

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of
Legislative Session 2023, Legislative Day No. 7
April 3, 2023 – 7:00 P.M.

The County Council meeting was called to order by Chair Smith at 7:00 P.M. It was opened with the Invocation, given by Mr. Smith, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 90 persons in the audience.

The following members of the County Council were present:

Pete Smith	First District
Allison Pickard	Second District
Nathan Volke	Third District
Julie K. Hummer	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Shannon Leadbetter	Seventh District

The County Auditor's Office was represented by Michelle Bohlayer. Matthew Bennett, Legislative Counsel, was also present.

PRESENTATION

Ms. Pickard presented Distinguished Citizen Pins to Monica and Fred Rost for their work with BKind.

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 two submissions of written testimony received through the online testimony tool for Invitation to Audience, which were shared with the Council and posted on the County Council website.

The following persons spoke at Invitation to Audience:

Kurt Svendsen, Arnold
Michael Brown, Glen Burnie
Mike Shay, Shady Side

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 Mr. Volke, 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. Volke, the minutes of the meeting of March 20, 2023 were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 22-23 – AN ORDINANCE concerning: Zoning – General Provisions – Digital Zoning Layer – FOR the purpose of establishing guidelines for construing the location of zoning district lines shown on the digital zoning layer; authorizing the County Council or the Planning and Zoning Officer to certify administrative corrections to zoning district lines in certain situations; and generally relating to zoning.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 23-23 – AN ORDINANCE concerning: Boards, Commissions, and Similar Bodies – Resilience Authority of Annapolis and Anne Arundel County – FOR the purpose of adding a certain non-voting advisor; staggering the initial terms of members; providing that the Director shall be a County employee in the exempt service; revising the process for appointing and qualifications of a Chief Financial Officer; altering certain reporting requirements; and generally relating to boards, commissions, and similar bodies.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 24-23 – AN ORDINANCE concerning: Pensions – County Councilmember – Vesting – FOR the purpose of altering the number of service years a County Councilmember who is a participant in the Employees' Retirement Plan is required to complete in order to vest in the benefits of the plan; making conforming changes; and generally relating to pensions.
Introduced by Ms. Fiedler and Mr. Volke

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 8-23 – RESOLUTION approving the nomination of Tonii Gedin as Acting Health Officer
Introduced by Mr. Smith, Chair
(by request of the County Executive)

RESOLUTION NO. 9-23 – RESOLUTION approving the terms and conditions of the acquisition of real property in Lothian, Maryland, from Perdue AgriBusiness LLC, utilizing funds from the Advance Land Acquisition Capital Project
Introduced by Mr. Smith, Chair
(by request of the County Executive)

MOTION TO SUSPEND RULE

On motion by Ms. Rodvien, seconded by Ms. Pickard, a motion to suspend the rules to vote on Resolution No. 3-23 and Resolution No. 4-23 out of order was passed by the following role call:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Smith
Nay – None

PUBLIC HEARINGS AND CALL OF RESOLUTIONS FOR FINAL READING AND VOTE

RESOLUTION NO. 3-23

The Chair called for Resolution No. 3-23, A Resolution approving the determination of certain improved County-owned property at the corner of Yellow Springs South and Wye Mills South in Laurel, Maryland, as surplus property; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Christopher Daniels, Real Estate, and Christine Neiderer, Office of Law.

Mr. Baron explained the background and purpose of the resolution.

The Chair called for the public hearing on Resolution No. 3-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Resolution No. 3-23.

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

The Chair called Resolution No. 3-23, A Resolution approving the determination of certain improved County-owned property at the corner of Yellow Springs South and Wye Mills South in Laurel, Maryland, as surplus property; and the Administrative Officer read a portion of the title.

Mr. Volke asked what was on the property currently and who would buy the property.

Mr. Baron and Mr. Daniels answered.

Resolution No. 3-23 was adopted by the following roll call:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

RESOLUTION NO. 4-23

The Chair called for Resolution No. 4-23, A Resolution approving the determination of certain improved County-owned property near Eagle Harbor South in Laurel, Maryland, as surplus property; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Christopher Daniels, Real Estate, and Christine Neiderer, Office of Law.

Mr. Baron explained the background and purpose of the resolution.

The Chair called for the public hearing on Resolution No. 4-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Resolution No. 4-23.

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

The Chair called Resolution No. 4-23, A Resolution approving the determination of certain improved County-owned property near Eagle Harbor South in Laurel, Maryland, as surplus property; and the Administrative Officer read a portion of the title.

Resolution No. 4-23 was adopted by the following roll call:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

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

BILL NO. 6-23 (As Amended)

The Chair called for Bill No. 6-23, as amended, An Ordinance concerning: Public Works – Subdivision and Development – Zoning – Accessory Dwelling Units – For the purpose of exempting certain accessory dwelling units from capital facility connection charges and impact fees; amending the definitions of “density” and “dwelling unit, accessory”; repealing certain parking requirements for accessory dwelling units; amending the conditional use requirements for accessory dwelling units; allowing accessory dwelling units in use as of a certain date to be exempt from certain conditional use requirements; and generally relating to public works, subdivision and development, and zoning; and the Administrative Officer read a portion of the title.

Ms. Rodvien, Co-Sponsor, explained the background and purpose of the bill.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, Claudia O’Keeffe, Inspections and Permits, Karen Henry, Department of Public Works, and Lori Blair Klasmeier, Office of Law.

The Administration stated its support.

Mr. Volke spoke on legal questions regarding critical area designations.

Ms. Klasmeier spoke on density in the LDA.

Ms. Pickard, Co-Sponsor, thanked Ms. Rodvien for her hard work on the bill.

Ms. Rodvien thanked those who worked on the bill.

The Chair called for the public hearing on Bill No. 6-23, as amended.

The Administrative Officer stated there were sixteen submissions of written testimony received through the online testimony tool for Bill No. 6-23, as amended, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 6-23, as amended:

Stacia Roesler, Annapolis
Priscilla Kania, Annapolis
Marygrace Fitzhenry, Arnold
Kurt Svendsen, Arnold
Claire Corcoran, Annapolis
John Van de Kamp, Annapolis
Helene Raven, Annapolis
Robin Clark, Annapolis
William “Jeff” Hill, Severna Park
Tamela B., Severna Park
Amy Leahy, Severna Park
Frank Tewey, Annapolis

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

The Chair called Bill No. 6-23, as amended, An Ordinance concerning: Public Works – Subdivision and Development – Zoning – Accessory Dwelling Units; and the Administrative Officer read a portion of the title.

Amendment No. 14

The Administrative Officer read a brief summary of the amendment:

This technical amendment corrects a typographical error.

Ms. Rodvien, Sponsor, explained the purpose of the amendment.

The Administration stated its support.

On motion of Ms. Pickard, seconded by Ms. Hummer, Amendment No. 14 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Ms. Rodvien addressed points from the public testimony.

Ms. Pickard thanked the AARP citizens who came to speak.

Mr. Volke asked about community association bi-laws.

Ms. Klasmeier responded.

Mr. Volke thanked the citizens who came out in opposition to the bill.

Ms. Fiedler spoke on sheds.

Ms. Klasmeier clarified.

Bill No. 6-23, as amended, was passed by the following roll call:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

BILL NO. 13-23 (As Amended)

The Chair called for Bill No. 13-23, as amended, An Ordinance concerning: Licenses and Registrations – Special Events – Permitting – For the purpose of establishing a uniform permitting process for special events; defining certain terms; requiring certain persons to obtain a permit to hold special events; requiring the permit application to contain certain information; establishing the basis for granting or denying the permit application; establishing fees and fee waivers for special event permit applications; requiring reimbursement of costs incurred by the County and allowing for the waiver of such reimbursement; requiring certain inspections be performed; allowing for the termination of permits in certain circumstances; providing for a delay in the application and collection of certain fees; and generally relating to licenses and registrations; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Preeti Emrick, Office of Emergency Management, Assistant Fire Chief Lawrence Schultz, Fire Department, Captain Daniel Rodriguez, Police Department, Holly Velez, Inspections and Permits, and Ethan Hunt, Office of Law.

Mr. Baron explained the background and purpose of the bill.

Ms. Emrick agreed with Mr. Baron.

Mr. Hunt spoke on a legal letter the Council received.

Mr. Volke expressed his concern that Recreation and Parks was not present at the meeting.

Mr. Baron responded.

The Chair called for the public hearing on Bill No. 13-23, as amended.

The Administrative Officer stated there were sixty-six submissions of written testimony received through the online testimony tool for Bill No. 13-23, as amended, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 13-23, as amended:

Bruce Bereano, Annapolis
Anna Chaney, Lothian
Susangrace DuBose, Annapolis
Dario Fermaint, Odenton
Jules Smith, Davidsonville
Jeannie Gibbons, Mount Savage
Alan Lang, Pasadena
Debra Hathaway, Easton
John May, Davidsonville
Joe Larsen, Hanover
David Morsberger, Davidsonville
Jonathan Howe, Annapolis
Margaret Cefail, Catonsville
Frank Tewey, Annapolis
Melinda Johnson, Newport News, VA

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

The Chair called Bill No. 13-23, as amended, An Ordinance concerning: Licenses and Registrations – Special Events – Permitting; and the Administrative Officer read a portion of the title.

Amendment No. 9

The Administrative Officer read a brief summary of the amendment:

The amendment excludes from the definition of “special events” an agritourism event held on private property that does not require the exclusive use of public streets or roads or the use of county services exceeding normal operations; and excludes agritourism and farm or agricultural heritage site special events authorized by the Planning and Zoning Officer.

Mr. Smith explained that Amendment No. 9 is the same as Amendment No. 2.

Ms. Leadbetter explained the purpose of the amendment.

The Administration stated its support.

Mr. Volke expressed his concern for the amendment and asked about the use of parks.

Mr. Baron responded.

Ms. Pickard clarified the use of agricultural heritage sites for events.

Ms. Leadbetter answered.

On motion of Ms. Rodvien, seconded by Ms. Fiedler, Amendment No. 9 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Amendment No. 10

The Administrative Officer read a brief summary of the amendment:

This amendment alters the definition of “Public Assembly” to mean a group of 500 or more persons collected together in one place for the same purpose.

Mr. Baron explained the purpose of the amendment.

Mr. Volke asked how the number 500 was decided.

Chief Schultz answered.

Captain Rodriguez spoke on the Police Departments position.

Mr. Smith asked how many events were over 500 people.

Captain Rodriguez responded.

Ms. Fiedler asked what the process is for State roads that feed into County roadways.

Captain Rodriguez answered.

On motion of Ms. Pickard, seconded by Ms. Hummer, Amendment No. 10 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Amendment No. 11

The Administrative Officer read a brief summary of the amendment:

This amendment defines “vigil”; exempts vigils and spontaneous responses to a current event from the definition of a “special event”; and strikes a reference to a “spontaneous response to a current event” from the provision that allows the County to alter or waive the application filing deadline.

Mr. Baron explained the purpose of the amendment.

On motion of Ms. Rodvien, seconded by Mr. Volke, Amendment No. 11 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Amendment No. 12

The Administrative Officer read a brief summary of the amendment:

This amendment requires an application be filed at least 90 days prior to a special event; requires the County to either grant the permit application at least 30 days before the proposed date or deny the permit application if the sponsor has not made modifications requested to ensure the health, safety, and general welfare of the public or participants of the special event; and provides for an application fee if the application is submitted less than 90 days before the special event.

Mr. Baron explained the purpose of the amendment.

Ms. Fiedler expressed her support of the amendment.

Mr. Volke asked about wording in the amendment.

Mr. Baron responded.

On motion of Ms. Rodvien, seconded by Ms. Pickard, Amendment No. 12 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Amendment No. 13

The Administrative Officer read a brief summary of the amendment:

This amendment clarifies that any misrepresentation in a prior special event permit application, a special event in another county, or the application currently under consideration, must be intentional or willful in order for the County to consider not granting the application.

Mr. Baron explained the purpose of the amendment.

Ms. Fiedler spoke on burden of proof.

Mr. Hunt responded.

On motion of Mr. Volke, seconded by Ms. Leadbetter, Amendment No. 13 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Amendment No. 14

The Administrative Officer read a brief summary of the amendment:

This amendment clarifies that intentional or willful misrepresentation by the sponsor that causes an immediate risk to the health, safety, or general welfare of the public or participants in a special event may be grounds for revocation of a permit and emergency termination of a special event.

Mr. Baron explained the purpose of the amendment.

On motion of Mr. Volke, seconded by Ms. Leadbetter, Amendment No. 14 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith
Nay – None

Amendment No. 15

The Administrative Officer read a brief summary of the amendment:

This amendment strikes insufficient or substandard toilet facilities, refreshment facilities, and litter control as reasons for not issuing a special events permit.

Mr. Baron explained the purpose of the amendment.

Ms. Pickard expressed her view of the amendment.

On motion of Ms. Rodvien, seconded by Ms. Fiedler, Amendment No. 15 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith
Nay – None

Amendment No. 16

The Administrative Officer read a brief summary of the amendment:

This amendment requires the County to provide notice to a sponsor prior to denying, modifying, or cancelling a permit, as well as requiring the sponsor to be provided the opportunity to take corrective action prior to a denial, modification, or cancellation.

Mr. Baron explained the purpose of the amendment.

Ms. Fiedler thanked those who worked on the amendment.

Mr. Volke spoke on the time frame of the denial notice.

Mr. Baron responded.

Ms. Fiedler clarified the amendment.

Mr. Baron gave information on the timeframe.

Ms. Rodvien clarified Mr. Baron's response.

Mr. Smith asked for an example of an event that did not give adequate notice.

Chief Schultz answered.

On motion of Ms. Fiedler, seconded by Ms. Rodvien, Amendment No. 16 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Amendment No. 17

The Administrative Officer read a brief summary of the amendment:

This amendment provides a non-exhaustive list of special events for which the County may consider waiving the late application fee of \$100.

Mr. Baron explained the purpose of the amendment.

Ms. Leadbetter clarified special events.

Mr. Baron responded.

Mr. Smith clarified the time frame of when the fee would be paid.

Mr. Baron answered.

Mr. Hunt explained exemption of events from qualifying applicants.

Ms. Hummer added that carnivals were included in the list of special events.

Mr. Baron agreed.

On motion of Ms. Rodvien, seconded by Ms. Pickard, Amendment No. 17 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Amendment No. 18

The Administrative Officer read a brief summary of the amendment:

This amendment provides a non-exhaustive list of special events for which the County may consider waiving payment of all or a portion of the special service charge.

Mr. Baron explained the purpose of the amendment.

On motion of Ms. Rodvien, seconded by Ms. Pickard, Amendment No. 18 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

Mr. Volke asked to do Amendment No. 20 before Amendment No. 19, and the Council agreed.

Amendment No. 20

The Administrative Officer read a brief summary of the amendment:

The amendment requires a person to provide a certain amount of notice of a special event if the anticipated number of attendees is more than a certain amount; requires the County to issue a permit for a special event if the proper notice is provided; authorizes the Department of Inspections and Permits to seek a temporary restraining order if the required notice is not provided; strikes a superfluous definition; and makes other conforming changes.

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

The Administration does not support.

Chief Schultz explained his position on the amendment.

Mr. Smith asked how quickly the courts would respond to the restraining order requests.

Mr. Volke responded.

Ms. Pickard expressed her concern for the amendment.

Mr. Volke explained the intention of the amendment and asked a question regarding life stabilization.

There was continued discussion on the amendment.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 20 was defeated by the following roll call vote:

Aye – Mr. Volke, Ms. Fiedler, Ms. Leadbetter,
Nay – Ms. Pickard, Ms. Hummer, Ms. Rodvien, Mr. Smith

Amendment No. 19

Mr. Volke, Sponsor, withdrew the amendment.

Amendment No. 21

The Administrative Officer read a brief summary of the amendment:

The amendment excludes from the definition of “special events” a renaissance festival allowed as a special exception use; and requires a renaissance festival to pay a special service charge.

Ms. Rodvien, Sponsor, explained the purpose of the amendment.

The Administration does not support.

Mr. Volke explained his vote.

Mr. Baron responded.

Ms. Rodvien spoke on the vendors of the Renaissance Festival.

Ms. Leadbetter asked a question about the amendment.

Mr. Baron answered.

On motion of Ms. Leadbetter, seconded by Ms. Pickard, Amendment No. 21 was adopted by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith
Nay – None

RECESS

On motion by Ms. Leadbetter, seconded by Ms. Pickard, the Council recessed at 10:18 P.M.

RECONVENE

The Council reconvened at 10:26 P.M.

Amendment No. 22

The Administrative Officer read a brief summary of the amendment:

The amendment excludes from the definition of “special event” a parade licensed under § 11-11-101; strikes the provisions of the bill that would repeal the current licensing scheme for a parade; requires a person to provide notice if the anticipated number of attendees to a special event will exceed 500 but not 1,000; requires a person to obtain a special event permit only if the anticipated number of attendees to a special event will exceed 1,000; adds form requirements for the notice; and make other changes to conform to the notice and permit requirements.

Ms. Rodvien, Co-Sponsor, explained the purpose of the amendment.

The Administration does not support.

Ms. Emerick spoke on risk assessment.

Chief Schultz, Mr. Baron, and Captain Rodriguez explained more about the amendment.

Ms. Leadbetter, Co-Sponsor, explained how the 1,000 limit was decided on.

Captain Rodriguez clarified the amendment’s effect on the current process.

On motion of Ms. Leadbetter, seconded by Ms. Fiedler, Amendment No. 22 was defeated by the following roll call vote:

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

Nay – Ms. Pickard, Ms. Hummer, Ms. Rodvien, Mr. Smith

The Chair stated that Bill No. 13-23, as amended, will be heard on April 17, 2023.

BILL NO. 16-23

The Chair called for Bill No. 16-23, An Ordinance concerning: Public Ethics – For the purpose of defining “quasi-governmental entity”; repealing a provision that allows for the disclosure of a complainant; prohibiting the acceptance of gifts from certain entities; prohibiting retaliation against a complainant; requiring the disclosure of certain gifts and relationships in financial disclosure statements; amending the terms for disclosing certain real property and business interests; allowing the public inspection of certain records by electronic means; and generally relating to public ethics; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Michael Botsaris, Ethics, and Lori Blair Klasmeier, Office of Law.

Mr. Botsaris explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 16-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 16-23.

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

The Chair called Bill No. 16-23, An Ordinance concerning: Public Ethics; and the Administrative Officer read a portion of the title.

Mr. Volke asked about the requirements for financial disclosures.

Mr. Botsaris answered.

Mr. Smith asked to speak with Mr. Botsaris in the future.

Bill No. 16-23 was passed by the following roll call:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

BILL NO. 17-23

The Chair called for Bill No. 16-23, An Ordinance concerning: Payment in Lieu of Taxes – The Villages at Marley Station, Glen Burnie, Maryland – Amendment – For the purpose of authorizing the County Executive to enter into a certain amendment to the agreement for payment in lieu of County real property taxes for a certain property located in Glen Burnie, Maryland; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Kathy Ebner, ACDS, and Lori Blair Klasmeier, Office of Law.

Mr. Smith explained the background and purpose of the bill.

Ms. Pickard, Co-Sponsor, urged a positive response to the bill.

The Chair called for the public hearing on Bill No. 17-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 17-23.

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

The Chair called Bill No. 17-23, An Ordinance concerning: Payment in Lieu of Taxes – The Villages at Marley Station, Glen Burnie, Maryland – Amendment; and the Administrative Officer read a portion of the title.

Bill No. 17-23 was passed by the following roll call:

Aye – Ms. Pickard, Ms. Hummer, Ms. Rodvien, Ms. Leadbetter, Mr. Smith
Nay – Mr. Volke, Ms. Fiedler

BILL NO. 18-23

The Chair called for Bill No. 18-23, An Ordinance concerning: Planning and Development – Master Plan for Water Supply and Sewerage System – For the purpose of amending the Master Plan for Water Supply and Sewerage Systems, 2022 to alter certain maps; and generally relating to the Master Plan for Water Supply and Sewerage Systems; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Cindy Carrier, Office of Planning and Zoning, Christopher Murphy, Department of Public Works, Kate Dawson, Central Services, and Lori Blair Klasmeier, Office of Law.

Mr. Baron explained the background and purpose of the bill.

Ms. Fiedler spoke on a property in District 5.

Ms. Carrier responded.

The Chair called for the public hearing on Bill No. 18-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 18-23.

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

The Chair called Bill No. 18-23, An Ordinance concerning: Planning and Development – Master Plan for Water Supply and Sewerage System; and the Administrative Officer read a portion of the title.

Bill No. 18-23 was passed by the following roll call:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith
Nay – None

BILL NO. 19-23

The Chair called for Bill No. 19-23, An Ordinance concerning: Public Safety – Ban the Bag Act of Anne Arundel County – For the purpose of prohibiting the retail distribution of plastic bags in Anne Arundel County; defining certain terms; establishing the duties of retail establishments; making a violation a Class C civil offense; providing for the enforcement of the prohibition on plastic bags; allowing retail establishments to distribute paper and reusable bags at

no cost until a certain date; providing for a delayed effective date; and generally relating to public safety; and the Administrative Officer read a portion of the title.

Ms. Rodvien, Co-Sponsor, explained the background and purpose of the bill.

Pete Baron, Director, Government Affairs, was accompanied by Erik Michelsen, Environment, Holly Velez, Inspection and Permits, and Lori Blair Klasmeier, Office of Law.

The Administration stated its support.

The Chair called for the public hearing on Bill No. 19-23.

The Administrative Officer stated there were twenty three submissions of written testimony received through the online testimony tool for Bill No. 19-23, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 19-23:

Abby Root, Odenton
Bernie Robinson, Glen Burnie
John Breen, Annapolis
Priscilla Kania, Annapolis
Brendan Mahoney, Columbia
Sarah Price, Annapolis
Elvia Thompson, Annapolis
Alan Lang, Pasadena
Michael Brown, Glen Burnie
Meg Kauder, Pasadena

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

The Chair called Bill No. 19-23, An Ordinance concerning: Public Safety – Ban the Bag Act of Anne Arundel County; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This amendment excludes a food service facility or cafeteria if the food service facility or cafeteria is operated by a school.

Ms. Pickard, Co-Sponsor, explained the purpose of the amendment.

Mr. Volke clarified that food services facilities would no longer be exempted and asked for data to back up decisions to justify the exemptions.

Ms. Pickard responded.

Mr. Volke expressed his concern about the amendment.

Ms. Hummer explained her ultimate desire for the bill.

Ms. Fiedler asked what bags are being used by the school system and spoke on the Styrofoam ban.

Ms. Pickard and Ms. Hummer answered.

Ms. Fiedler asked if it was possible to exempt the school system from the charge.

Ms. Pickard responded.

Mr. Volke gave an example of restaurant bags.

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

Aye – Ms. Pickard, Ms. Hummer, Ms. Rodvien, Ms. Leadbetter, Mr. Smith

Nay – Mr. Volke, Ms. Fiedler

Amendment No. 2

The Administrative Officer read a brief summary of the amendment:

This amendment excludes from the definition of “plastic carry out bag” a bag used to contain, package, or wrap garments or dry-cleaned clothes.

Ms. Leadbetter, Co-Sponsor, explained the purpose of the amendment.

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

Aye – Ms. Pickard, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Smith

Nay – Mr. Volke

Amendment No. 3

The Administrative Officer read a brief summary of the amendment:

This amendment excludes from the definition of “plastic carry out bag” a bag used to fruits or vegetables produced by and purchased at a farm or orchard.

Ms. Leadbetter, Sponsor, explained the purpose of the amendment.

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

Aye – Ms. Leadbetter

Nay – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Mr. Smith

Amendment No. 4

The Administrative Officer read a brief summary of the amendment:

This amendment excludes from the definition of “plastic carry out bag” a bag used to contain, package, or wrap live fish, insects, mollusks, or crustaceans.

Ms. Pickard, Sponsor, explained the purpose of the amendment.

The Administration stated its support.

Mr. Baron asked for clarification on the definition of crustaceans.

Ms. Pickard answered.

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

Aye – Ms. Pickard, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Smith

Nay – Mr. Volke

Amendment No. 5

The Administrative Officer read a brief summary of the amendment:

This amendment makes the requirement that a retail establishment to post notices that advise customers to bring reusable carryout bags permissive as opposed to mandatory.

Ms. Leadbetter, Sponsor, explained the purpose of the amendment.

Mr. Baron spoke on the amendment.

Mr. Volke and Ms. Rodvien expressed their agreement with Mr. Baron.

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

Aye – Ms. Leadbetter

Nay – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Mr. Smith

Amendment No. 6

The Administrative Officer read a brief summary of the amendment:

This amendment defines “small retail establishment”; and exempts small retail establishments from the requirements of the bill.

Ms. Leadbetter, Sponsor, explained the purpose of the amendment.

The Administration does not support.

Ms. Pickard explained her vote.

Ms. Rodvien asked how many businesses this amendment would cover.

Mr. Baron and Ms. Velez responded.

Mr. Smith asked if bags could be massed purchased by multiple businesses.

Sarah Price, Maryland Retail Association, answered.

Mr. Volke asked about unified branding.

Ms. Price replied.

Ms. Fiedler asked about price differences between plastic bags.

Ms. Price gave examples.

Ms. Leadbetter explained the price advantages.

Ms. Rodvien shared the idea of reusable bags.

On motion of Ms. Leadbetter, seconded by Ms. Pickard, Amendment No. 6 was defeated by the following roll call vote:

Aye – Ms. Leadbetter

Nay – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Mr. Smith

The Chair stated that Bill No. 19-23, as amended, will be heard on April 17, 2023.

PUBLIC HEARINGS AND CALL OF RESOLUTIONS FOR FINAL READING AND VOTE

RESOLUTION NO. 6-23

The Chair called for Resolution No. 6-23, A Resolution supporting the Anne Arundel County Board of Education's revised Fiscal Year 2024 Public School Construction Capital Improvement Program request for submission to the Interagency Commission on School Construction; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Kyle Ruef, Board of Education, and Lori Blair Klasmeier, Office of Law.

Mr. Baron and Mr. Ruef explained the purpose of the resolution.

Ms. Rodvien encouraged the Council to vote yes on the resolution.

Mr. Smith asked to talk with Mr. Ruef in the near future.

Ms. Pickard shared her appreciation for the work being done to schools.

Mr. Volke asked about the Chesapeake Complex.

Mr. Ruef answered.

The Chair called for the public hearing on Resolution No. 6-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Resolution No. 6-23.

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

The Chair called Resolution No. 6-23, A Resolution supporting the Anne Arundel County Board of Education's revised Fiscal Year 2024 Public School Construction Capital Improvement Program request for submission to the Interagency Commission on School Construction; and the Administrative Officer read a portion of the title.

Resolution No. 6-23 was adopted by the following roll call:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

RESOLUTION NO. 7-23

The Chair called for Resolution No. 7-23, A Resolution urging the Maryland General Assembly to oppose House Bill 119 and any amendments to conform Senate Bill 199 to State House Bill 119; and the Administrative Officer read a portion of the title.

Ms. Leadbetter, Co-Sponsor, explained the purpose of the resolution.

Mr. Smith shared his support.

Ms. Pickard expressed her concern for the State bill and her position on the resolution.

Mr. Volke asked what the odds of the State bill making it to the Governor was.

Mr. Bennett answered.

Ms. Hummer spoke on the resolution.

The Chair called for the public hearing on Resolution No. 7-23.

The Administrative Officer stated there were four submissions of written testimony received through the online testimony tool for Resolution No. 7-23, which were shared with the Council and posted on the County Council website.

The following persons spoke on Resolution No. 7-23:

Debi Jasen, Pasadena

Alan Lang, Pasadena

David Morsberger, Davidsonville

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

The Chair called Resolution No. 7-23, A Resolution urging the Maryland General Assembly to oppose House Bill 119 and any amendments to conform Senate Bill 199 to State House Bill 119; and the Administrative Officer read a portion of the title.

Ms. Fiedler explained what a resolution is.

Resolution No. 7-23 was adopted by the following roll call:

Aye – Ms. Pickard, Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter,
Mr. Smith

Nay – None

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Mr. Volke, the meeting adjourned at 12:10 A.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer