COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of
Legislative Session 2021, Legislative Day No. 19
October 4, 2021 - 7:00 P.M.

The meeting was called to order by Chair Lacey at 7:00 P.M. and opened with the Invocation given by Ms. Haire. The meeting was held in the County Council Chambers, Arundel Center, Annapolis, Maryland. There were approximately 70 persons in the audience.

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

ETHICS STATEMENT

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

INVITATION TO AUDIENCE

The Administrative Officer stated there were no submissions of written public testimony received for Invitation to Audience through the online testimony tool.

The following person spoke on Invitation to Audience:

Steven Waddy
Travis Lerol
Julie Johnson
David Dull

There was no one else present who wished to speak, and the Invitation to Audience was concluded.

PRELIMINARY MOTION

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

APPROVAL OF MINUTES

On motion of Ms. Pickard, seconded by Mr. Pruski, the minutes of the meeting of September 20, 2021 were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 83-21 – AN EMERGENCY ORDINANCE concerning: Zoning – General Provisions – Uses and Structures – Temporary Uses – FOR the purpose of amending certain termination dates established by Bill No. 55-21 to extend the temporary use authorization for outdoor seating at restaurants; and making this Ordinance an emergency measure.
By Ms. Lacey, Chair
(by request of the County Executive)
and by Ms. Rodvien, Ms. Pickard, and Mr. Pruski

BILL NO. 84-21 – AN ORDINANCE concerning: Approval of Lease of County-owned property to the Boys & Girls Clubs of Annapolis and Anne Arundel County, Inc. – FOR the purpose of approving the lease of a portion of a County-owned property known as 1160 Reece Road, Severn, MD 21144, to the Boys & Girls Clubs of Annapolis and Anne Arundel County, Inc.
By Ms. Lacey, Chair
(by request of the County Executive)

BILL NO. 85-21 – AN ORDINANCE concerning: Subdivision and Development – Adequate Public Facilities – Public Schools – FOR the purpose of modifying the provisions for an exemption from requirements for adequate public facilities for schools; restoring provisions relating to the school utilization chart as they existed before the sunset of Bill No. 15-18; making certain technical changes; and generally relating to subdivision and development.
By Ms. Lacey, Chair
(by request of the County Executive)

BILL NO. 86-21 – AN ORDINANCE concerning: Finance, Taxation, and Budget – Real Property Taxes – Tax Credits – Public Safety Officer Property Tax Credit – FOR the purpose of extending the duration of the Public Safety Officer property tax credit; extending the termination of the Public Safety Officer property tax credit; and generally relating to finance, taxation, and budget.
By Mr. Pruski

BILL NO. 87-21 – AN ORDINANCE concerning: Licenses and Registrations – Amusements – Commercial Bingo and Alcoholic Beverages – FOR the purpose of repealing the prohibition against serving alcoholic beverages during commercial bingo games; and generally relating to licenses and registrations.
By Ms. Lacey, Mr. Volke, and Mr. Pruski

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 50-21 – RESOLUTION appointing a Charter Revision Commission
By Ms. Lacey, Chair
and by Ms. Lacey, Mr. Volke, Mr. Pruski, and Ms. Pickard

RESOLUTION NO. 51-21 – RESOLUTION designating Ellen Moss as the representative for the County Council on the DC Metroplex BWI Community Roundtable
By Mr. Volke

SUSPENSION OF RULES

On motion of Ms. Fiedler, seconded by Ms. Rodvien, the motion to vote to suspend Rule 5-106 to change the order and hear and vote on Resolution No. 49-21 first 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 that the Council would hear and vote on Resolutions 50-21 and 51-21 at the end of the meeting.

PUBLIC HEARING AND CALL OF RESOLUTION FOR FINAL READING AND/OR VOTE

The Chair called Resolution No. 49-21, Resolution in support of a replacement bridge at the current crossing of the William Preston Lane Jr. Memorial Bridge otherwise known as the Chesapeake Bay Bridge; and the Administrative Officer read the title.

Ms. Fiedler, Sponsor, stated this is a follow up resolution to the one that was passed in June asking for a pause in the plan. She stated her concerns about local traffic jams. She also stated there had been discussions with the Eastern Shore representatives to coordinate their efforts.

Pete Baron, Director, Government Affairs, accompanied by Lori Rhodes, DCAO, Land Use, Ramon Robinson, Director, Transportation, and Lori Blair, Legislative County Attorney, stated the Administration supports the Resolution.

Ms. Fiedler went into detail explaining what the Resolution was stating.

Ms. Rodvien stated her concerns about the traffic affecting her district also and thanked the Sponsor for her efforts.

The Chair opened the public hearing on Resolution No. 49-21.

The Administrative Officer stated there were three submissions of public testimony received for Resolution No.49-21, which were posted to the website and are part of the official record.

The following individuals spoke on Resolution No. 49-21:

Bruce Bereano
Jim Moran
Raymond Douglas Cleland
Theophilus Britt Griswold
William C. Nevel
David Humphreys
Pat Lynch
Julie Johnson

There was no one else present who wished to speak and the hearing was concluded.

The Chair called Resolution No. 49-21, Resolution in support of a replacement bridge at the current crossing of the William Preston Lane Jr. Memorial Bridge otherwise known as the Chesapeake Bay Bridge; and the Administrative Officer read the title.

Ms. Haire thanked the Sponsor for her work on the resolution.

Mr. Pruski noted the difference between a bill and a resolution and that a resolution is a statement that doesn't provide any action and doesn't force anyone to do anything.

Ms. Fiedler addressed Resolution No. 32-21 and the fact that the current spans have either met or exceeded their lifetime and replacement at this location needs to be addressed as well as another span at a different location.

Ms. Rodvien asked if the resolution passed did it mean the search for a bridge at another location would cease.

Ms. Fiedler stated the current study is looking for one bridge, either at the current location or elsewhere. If it is determined to be elsewhere the maintenance on the current spans would be ongoing.

Mr. Volke asked about the earlier resolution and why the Council would now be supporting the study.

Ms. Fiedler explained the need for a replacement span at the current location.

Amendment No. 1

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

This amendment adds recipients of a copy of the resolution.

On motion of Ms. Fiedler, seconded by Ms. Haire, 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 called Resolution No. 49-21, as amended, Resolution in support of a replacement bridge at the current crossing of the William Preston Lane Jr. Memorial Bridge otherwise known as the Chesapeake Bay Bridge; and the Administrative Officer read the title.

Resolution No. 49-21, as amended, was adopted by the following roll call vote:

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

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

BILL NO. 68-21 (As Amended)

The Chair called Bill No. 68-21, as amended, An Ordinance concerning: Public Safety – Animal Care and Control – Authority to Impound – Tethering of Dogs – For the purpose of amending the circumstances under which an animal may be impounded; amending the circumstances under which a dog may be tethered outdoors; and generally relating to animal care and control; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, accompanied by Robin Catlett, Animal Care and Control, Captain Jeff Adams, Anne Arundel County Police, and Curran Ritter, Office of Law, stated they appreciate the cooperation of the Council and they are ready for the bill to pass at this meeting.

Ms. Rodvien thanked all the people who worked on the bill.

Mr. Volke stated he was going to support the bill but expressed his concerns on the wording of the bill and that it gives a lot of discretion to the Animal Care and Control staff. He stated he is trusting that they will use the discretion the way they have stated they will use it.

The Chair opened the public hearing on Bill No. 68-21, as amended.

The Administrative Officer stated there were three submissions of public testimony received for Bill No. 68-21, as amended, which were posted to the website and are part of the official record.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Bill No. 68-21, as amended, An Ordinance concerning: Public Safety – Animal Care and Control – Authority to Impound – Tethering of Dogs; and the Administrative Officer read a portion of the title.

Bill No. 68-21, 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. 72-21

The Chair called for the public hearing on Bill No. 72-21, An Ordinance concerning Purchasing – Capital Improvement Contracts – Prevailing Wage and Local Hiring – For the purpose of establishing prevailing wage and local hiring provisions applicable to specific types of capital improvement contracts; defining certain terms; adding the types of capital improvement contracts to which prevailing wage provisions apply; allowing wage deductions in specific instances; requiring capital improvement contracts to include specific terms; adding worksite notice requirements; requiring maintenance of certain records relating to prevailing wage requirements; allowing audits investigations of complaints of violations of prevailing wage requirements; adding local hiring requirements; adding reporting requirements for prevailing wage and local hiring data; establishing penalties for violations of prevailing wage and local hiring provisions; providing for the applicability of this Ordinance; providing for a delayed effective date; and generally relating to purchasing; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, accompanied by Chris Trumbauer, Budget Officer, Christine Anderson, Director, Central Services, Andrew Hime, Purchasing, Chris Phipps, Director, DPW, and Lori Blair, Legislative County Attorney, stated the purpose of the bill and how it will fit into County contracts.

Mr. Phipps stated it's important to have a skilled workforce and this bill will assist in that effort as well as efficiency gains.

Mr. Volke asked Mr. Phipps how long he had been the Director of Public Works.

Mr. Phipps stated since 2013.

Mr. Volke asked Mr. Phipps about projects he had overseen in the County and if any were built with substandard labor.

Mr. Phipps stated it was difficult to compare projects because prevailing wage was not an option at the time the projects were completed.

Mr. Volke asked if there are any projects that were completed that he thinks needs to be replaced because they were built in a substandard manner.

Mr. Phipps stated he was unable to identify an individual project but that the County is in a competitive disadvantage to adjacent counties who all have prevailing wage programs in place.

Ms. Haire asked Ms. Bohlayer about the blue letter which indicated the total project costs for the FY22 projects could increase as much as $37 million. She asked if that amount had been added to the budget expense for FY22 would we exceed debt affordability.

Ms. Bohlayer stated that if no other changes were made to the budget this amount would get the County to the debt affordability limits quicker. There are different metrics that are used to determine the debt affordability limit and explained those metrics.

Ms. Fiedler asked about the study Mr. Phipps cited versus an email they had received from a contractor who works with jurisdictions that have prevailing wage requirements. He stated that the increase in costs was actually 25%-30% more. She asked him where he got the 2%-15% number.

Mr. Phipps stated that labor was only a percentage of the costs. There are still equipment and materials.

Mr. Baron stated the study which is cited is from the General Assembly Fiscal and Policy Note on a State Bill. He hasn't seen the email from the contractor so they are unable to comment on their estimates.

Mr. Trumbauer stated his office had prepared the fiscal note. The range of 2%-15% came from different sources. There is no way to estimate how much costs will increase, but they know they will increase, which is in the fiscal note. He stated labor costs go up every year.

Mr. Trumbauer also answered Ms. Haire's earlier question about the debt affordability limit. He stated his office receives updates on costs the entire time they are developing the budget. The budget is designed to take all costs into consideration and will not go over the CIP and debt affordability limit.

Mr. Volke asked about the comparison of the numbers given by the Administration versus the contractor's number in the email.

Mr. Baron stated they looked at a number of studies and shouldn't discount any of them because of the number of factors which influence the numbers.

Ms. Pickard stated we are the donut hole and are the only county in the region not offering prevailing wages. She stated that we are hurting our own residents. There are also requirements in the bill for some workers to be County residents. She stated other important factors of the bill.

Ms. Haire asked Mr. Trumbauer what options are available to the Budget Office to get to the CIP.

Mr. Trumbauer stated they look at the number of projects, the timing of the project and how to put those projects together under the Debt Affordability Limit. They get updates all the time of costs and expenses. There has not been any conversation about increasing revenue to cover the costs, only how to put the best capital projects forward.

Ms. Haire asked if that meant there could be delays in projects.

Mr. Trumbauer explained that is part of the process and they already do that every year. There are many projects submitted that go through the prioritization process and are not submitted to the Council in the budget. There are many infrastructure needs in the County, but they can't do them all.

Mr. Volke asked about the percentage and how much would need to be cut from the current FY22 budget.

Ms. Bohlayer explained the numbers in the blue letter and where they came from.

Mr. Pruski stated the costs versus the local economy benefit.

Ms. Fiedler asked about the cost and if taxes would need to be increased.

Mr. Trumbauer stated they cut projects every year. The projects need to fit into the debt affordability limit. He stated this bill will make some projects more expensive which is outlined in the fiscal note and the auditor's blue letter. This will be an additional factor taken into consideration when determining which projects are done.

Mr. Volke asked if anyone could tell him the number of in-county versus out-of-county workers are currently working on County projects at the current time.

Mr. Baron stated they are unable to give that number. They currently do not have a local hire law.

Ms. Rodvien state she is a proponent of you get what you pay for and asked questions regarding costs versus outcome of projects. She is aware of subcontractors who have hired people from several states away in order to pay them a lower hourly rate.

The Chair called for the public hearing on Bill No. 72-21.

The Administrative Officer stated there were seven submissions of public testimony received for Bill No. 72-21, as well as 28 letters which came through the drop box out front as well as via email, which were posted to the website and are part of the official record.

The following persons spoke on Bill No. 72-21:

Carl Neimeyer
William Yull
Jermaine Jones
Thomas Killeen
Roxana Mejia
Raymond Douglas Cleland
Kurt Snyder
Concepcion Morales
David Dull
Julie Johnson

There was no one else present who wished to speak and the hearing was the hearing was closed.

The Chair called Bill No. 72-21, An Ordinance concerning Purchasing – Capital Improvement Contracts – Prevailing Wage and Local Hiring; and the Administrative Officer read a portion of the title.

<u>Amendment No. 1</u>

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

This technical amendment corrects a typographical error.

On motion of Ms. Rodvien, 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

Mr. Volke asked if the legislation will ensure that the County will only contract with employers who are hiring and screening for employees who are working with lawful status.

Mr. Baron stated this bill does not speak to anything around immigration status.

Mr. Volke asked if there was anything in County law currently that ensured that the County only does business with employers whose employees have lawful status.

Pete Baron stated there are Federal laws which govern this and the County would have to follow those laws. He is not aware of any other provisions.

Ms. Pickard thanked the speakers who came and spoke on the bill. She thanked the people who brought the legislation forward which she stated encouraged young people to consider trades for their careers.

Ms. Schuett stated there are contingencies in County contracts that state that Federal and State laws must be complied with.

Ms. Fiedler state she is unable to support the bill because of the lack of specificity on how much the bill will cost.

Ms. Rodvien stated they are focusing too much on one type of cost and not considering all of the things that add up. She is supporting the bill.

Ms. Haire stated there are boards for contract appeals and there is no guarantee that delays will be alleviated by this legislation. She asked Mr. Hime if the only way to award a County contract is through the lowest bid.

Mr. Hime stated there are multiple ways to determine the winner of a County bid. In the process and programs they have in place the low bid is the preferred process for determination of the winning bidder.

Ms. Haire stated there is no mention of who will oversee the "best efforts", there is no definition of "best hires" or the penalties for failing to use them. She asked if there was an update on these questions.

Mr. Baron stated the Purchasing Agent will provide the guidance.

Mr. Volke asked Mr. Phipps if there were any projects completed in the County which had shoddy work and caused taxpayers more money in the long run.

Mr. Phipps stated he was unable to give a specific, isolated case. The trade itself depends on the cost which includes the cost of labor versus materials. He can only cite the information in the studies.

Ms. Lacey asked if prevailing wage is a new concept.

Mr. Hime stated that it was not a new concept and recounted his experience with it.

Ms. Fiedler stated she still hadn't gotten the answer to the question of a specific job which prevailing wage would have improved.

Ms. Rodvien stated she did not mean to indicate there would be no delays if prevailing wage were in place, only the possibility of less delays and a better work product.

Ms. Haire noted there were provisions in this bill that go beyond the federal mandates.

Mr. Volke asked Mr. Phipps if under the Owens administration a prevailing wage proposal had been introduced.

Mr. Phipps stated he was not a director at that time and did not know.

Mr. Volke asked if this had been introduced in any of the other administrations since then.

Mr. Baron stated to his knowledge this was the first time a prevailing wage bill had been introduced.

Ms. Pickard cited the areas we already have prevailing wage in place in County government, which is school construction.

Mr. Volke stated now he knows now why school construction costs are so high.

Mr. Pruski stated this legislation has not been brought forward previously, but that it is time that it is.

The Chair called Bill 72-21, as amended, An Ordinance concerning: Purchasing – Capital Improvement Contracts – Prevailing Wage and Local Hiring; and the Administrative Officer read a portion of the title.

Bill No. 72-21, 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. 73-21

The Chair called for the public hearing on Bill No. 73-21, An Ordinance concerning: Approval of Lease Agreement for Coppermine Tennis Facility – For the purpose of approving an agreement to lease County-owned property located at 1580 Millersville Road, Millersville, MD 21108, to Coppermine Racquet and Fitness LLC; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Chris Trumbauer, Budget Officer, Jessica Leys, Director, Recreation and Parks, Erica Matthews, Recreation and Parks, Andrew Hime, Purchasing Agent, Central Services, and Lori Blair, Legislative County Attorney.

Mr. Trumbauer stated the history of this project. He outlined how the Administration had met with the community and their vision for this project and how it differed from the previous Administration.

Ms. Leys outlined the County's commitment to work with the community.

Mr. Pruski asked about the funding of the project and what the difference was in encumbered funds in the blue letter.

Ms. Matthews stated there are a number of contracts in play currently including the traffic study and gave an overview of the other contracts which are outstanding.

Mr. Pruski asked about outdoor court use, lighting and other events at the facility.

Ms. Matthews stated those questions would be answered a little further into the process.

Mr. Pruski asked about the fees for the facility.

Ms. Matthews stated this facility is being designed to be a public amenity. The goal is to have the facility fees be such that people who would not otherwise have access to a facility be able to use this one and to have some free days. The goal would be not to compete with other facilities, but to provide a high quality facility at public prices.

Mr. Volke asked for specifics on the funding for the facility and how much had been spent.

Ms. Matthews outlined her understanding of the money spent thus far as well as the grant funding which is included.

Ms. Haire asked where in the lease specifics were free days, etc.

Ms. Matthews referred her to specific items in the RFP which outlined items that must be included and stated the County would have oversight of the operating budget for the facility.

Ms. Leys stated that she as the Director would have oversight of this facility just like she does with other County Recreation and Parks facilities. The RFP doesn't get into that level of detail at this point, but does detail what they want to be built and how it will be used.

Ms. Haire asked what would happen if they were unable to agree on the details at a later point.

Ms. Leys explained what the alternatives would be.

Ms. Rodvien asked what she would do if the rate schedule was too high.

Ms. Leys stated the negotiation process that would take place.

Ms. Fiedler asked for specifics on what the pricing would be.

Ms. Leys stated there will be different prices based on if the court would be rented per hour, per player, per day, or for a specific event. The RFP was very specific that there would be days that were going to be Recreation and Parks use, partnering with schools, partnering with other tennis groups to run clinics, etc. She stated there is a lot to discuss but the first step is to enter into the lease so they can discuss these items with the partner.

Mr. Volke asked if space was being reserved for additional courts outside in the site development plan.

Ms. Matthews stated they have eliminated Phase 2 of the site development plan which would have included additional uses. Currently the additional space will remain green space.

Mr. Volke stated the engineering documents they have say 16 outdoor courts.

Ms. Matthews stated they have not reengaged the designer to update the plans because any changes made will have to be included in the updates.

Ms. Leys stated they include things in master plans sometimes that never get built. If they were to be built they would have to be included in the budget. She stated at this time there is no plan to come to the Council with a Phase 2 plan.

Ms. Haire asked if there has ever been an instance where the County was unable to come to an agreement for a MOU after a lease.

Ms. Leys stated it is normal to come to a MOU after the lease because the lease clearly states what the intent is with the development. The development of a MOU would include days and hours of operation, which days the County would run programs versus days they would run programs, and items like that. She does not anticipate having an issue with the MOU because of the vetting process used in determining who they were going to recommend as their partner.

The Chair called for the public hearing on Bill No. 73-21.

The Administrative Officer stated there were 250 submissions of public testimony received for Bill No. 73-21, which were posted to the website and are part of the official record. The Chair asked for a breakdown of how many of those were in favor and how many were opposed. The Administrative Officer stated she would provide that.

The following persons spoke on Bill No. 73-21:

Deborah Weller
Donald Weller
David Demers
Patricia Lilek
Maribeth Love
Peter Threadgill
Elias Inoa
Michael Heup
Scott Blackketter
Gretchen Bandy
Libby Sroka
Henry Thomas
Russell Hester
Stacia Bontempo
Jack Sroka,
Louise Gengler Thomas
Saverio Pellegrino
King Julius Cezar
Jim Hintze
Jessica Tiller
Barbara Stack
Wayne West
Alan Switzman
Jenna McGowan

There was no one else present who wished to speak and the hearing was concluded.

The Administrative Officer stated the tally for the online testimony was 169 in support and 81 opposed.

The Chair called Bill No. 73-21, An Ordinance concerning: Approval of Lease Agreement for Coppermine Tennis Facility; and the Administrative Officer read a portion of the title.

<u>Amendment No. 1</u>

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

This amendment requires that any modification to the scope of the project under the Coppermine Lease Agreement be approved by Ordinance of the County Council.

Mr. Pruski, Co-Sponsor, stated he has met with residents of Millersville many times who have legitimate concerns about this development. He explained the purpose of the amendment.

Mr. Baron stated the Administration supports the amendment.

On motion of Ms. Pickard, seconded by Ms. Rodvien, 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. 73-21, as amended, will be heard on October 18, 2021.

BILL NO. 74-21

The Chair called for the public hearing on Bill No. 74-21, An Ordinance concerning: Subdivision and Development – Site Development – Exemptions – For the purpose of exempting agricultural buildings and accessory uses to farming from the requirements for site development; exempting temporary uses from the requirements for site development; and generally relating to subdivision and development; and the Administrative Officer read the title.

Ms. Haire, Sponsor, explained the purpose of the bill.

Pete Baron, Director, Community Affairs, accompanied by Lori Rhodes, DCAO for Land Use, Lynn Miller, Planning and Zoning and Kelly Kenney, Office of Law, stated the Administration supports the bill.

The Chair called for the public hearing on Bill No. 74-21.

The Administrative Officer stated there were two submissions of public testimony received for Bill No. 74-21, which were posted to the website and are part of the official record.

The following person spoke on Bill No. 74-21:

Andrew Zabriskie, Arnold

There was no one else present who wished to speak and the hearing was concluded.

The Chair called Bill No. 74-21, An Ordinance concerning: Subdivision and Development – Site Development – Exemptions; and the Administrative Officer read a portion of the title.

Bill No. 74-21 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. 75-21

The Chair called for the public hearing on Bill No. 75-21, An Ordinance concerning: Subdivision and Development – Community Meetings – Exemption for In-Kind Replacements – For the purpose of exempting in-kind replacement of a deck or accessory structure to residential development from the requirement to hold a community meeting; and generally relating to subdivision and development; and the Administrative Officer read the title.

Ms. Fiedler, Sponsor, explained the purpose of the bill.

Pete Baron, Director, Community Affairs, accompanied by Lori Rhodes, DCAO, Land Use, Lynn Miller, Office of Planning and Zoning, and Kelly Kenny, Office of Law, stated the Administration supports the bill.

The Chair called for the public hearing on Bill No. 75-21.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 75-21.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Bill No. 75-21, An Ordinance concerning: Subdivision and Development – Community Meetings – Exemption for In-Kind Replacements; and the Administrative Officer read a portion of the title.

Bill No. 75-21 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. 76-21

The Chair called for the public hearing on Bill No. 76-21, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Credits – Business Entities Affected by a State of Emergency – For the purpose of establishing a real property tax credit for business entities affected by a declared state of emergency; establishing eligibility criteria for the credit; providing for the calculation and duration of the credit; establishing a deadline for filing for the credit and the form of application for the credit; and generally relating to finance, taxation, and budget; and the Administrative Officer read the title.

Mr. Volke, Sponsor, explained the purpose of the bill.

Pete Baron, Director, Government Affairs, accompanied by Chris Trumbauer, Budget Officer, Karin McQuade, Controller and Kelly Kenney, Office of Law, stated the Administration appreciates the intent of the legislation but believes this is the wrong tool to provide the relief sought. He stated the concerns of the Administration, how the Administration is supporting business in other ways and implementation concerns.

Ms. McQuade stated the implementation concerns she had as well as other concerns she has with the bill.

Mr. Volke asked if there were amendments the Administration could do that would address the implementation concerns.

Mr. Baron stated the Administration believes there are better ways to help business than a property tax credit even with amendments and the ability for Finance to administer the program. He encouraged Mr. Volke to work with AAEDC and the Administration. He stated they are seeking the most effective way to help businesses.

Ms. Pickard expressed her concerns with the bill.

The Chair called for the public hearing on Bill No. 76-21.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 76-21.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Bill No. 76-21, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Credits – Business Entities Affected by a State of Emergency; and the Administrative Officer read a portion of the title.

Mr. Volke made a motion, seconded by Ms. Fiedler, to hold the vote on Bill No. 76-21 until the County Council meeting to be held on October 18, 2021. The motion was defeated by the following roll call vote:

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

The Chair called Bill No. 76-21, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Credits – Business Entities Affected by a State of Emergency; and the Administrative Officer read a portion of the title.

Bill No. 76-21 was defeated by the following roll call vote:

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

* During the "Other Business" portion of the meeting, Ms. Fiedler amended her vote on Bill No. 76-21. The bill maintained a status of defeated by the following votes:

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

HEARING AND OR VOTE ON RESOLUTIONS

RESOLUTION NO. 41-21

The Chair called for the public hearing on Resolution No. 41-21, Resolution approving the terms and conditions of the acquisition of real property consisting of between approximately 0.62 +/- acres and 0.765 +/- acres, known as 443 Crain Highway, Glen Burnie, Maryland 21061, from HB, Incorporated, utilizing funds from the Advance Land Acquisition Capital Project; and the Administrative Officer read the title.

Pete Baron, Director, Community Affairs, accompanied by Christophe Daniels, Central Services, Christine Anderson, Director, Central Services, Lori Blair, Legislative County Attorney, and Chris Phipps, DPW, stated the bill had been discussed at the work session and described the location and purpose of the resolution.

Ms. Pickard stated she is in favor of the resolution.

The Chair opened the public hearing on Resolution No. 41-21.

The Administrative Officer stated there were no submissions of public testimony received for Resolution No. 41-21.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Resolution No. 41-21, Resolution approving the terms and conditions of the acquisition of real property consisting of between approximately 0.62 +/- acres and 0.765 +/- acres, known as 443 Crain Highway, Glen Burnie, Maryland 21061, from HB, Incorporated, utilizing funds from the Advance Land Acquisition Capital Project; and the Administrative Officer read the title.

Resolution No. 41-21 was adopted by the following roll call vote:

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

RESOLUTION NO. 45-21

The Chair called for the public hearing on Resolution No. 45-21, Resolution appointing a member to the Anne Arundel County Ethics Commission; and the Administrative Officer read the title.

Pete Baron, Director, Community Affairs, accompanied by Meghan Brown, Boards and Commissions Coordinator and Lori Blair, Legislative County Attorney, stated the resolution was discussed at the previous Council meeting. There was a question as to if Mr. Webb could continue his service on an AACPS committee as well as the Ethics Commission. He has resigned from the AACPS committee.

The Chair opened the public hearing on Resolution No. 45-21.

The Administrative Officer stated there were no submissions of public testimony received for Resolution No. 45-21.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Resolution No. 45-21, Resolution appointing a member to the Anne Arundel County Ethics Commission; and the Administrative Officer read the title.

Resolution No. 45-21 was adopted by the following roll call vote:

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

RESOLUTION NO. 50-21

The Chair called for the public hearing on Resolution No. 50-21, Resolution appointing a Charter Revision Commission; and the Administrative Officer read the title.

Ms. Rodvien, Ms. Haire and Ms. Fiedler requested to be added as Co-Sponsors to the resolution.

Ms. Lacey thanked the individuals who have agreed to serve on the Charter Revision Commission.

The Chair called Resolution No. 50-21, Resolution appointing a Charter Revision Commission; and the Administrative Officer read the title.

Resolution No. 50-21 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

RESOLUTION NO. 51-21

The Chair called for the public hearing on Resolution No. 51-21, Resolution designating Ellen Moss as the representative for the County Council on the DC Metroplex BWI Community Roundtable; and the Administrative Officer read the title.

Mr. Volke, Sponsor, stated how he had become aware of Ms. Moss and her willingness to be the designee for the Council. She currently is serving as the alternate and is willing to serve as the representative.

The Chair called Resolution No. 51-21, Resolution designating Ellen Moss as the representative for the County Council on the DC Metroplex BWI Community Roundtable; and the Administrative Officer read the title.

Resolution No. 51-21 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

OTHER BUSINESS

Ms. Fiedler made a motion, seconded by Mr. Volke, to reconsider the vote on Bill No. 76-21.

Ms. Lacey asked Ms. Schuett what the procedure was for changing a vote. Ms. Corby stated the procedure is covered in the Rules for the Council. Mr. Volke questioned, if someone wants to change their vote, if the Council would need to formally reconsider the vote or if a Council member could just state they wish to change their vote. Ms. Schuett stated they just needed to state their wish to change their vote.

Ms. Fiedler withdrew her motion. She stated that she wished the record to reflect her vote on Bill No. 76-21 changed, from "nay" to "aye".

There was no further business to discuss.

ADJOURNMENT

There being no further business, on motion of Mr. Volke, seconded by Ms. Pickard, the meeting adjourned at 11:18 P.M.

Respectfully submitted,

/s/ Susan Cline
By Susan F. Cline

/s/ Laura Corby

For Laura Corby
Administrative Officer