

BOARD OF HEALTH OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of October Meeting
October 3, 2022

The County Council, along with Nilesh Kalyanaraman, MD, FACP, Health Officer, sat as the Board of Health beginning at 6:00 P.M. The meeting was held in the County Council Chambers located in the Arundel Center in Annapolis, Maryland.

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

Dr. Kalyanaraman gave a presentation that highlighted monkeypox, the Community Health Ambassador Program, and opioids.

Upon the conclusion of the presentation, several Councilmembers asked questions, which were addressed by Department of Health staff.

The Health Officer stated that some follow-up information would be sent to the Council.

On motion by Ms. Pickard, seconded by Mr. Volke, the Board of Health meeting was adjourned at 7:04 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of
Legislative Session 2022, Legislative Day No. 18
October 3, 2022

The County Council meeting was called to order by Chair Rodvien at 7:04 P.M. and opened with the Invocation given by Ms. Fiedler, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers located in the Arundel Center, Annapolis, Maryland. There were approximately 20 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 Michelle Bohlayer. Matthew Bennett, Legislative Counsel, was also present.

ETHICS STATEMENT

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

INVITATION TO AUDIENCE

The Chair opened Invitation to Audience.

The Administrative Officer stated there were no submissions of public testimony received for Invitation to Audience.

The following person spoke at Invitation to Audience:

Debi Jasen, Pasadena

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

PRELIMINARY MOTION

On motion of Ms. Haire, 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 Ms. Pickard, seconded by Ms. Haire, the minutes of the meeting of September 19, 2022 were approved as presented.

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 45-22 – RESOLUTION approving the determination of certain improved County-owned property, being part of the Dorsey Run Road right-of-way in Annapolis Junction, Maryland, as surplus property

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

RESOLUTION NO. 46-22 – RESOLUTION approving the application of Stephen D. Hopkins and Mark D. Hopkins, to sell an agricultural land preservation easement to the Maryland Agricultural Land Preservation Foundation on 139.830 acres in Lothian, Maryland

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

RESOLUTION NO. 47-22 – RESOLUTION supporting the Anne Arundel County Board of Education's Fiscal Year 2024 Public School Construction Capital Improvement Program request for submission to the Interagency Commission on School Construction

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

RESOLUTION NO. 48-22 – RESOLUTION confirming the appointments of Anne Arundel County residents to serve on the Spending Affordability Committee

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

RESOLUTION NO. 48-22

The Chair stated Resolution No. 48-22 would be voted on at the end of the meeting.

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

BILL NO. 73-22 (As Amended)

The Chair called for Bill No. 73-22, as amended, An Ordinance concerning: Subdivision and Development and Zoning – Cluster Development – For the purpose of defining “cluster development”; requiring cluster development to include landscaped screening and buffer areas; exempting applications for cluster development made before a certain date from certain requirements; and generally relating to subdivision and development and zoning; and the Administrative Officer read the title.

Ms. Fiedler, Sponsor, explained the amended bill.

Peter Baron, Director, Government Affairs, was accompanied by Lori Rhodes, Deputy Chief Administrative Officer, Planning and Zoning, Land Use, Steven Kaii-Ziegler, Office of Planning and Zoning, Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

The Administration supported the bill.

The Chair called for the public hearing on Bill No. 73-22, as amended.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 73-22, as amended.

The following person spoke on Bill No. 73-22, as amended:

Matt Minahan, on behalf of Growth Action Network (GAN)

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

The Chair called Bill No. 73-22, as amended, An Ordinance concerning: Subdivision and Development and Zoning – Cluster Development; and the Administrative Officer read a portion of the title.

Bill No. 73-22, as amended, was passed by the following roll call:

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

Ms. Rodvien

Nay – None

BILL NO. 78-22

The Chair called for Bill No. 78-22, An Ordinance concerning: Current Expense Budget – Supplementary Appropriations – Grants Special Revenue Fund – CAO Contingency Fund – Capital Budget and Program – Woodland Beach Vol FS Reloc – Amending Scope and Description of Project – For the purpose of making supplementary appropriations from unanticipated revenues to certain offices, departments, institutions, boards, commissions or other agencies and in certain special funds of the County for the current fiscal year; amending the Capital Budget by amending the scope and description of the Woodland Beach Vol FS Reloc capital project; amending the Capital Program and Capital Projects Bond Ordinance; and generally relating to making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2023, and the Woodland Beach Vol FS Reloc capital project; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Naomi McAllister, Budget, Mary Lynn Bobbitt, Health Department, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the bill.

The Chair called for the public hearing on Bill No. 78-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 78-22.

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

The Chair called Bill No. 78-22, An Ordinance concerning: Current Expense Budget – Supplementary Appropriations – Grants Special Revenue Fund – CAO Contingency Fund – Capital Budget and Program – Woodland Beach Vol FS Reloc – Amending Scope and Description of Project; and the Administrative Officer read a portion of the title.

Bill No. 78-22 was passed by the following roll call:

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

BILL NO. 79-22

The Chair called for Bill No. 79-22, An Ordinance concerning: Construction and Property Maintenance Codes – Nuisance Properties – Enforcement – For the purpose of defining “nuisance property”; authorizing the County to declare a property a nuisance property; requiring notice to a property owner prior to a declaration; requiring nuisance properties be safeguarded in a certain manner; requiring the County to monitor certain nuisance properties; allowing for the rescission of a declaration of nuisance property; providing for civil penalties for violations; and generally relating to Construction and Property Maintenance Codes; and the Administrative Officer read a portion of the title.

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

Peter Baron, Director, Government Affairs, was accompanied by Andrew McCarra, Inspections and Permits, Al Herb, Health Department, and Kelly Kenney, Senior Assistant County Attorney.

The Administration supported the bill.

The Chair called for the public hearing on Bill No. 79-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 79-22.

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

The Chair called Bill No. 79-22, An Ordinance concerning: Construction and Property Maintenance Codes – Nuisance Properties – Enforcement; and the Administrative Officer read a portion of the title.

Bill No. 79-22 was passed by the following roll call:

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

Nay – None

BILL NO. 80-22

The Chair called for Bill No. 80-22, An Ordinance concerning: Recreation and Parks – Civil Offenses in County Parks – Enforcement – For the purpose of making violations of provisions that prohibit specific conduct in County parks a Class E civil offense; making a violation of the time limit on mooring a boat at a pier in a County park a Class E civil offense; and generally relating to recreation and parks; and the Administrative Officer read a portion of the title.

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

Peter Baron, Director, Government Affairs, was accompanied by Erica Jackson Matthews, Department of Recreation and Parks, Chris Carroll, Department of Recreation and Parks, and Kelly Kenney, Senior Assistant County Attorney.

The Administration supported the bill.

Ms. Rodvien inquired where dirt bikes could be ridden in the county.

Mr. Volke responded.

Ms. Lacey asked what the process for citations is.

Ms. Kenney responded.

Mr. Volke clarified that Rangers were allowed to write citations.

Ms. Kenney agreed.

The Chair called for the public hearing on Bill No. 80-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 80-22.

The following person spoke on Bill No. 80-22:

Jon Korin, on behalf of Bicycle Advocates for Annapolis and Anne Arundel County

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

The Chair called Bill No. 80-22, An Ordinance concerning: Recreation and Parks – Civil Offenses in County Parks – Enforcement; and the Administrative Officer read a portion of the title.

Bill No. 80-22 was passed by the following roll call:

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

Ms. Rodvien

Nay – None

BILL NO. 81-22

The Chair called for Bill No. 81-22, An Ordinance concerning: Zoning – Carwash Facilities – For the purpose of allowing a carwash as a conditional use in C1 and C2 commercial zoning districts; adding the conditional use requirements for carwashes; and generally relating to zoning; and the Administrative Officer read a portion of the title.

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

Peter Baron, Director, Government Affairs, was accompanied by Lori Rhodes, Deputy Chief Administrative Officer, Planning and Zoning, Land Use, Steven Kaii-Ziegler, Office of Planning and Zoning, Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

The Administration supported the bill.

The Chair called for the public hearing on Bill No. 81-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 81-22.

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

The Chair called Bill No. 81-22, An Ordinance concerning: Zoning – Carwash Facilities; and the Administrative Officer read a portion of the title.

Bill No. 81-22 was passed by the following roll call:

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

Nay – Ms. Fiedler, Ms. Haire

BILL NO. 82-22

The Chair called for Bill No. 82-22, An Ordinance concerning: Subdivision and Development – Modifications – Notice – For the purpose of allowing a certain notice requirement to be satisfied by mailing notice to the president of any community or homeowners' association of any subdivision that is located within a certain distance of a property that is the subject of an application for a modification; and generally relating to subdivision and development; and the Administrative Officer read a portion of the title.

Ms. Fiedler, Sponsor, explained the bill.

Peter Baron, Director, Government Affairs, was accompanied by Lori Rhodes, Deputy Chief Administrative Officer, Planning and Zoning, Land Use, Steven Kaii-Ziegler, Office of Planning and Zoning, Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

The Administration supported the bill.

The Chair called for the public hearing on Bill No. 82-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 82-22.

The following person spoke on Bill No. 82-22:

Matt Minahan, on behalf of Growth Action Network (GAN)

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

The Chair called Bill No. 82-22, An Ordinance concerning: Subdivision and Development – Modifications – Notice; and the Administrative Officer read a portion of the title.

Ms. Rodvien asked if all of the memberships would be notified.

Ms. Fiedler responded.

Ms. Lacey clarified who the developer would send notice to.

Ms. Fiedler confirmed the language in the notification.

Ms. Kenney agreed.

Mr. Pruski asked what list the notifications would be sent to.

Ms. Kenney answered.

Ms. Pickard expressed her agreement with the bill.

Bill No. 82-22 was passed by the following roll call:

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

Ms. Rodvien

Nay – None

BILL NO. 83-22

The Chair called for Bill No. 83-22, An Ordinance concerning: Scenic and Historic Roads – Designation of Roads – Furnace Avenue and Ridge Road – For the purpose of amending the map entitled “Scenic and Historic Roads, 2006” to include certain roads; adopting an amended

map; and generally relating to scenic and historic roads; and the Administrative Officer read a portion of the title.

Ms. Lacey, Sponsor, explained the bill.

Peter Baron, Director, Government Affairs, was accompanied by Lori Rhodes, Deputy Chief Administrative Officer, Planning and Zoning, Land Use, Steven Kaii-Ziegler, Office of Planning and Zoning, Lynn Miller, Office of Planning and Zoning, Jane Cox, Office of Planning and Zoning, Martha Arzu-McIntosh, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the Administration's view of the bill.

There was discussion on the regulation of the historic roads.

The Chair called for the public hearing on Bill No. 83-22.

The Administrative Officer stated there was one submission of written public testimony received for Bill No. 83-22 through the online testimony tool, which was shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 83-22:

Jon Korin, on behalf of Bicycle Advocates for Annapolis and Anne Arundel County
Matt Minahan, on behalf of Growth Action Network (GAN)
Kinley Bray, Attorney, Yumkas, Vidmar, Sweeney & Mulrenin, LLC
David Plott, Attorney, Yumkas, Vidmar, Sweeney & Mulrenin, LLC

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

The Chair called Bill No. 83-22, An Ordinance concerning: Scenic and Historic Roads – Designation of Roads – Furnace Avenue and Ridge Road; and the Administrative Officer read a portion of the title.

Ms. Lacey spoke on the bike and pedestrian paths.

There was further discussion regarding bike lane safety and the use of the roads.

Bill No. 83-22 was passed by the following roll call:

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

BILL NO. 84-22

The Chair called for Bill No. 84-22, An Ordinance concerning: General Provisions – Flags on County Property – For the purpose of prohibiting the County from authorizing private persons

or entities to fly flags on County flagpoles; and generally relating to general provisions; and the Administrative Officer read a portion of the title.

Mr. Volke, Sponsor, explained the bill.

Peter Baron, Director, Government Affairs, was accompanied Kelly Kenney, Senior Assistant County Attorney.

The Administration opposed the bill.

The Chair called for the public hearing on Bill No. 84-22.

The Administrative Officer stated there were four submissions of written public testimony received for Bill No. 84-22 through the online testimony tool, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 84-22:

John Jasen, Pasadena
Patric Enright, Gambrills

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

The Chair called Bill No. 84-22, An Ordinance concerning: General Provisions – Flags on County Property; and the Administrative Officer read a portion of the title.

Ms. Fiedler spoke on the current policy of flags and how future policies can be affected.

Ms. Haire expressed her view of the bill.

Ms. Rodvien clarified what would happen if the County invited an entity to use a County-based flagpole.

Ms. Kenney responded.

Ms. Lacey commented on the bill.

Mr. Pruski asked if certain entities are separate from the County.

Ms. Kenney agreed.

Ms. Fiedler asked for clarification on the wording of the bill.

Ms. Kenney answered.

Mr. Volke explained the bill in depth.

Bill No. 84-22 was defeated by the following roll call:

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

RESOLUTION NO. 37-22

The Chair called for Resolution No. 37-22, a Resolution approving Anne Arundel County's 2022 Financial Assurance Plan for compliance with the National Pollutant Discharge Elimination Phase I Municipal Separate Storm Sewer System Permit; and the Administrative Officer read the title.

Peter Baron, Director, Government Affairs, was accompanied by Erik Michelsen, Department of Public Works, Michael Hrubciak, Department of Public Works, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the resolution.

Mr. Volke and Ms. Fielder expressed their appreciation to the Administration.

The Chair called for the public hearing on Resolution No. 37-22.

The Administrative Officer stated there were no submissions of public testimony received for Resolution No. 37-22.

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

The Chair called Resolution No. 37-22, Resolution approving Anne Arundel County's 2022 Financial Assurance Plan for compliance with the National Pollutant Discharge Elimination Phase I Municipal Separate Storm Sewer System Permit; and the Administrative Officer read the title.

Resolution No. 37-22 was adopted by the following roll call:

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

RESOLUTION NO. 38-22

The Chair called for Resolution No. 38-22, a Resolution authorizing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for an Annual Transportation Plan grant and other funds under the Federal Transit Act for federal fiscal year 2023; and the Administrative Officer read the title.

Peter Baron, Director, Government Affairs, was accompanied by Sam Snead, Office of Transportation, Crystal McGill-Belk, Office of Transportation, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the resolution.

Mr. Snead shared information on the grant.

The Chair called for the public hearing on Resolution No. 38-22.

The Administrative Officer stated there were no submissions of public testimony received for Resolution No. 38-22.

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

The Chair called Resolution No. 38-22, Resolution authorizing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for an Annual Transportation Plan grant and other funds under the Federal Transit Act for federal fiscal year 2023; and the Administrative Officer read the title.

Resolution No. 38-22 was adopted by the following roll call:

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

RESOLUTION NO. 44-22

The Chair called for Resolution No. 44-22, a Resolution expressing the need for land located in Edgewater, Maryland, and owned by the Anne Arundel County Board of Education, to be utilized for construction of the Woodland Beach Volunteer Fire Department; and the Administrative Officer read the title.

Mr. Pruski, Co-Sponsor, explained the resolution.

Peter Baron, Director, Government Affairs, was accompanied by Christine Anderson, Office of Central Services, and Kelly Kenney, Senior Assistant County Attorney.

Ms. Haire and Ms. Rodvien explained why they sponsored the resolution.

Mr. Baron recognized all who worked on the resolution.

The Chair called for the public hearing on Resolution No. 44-22.

The Administrative Officer stated there were no submissions of public testimony received for Resolution No. 44-22.

The following person spoke on Resolution No. 44-22:

Joseph Larsen, on behalf of Anne Arundel County Volunteer Firefighters Association

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

The Chair called Resolution No. 44-22, Resolution authorizing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for an Annual Transportation Plan grant and other funds under the Federal Transit Act for federal fiscal year 2023; and the Administrative Officer read the title.

Amendment No. 1

This amendment corrects references to the “Board of Education of Anne Arundel County”; and strikes the existing exhibit and replaces it with an exhibit that more accurately reflects the land transfer requested as depicted by Bay Engineering, Inc.

Mr. Pruski explained the amendment.

The Administration supported the amendment.

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

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

Resolution No. 44-22 was adopted by the following roll call:

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

RESOLUTION NO. 48-22

The Chair called for Resolution No. 48-22, a Resolution confirming the appointments of Anne Arundel County residents to serve on the Spending Affordability Committee; and the Administrative Officer read the title.

Peter Baron, Director, Government Affairs, explained the resolution.

Resolution No. 48-22 was adopted by the following roll call:

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

OTHER BUSINESS

The Chair asked if the Council would like to hold a work session on October 11th after the MDOT meeting.

The Council unanimously declined.

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Ms. Haire, the meeting adjourned at 9:17 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer