover	85,000
Emergency Management	Unrealized turnover	150,000
Finance	Unrealized turnover	200,000
Police	Overtime, FAST Fund Transfer	1,250,000
Public Works	Snow removal costs	1,298,800
Total Appropriations		\$8,243,800

Exhibit 2 summarizes the appropriation of \$8,470,400 within Other Funds.

Exhibit 2		
Other Funds Appropriations		
<u>Department</u>	<u>Description</u>	<u>Amount</u>
Central Services -- Vehicle Replacement Fund	Mobile Data Computers	\$58,000
Central Services -- Self Insurance Fund	Software	344,000
Personnel -- Health Insurance Fund	Healthcare claims, OPEB	8,000,000
Finance (Non-Departmental) -- National Business Park TIF	Transfer to General Fund	18,400
Health -- Grant Special Revenue Fund	Community Health Outreach Worker Grant	50,000
Total		\$8,470,400

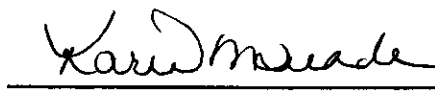

Chris Trumbauer
Budget Officer

5/13/2021

Date

CERTIFICATION OF FUNDS

In accordance with the Anne Arundel County Charter, Section 712, I certify that such funds are available for appropriation.


Karin McQuade
Controller

5/14/21
Date

Prepared by: Steven Theroux
 Reviewed by: Hannah Dier

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 11

Bill No. 53-21

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

By the County Council, May 17, 2021

Introduced and first read on May 17, 2021
Public Hearing set for June 21, 2021
Bill Expires August 20, 2021

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Current Expense Budget – Board of
2 Education – Supplementary Appropriation and Transfers of Funds
3

4 FOR the purpose of transferring appropriations of funds between certain offices,
5 departments, institutions, boards, commissions or other agencies in the general fund;
6 making supplementary appropriations from unanticipated revenues to the Local
7 Education Fund for the current fiscal year; making this Ordinance an emergency
8 measure; and generally relating to transferring appropriations of funds and
9 supplementary appropriations to the current expense budget for the fiscal year ending
10 June 30, 2021.
11

12 BY amending: Current Expense Budget
13

14 WHEREAS, under Section 711(a) of the Charter, the County Executive may
15 authorize transfers of funds within the same department and within the same fund;
16 and
17

18 WHEREAS, under Section 711(a) of the Charter, upon recommendation of the
19 County Executive, the County Council may transfer funds between offices,
20 departments, institutions, boards, commissions or other agencies of the County
21 government and within the same fund of the Current Expense Budget; and
22

23 WHEREAS, under Section 712 of the Charter, upon the recommendation of the
24 County Executive, the County Council may make supplementary appropriations
25 from revenues received from anticipated sources but in excess of budget estimates
26 and from revenues received from sources not anticipated in the budget for the
27 current fiscal year, provided that the Controller shall first certify in writing that such
28 funds are available for appropriation; and

WHEREAS, § 5-105(a) of the Education Article of the Annotated Code of Maryland, requires that all revenues received by the Board of Education be spent in accordance with the major categories of its annual budget as provided under § 5-101 of the Education Article, and § 5-105(b) of the Education Article requires that transfers between major categories be approved by the County Council; and

WHEREAS, the County Executive has recommended the transfer and supplementary appropriation of certain funds, and the Controller has certified in writing that such funds are available for appropriation; now, therefore,

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That the Current Expense Budget for the fiscal year ending June 30, 2021, be and it is hereby amended by making supplementary appropriations of revenues received from sources not anticipated in the budget and from revenues received from anticipated sources in excess of budget estimates in the Local Education Fund as follows:

Federal and State Grants	\$ 1,950,500
--------------------------	--------------

SECTION 2. *And be it further enacted,* That the Current Expense Budget for the fiscal year ending June 30, 2021, is hereby amended by transferring funds from the below-listed accounts in the Local Education Fund in the respective amounts set forth:

(1) Mid-Level Administration	\$ 2,951,390
(2) Instructional Salaries & Wages	\$ 4,430,610
(3) Pupil Services	\$ 233,100
(4) Pupil Transportation	\$ 16,849,200
(5) Community Services	\$ 30,400

SECTION 3. *And be it further enacted,* That the Current Expense Budget for the fiscal year ending June 30, 2021, is hereby amended by making supplementary appropriations of such funds and by transferring such funds as enumerated in Sections 1 and 2 of this Ordinance to the below-listed accounts in the Local Education Fund in the respective amounts set forth:

(1) Administration	\$ 381,800
(2) Textbooks and Classroom Supplies	\$ 12,511,200
(3) Other Instructional Costs	\$ 5,621,900
(4) Special Education	\$ 348,200
(4) Operation of Plant	\$ 2,420,200
(5) Maintenance of Plant	\$ 3,366,300
(6) Fixed Charges	\$ 581,100
(7) Capital Outlay	\$ 1,214,500

SECTION 4. *And be it further enacted,* That this Ordinance is hereby declared to be an emergency ordinance and necessary for the immediate preservation of the public peace, health, safety, welfare, and property, and being passed by the affirmative vote of five members of the County Council, the same shall take effect from the date it becomes law.

**ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET**

BILL NUMBER: 53-21

INTRO. DATE: May 17, 2021

FISCAL NOTE

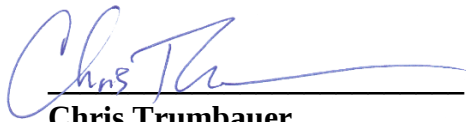
**BILL: AN EMERGENCY ORDINANCE CONCERNING: CURRENT EXPENSE
BUDGET – BOARD OF EDUCATION – SUPPLEMENTARY
APPROPRIATION AND TRANSFERS OF FUNDS**

SUMMARY OF LEGISLATION

The purpose of this legislation is to make supplementary appropriations from unanticipated grant revenue and to transfer appropriations between categories. **Exhibit 1** summarizes the appropriation of \$26,445,200 within the Local Education Fund.

The Board of Education is scheduled to vote on the budget changes included in this legislation on May 19th. Should the Board adopt budgetary changes other than those included in this legislation, this legislation will need to be amended to reflect the adopted figures. A certification of funds will be completed after the Board votes.

Exhibit 1		
Supplementary Appropriations and Fund Transfers		
<u>Category</u>	<u>Amount</u>	<u>Total</u>
<i>Section 1: Additional Revenue</i>		
Federal and State Grants	\$1,950,500	
Section 1 Total		\$1,950,500
<i>Section 2: Appropriation Decrease</i>		
Mid-Level Administration	\$2,951,390	
Instructional Salaries & Wages	\$4,430,610	
Pupil Services	\$233,100	
Pupil Transportation	\$16,849,200	
Community Services	\$30,400	
Section 2 Total		\$24,494,700
Total Funds Available		\$26,445,200
<i>Section 3: Appropriation Increases</i>		
Administration	\$381,800	
Textbooks and Classroom Supplies	\$12,511,200	
Other Instructional Costs	\$5,621,900	
Special Education	\$348,200	
Operation of Plant	\$2,420,200	
Maintennce of Plant	\$3,366,300	
Fixed Charges	\$581,100	
Capital Outlay	\$1,214,500	
Total Appropriation Increase		\$26,445,200



Chris Trumbauer
Budget Officer

5/13/2021

Date

Prepared by: Steven Theroux
 Reviewed by: Hannah Dier

cc: Karin McQuade, Controller

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 11

Bill No. 54-21

Introduced by Mr. Volke

By the County Council, May 17, 2021

Introduced and first read on May 17, 2021
Public Hearing set for June 21, 2021
Bill Expires August 20, 2021

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Finance, Taxation, and Budget – Community Benefit
2 Program – Grants for Councilmanic Districts
3

4 FOR the purpose of adding all Councilmanic districts as eligible for grants under the
5 Community Benefit Program; establishing grants to be approved by individual
6 Councilmembers and funded by the County Executive's budget under certain
7 circumstances; and generally relating to finance, taxation, and budget.
8

9 BY repealing and reenacting, with amendments: § 4-11-109
10 Anne Arundel County Code (2005, as amended)
11

12 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
13 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:
14

15 ARTICLE 4. FINANCE, TAXATION, AND BUDGET

16 TITLE 11. BUDGET

17 18 19 **4-11-109. Community Benefit Program.**

20
21 (a) **Establishment.** There is a Community Benefit Program for the purpose of assisting
22 incorporated nonprofit community associations and other incorporated nonprofit
23 organizations to upgrade or improve their subdivisions or communities.
24

25 (b) **Eligibility.** To be eligible for a grant, an association or organization shall be in good
26 standing with the Maryland State Department of Assessments and Taxation and:

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter repealed from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

(1) (i) be active in the following area in the southwest portion of the County: From the point at which Maryland Route 4 enters Anne Arundel County from the south thence running in a westerly direction along the common boundary between Anne Arundel County and Calvert County to the shores of the Patuxent River, thence running in a northerly direction along the westernmost boundary of Anne Arundel County and binding along the shores of the Patuxent River to the point at which the western boundary of Anne Arundel County intersects with Kings Branch, thence running along Kings Branch in an easterly and then northerly direction to the intersection of Kings Branch with Mt. Airy Road, then in an easterly direction on Mt. Airy Road to the point at which Mt. Airy Road intersects with Maryland Route 424, thence running in a southeasterly direction along the southwest border of Birdsville Road, to the point at which Birdsville Road intersects with Maryland Route 2, thence running in a southerly direction along the western border of Maryland Route 2 to the point at which Maryland Route 2 intersects with Maryland Route 408, thence running in a southwesterly direction along the northwestern border of Maryland Route 408 to the point at which Maryland Route 408 intersects with Brooks Woods Road, thence running in a southeasterly direction along the southwestern border of Brooks Woods Road to the point at which Brooks Woods Road intersects with Little Road, thence running in a generally westerly direction along the northern border of Little Road to the point at which Little Road intersects with Bay Front Road, thence running in an easterly direction along the southern border of Bay Front Road to the point at which Bay Front Road intersects with Fishers Station Road, thence running in a southwesterly direction along the northwestern border of Fishers Station Road until Fishers Station Road intersects with Maryland Route 4, thence running in a southerly direction along the western border of Maryland Route 4, to the point of beginning; and

(ii) agree to use the grant to protect and benefit the County and the communities located near a sanitary landfill operated solely for the disposal of rubble that contributes a host community benefit fee to the County; ~~[[or]]~~

(2) (i) be active in the area of the northern portion of the County bounded by Route 295 (Baltimore-Washington Parkway), Route 176 (Dorsey Road), Route 170 (Telegraph Road), Route 174 (Reece Road), and Route 175 (Annapolis Road); and

(ii) agree to use the grant to protect and benefit the County and the communities located near a video lottery facility~~[[.]]~~; OR

(3) SUBJECT TO SUBSECTION (C)(2):

(I) BE LOCATED IN ANY OTHER AREA OF THE COUNTY;

(II) APPLY TO AND BE APPROVED FOR THE GRANT BY THE COUNCILMEMBER REPRESENTING THE DISTRICT IN WHICH THE ASSOCIATION OR ORGANIZATION IS LOCATED; AND

(III) AGREE TO USE THE GRANT TO BENEFIT THE COMMUNITIES IN THAT AREA.

(c) Amount of grant.

(1) ~~[[The]]~~ FOR GRANTS UNDER SUBSECTIONS (B)(1) AND (B)(2), THE County Executive may award a grant to an eligible association or organization in an amount not to

1 exceed \$10,000 or, with the approval of the County Council, in an amount in excess of
2 \$10,000.

3
4 (2) FOR GRANTS UNDER SUBSECTION (B)(3):
5

6 (I) THE COUNTY EXECUTIVE MAY INCLUDE IN THE BUDGET A PERCENTAGE OF
7 THE AMOUNT APPROPRIATED FOR GRANTS IN THE NEXT FIXCAL YEAR FOR USE IN EACH
8 COUNCILMANIC DISTRICT SO LONG AS THE PERCENTAGE IS THE SAME FOR EACH
9 COUNCILMANIC DISTRICT;
10

11 (II) IF A PERCENTAGE OF THE AMOUNT APPROPRIATED FOR GRANTS IS
12 INCLUDED IN THE BUDGET FOR USE IN EACH COUNCILMANIC DISTRICT, EACH
13 COUNCILMEMBER MAY SUBMIT ONE OR MORE REQUESTS FOR GRANTS TO THE COUNTY
14 EXECUTIVE; AND
15

16 (III) THE COUNTY EXECUTIVE MAY AWARD GRANTS TO AN ELIGIBLE
17 ASSOCIATION OR ORGANIZATION AS REQUESTED BY THE COUNCILMEMBER IN THE
18 AMOUNT REQUESTED BY THE COUNCILMEMBER, NOT TO EXCEED \$10,000.
19

20 (d) **Agreement.** Each association or organization that receives a grant shall enter into
21 an agreement with the County that ensures compliance with the requirements of subsection
22 (b) and contains any other provisions that the County Executive determines to be necessary
23 or prudent to protect the interests of the County.
24

25 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
26 from the date it becomes law.



LEGISLATIVE SUMMARY*

To: All Councilmembers of the Anne Arundel County Council

From: Linda M. Schuett, Legislative Counsel

Date: May 17, 2021

Subject: Bill No. 54-21

Section 4-11-109 of the Anne Arundel County Code establishes a Community Benefit Program to provide grants to incorporated nonprofit community associations or other nonprofit organizations for improvement of their communities. Under existing law, Councilmembers have no role in the grant process.

Bill No. 54-21 establishes a voluntary procedure to allow potential Councilmember participation in the grant process. It provides that the County Executive may include a percentage of the amount appropriated for grants in the budget for use in each Councilmanic District. The percentage must be the same for each Councilmanic District. If the County Executive chooses to include the percentage, Councilmembers may submit one or more requests to the County Executive for grants to be awarded to nonprofit organizations located in the Councilmember's Councilmanic District. The County Executive may then award grants in the amount requested by the Councilmember, not to exceed \$10,000.

Existing law allows grants to be awarded to nonprofit organizations in certain areas of the County only. For those grants awarded under Bill No. 54-21, the nonprofit organization may be located in any area of the County. In addition, to facilitate Councilmember awareness of the grants requested by nonprofit organizations in their Councilmanic Districts, the applicant must provide a copy of the application to the Councilmember representing the District. Finally, the nonprofit organization must agree to use the grant to benefit the communities.

* This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 11

Resolution No. 27-21

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

By the County Council, May 17, 2021

1 RESOLUTION confirming the appointment of a member to serve on the Personnel
2 Board for Anne Arundel County

3
4 WHEREAS, Section 520 of the Charter of Anne Arundel County, Maryland,
5 provides that there shall be a Personnel Board consisting of five qualified voters
6 appointed by the County Executive and confirmed by resolution of the County
7 Council; and

8
9 WHEREAS, Section 520 of the Charter provides that the terms of the members are
10 coterminous with that of the County Executive, that a member shall serve until a
11 successor is appointed and qualified; and

12
13 WHEREAS, Alan Friedman, a qualified voter whose term would have expired on
14 November 30, 2022, resigned as a member of the Personnel Board; and

15
16 WHEREAS, the County Executive, subject to confirmation by the County Council,
17 has appointed Beverley Swaim-Staley, a qualified voter, to serve the remainder of
18 a term that expires on November 30, 2022; and

19
20 WHEREAS, the County Council, after public hearing, finds that Beverley
21 Swaim-Staley meets the eligibility requirements under Section 520 of the Charter
22 of Anne Arundel County, Maryland, and is qualified to serve on the Personnel
23 Board; now, therefore, be it

24
25 *Resolved by the County Council of Anne Arundel County, Maryland,* That it hereby
26 approves the appointment to the Personnel Board of Beverley Swaim-Staley, a qualified
27 voter, to the remainder of a term that expires on November 30, 2022; and be it further

28
29 *Resolved,* That a copy of this Resolution be sent to County Executive Steuart Pittman,
30 appointee Beverley Swaim-Staley, and Meghan Brown, Boards and Commissions
31 Coordinator.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 11

Resolution No. 28-21

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

By the County Council, May 17, 2021

1 RESOLUTION approving the appointment of a Severn River Commission member

2
3 WHEREAS, the County Council of Anne Arundel County established the Severn
4 River Commission in Resolution No. 130-84, and reestablished the Commission in
5 Resolution No. 47-89; and

6
7 WHEREAS, Resolution No. 47-89 provides that, subject to confirmation by the
8 County Council, the County Executive shall appoint seven voting members to the
9 Severn River Commission, at least five of whom are residents of the Severn River
10 Watershed; and

11
12 WHEREAS, Resolution No. 47-89 further provides that each member of the Severn
13 River Commission shall serve a term of three years from the date of appointment;
14 and

15
16 WHEREAS, there is a vacant position on the Severn River Commission; and

17
18 WHEREAS, the County Executive has appointed Nina Fisher, a resident of the
19 Severn River watershed, to fill a vacancy and serve on the Severn River
20 Commission for a three year term commencing on the date of appointment; and

21
22 WHEREAS, the County Council, after a public hearing, finds that Nina Fisher
23 meets the eligibility requirements under Resolution No. 47-89, and is qualified to
24 serve on the Severn River Commission; now, therefore, be it

25
26 *Resolved by the County Council of Anne Arundel County, Maryland,* That it confirms
27 the appointment of Nina Fisher, a resident of the Severn River Watershed, to serve on the
28 Severn River Commission for a term commencing on the date of appointment; and be it
29 further

30
31 *Resolved,* That copies of this Resolution be sent to County Executive Steuart Pittman;
32 Jim Burdick, Chair, Severn River Commission; Nina Fisher, a resident of the Severn River
33 Watershed, appointee; and Meghan Brown, Coordinator of Boards and Commissions.

AMENDMENT TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

and by Ms. Pickard

Amendment No. 1

On page 4 of the proposed bill, in line 9, on page 5, in line 46, and on page 6, in line 17, in each instance, after “CHILD” insert “, GRANDCHILD”.

(This amendment adds that a grandchild of a member, of the Director, or of the Chief Financial Officer of the Resilience Authority may not have a financial interest in any project over which the Resilience Authority has jurisdiction or any power or authorization to act.)

AMENDMENT TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

and by Ms. Pickard

Amendment No. 2

On page 1 of the proposed bill, in line 12, after “reports” insert “and audited financials”; and in the same line, after the second semi-colon insert “allowing for the examination of the books, accounts, and records of the Resilience Authority;”.

On page 8, in line 29, after “REPORT” insert “AND AUDITED FINANCIALS, IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES,”; and after line 55, insert:

“(C) Examination of books, accounts, and records. THE COUNTY CONTROLLER, COUNTY AUDITOR, COUNTY ATTORNEY, AND CITY MANAGER, OR THEIR DESIGNEES, MAY EXAMINE THE BOOKS, ACCOUNTS, AND RECORDS OF THE AUTHORITY.”.

(This amendment adds a requirement for the Resilience Authority to submit audited financials annually; and allows the Resilience Authority’s books, accounts, and records to be examined by certain County and City officials.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 3

On page 3 of the proposed bill, in line 3, strike “, WITH THE CONCURRENCE OF THE CITY OF ANNAPOLIS,”.

(This amendment allows the County to adopt amendments to the Articles of Incorporation without concurrence of the City of Annapolis.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 4

On page 3 of the proposed bill, in line 7, strike “THE”; and in line 8, after “COUNCIL” insert “, OR SHALL BE PROPOSED BY RESOLUTION OF THE COUNTY COUNCIL”.

(This amendment allows the County Council to propose amendments to the Authority’s Articles of Incorporation by resolution.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 5

On page 3 of the proposed bill, in lines 27 and 28, strike “WITH THE CONCURRENCE OF THE CITY OF ANNAPOLIS” and substitute “UPON APPROVAL BY RESOLUTION OF THE COUNTY COUNCIL”.

(This amendment removes a requirement that City of Annapolis concurs with County to modify or terminate the Resilience Authority and instead requires approval by resolution of the County Council.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 6

On page 3 of the proposed bill, in line 46, strike “ALL”; in the same line, strike “SHALL” and substitute “MAY”; and in line 47, after “ANNAPOLIS” insert “WITH APPROVAL BY RESOLUTION OF THE COUNTY COUNCIL”.

(This amendment allows all or some of the obligations of the Resilience Authority to be assumed by the County and the City of Annapolis with approval of the County Council upon termination of the Authority.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 7

On page 3 of the proposed bill, in line 56, strike “NINE” and substitute “TWO”; in line 57, strike “AND”; and after line 57, insert:

“(II) SEVEN MEMBERS, ONE FROM EACH COUNCILMANIC DISTRICT, SHALL BE APPOINTED BY RESOLUTION OF THE COUNTY COUNCIL; AND”.

On page 4, in line 1, strike “(II)” and substitute “(III)”.

(This amendment provides that the County Executive appoints two members of the Resilience Authority and the County Council appoints seven members, one from each Councilmanic District.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 8

On page 6 of the proposed bill, strike in its entirety line 57.

On page 7, in lines 1, 4, 6, 8, 11, and 14, strike “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(10)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively.

(This amendment provides that the Resilience Authority may not charge or collect fees for its services.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 9

On page 7 of the proposed bill, in line 1, after “COUNTY” insert “EXECUTIVE AND BY RESOLUTION OF THE COUNTY COUNCIL”.

(This amendment adds that the County Council must approve the Resilience Authority’s charging and collection of fees to support bond issuances.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 10

On page 7 of the proposed bill, in line 20, after the comma insert “AND UPON APPROVAL BY RESOLUTION OF THE COUNTY COUNCIL.”; and in line 41, after the comma insert “UPON APPROVAL BY RESOLUTION OF THE COUNTY COUNCIL.”.

(This amendment requires the County Council to approve the issuance and sale of bonds by the Resilience Authority and Resilience Authority’s corporate resolution describing each bond transactions.)

AMENDMENTS TO BILL NO. 31-21
(Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County)

May 17, 2021

Introduced by Ms. Haire

Amendment No. 11

On page 8 of the proposed bill, strike in its entirety line 8; and in lines 10 and 15, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively.

(This amendment removes the ability of the Resilience Authority to create security for bonds.)