

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of
Legislative Session 2023, Legislative Day No. 14
July 17, 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 Ms. Rodvien, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 240 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 County Auditor Michelle Bohlayer. Matthew Bennett, Legislative Counsel, was also present.

Mr. Volke joined the meeting at 7:10 PM.

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 ahead of time for Invitation to Audience.

The following persons spoke at Invitation to Audience:

Dave Kurtick, Glen Burnie
Kenya Adelota, Laurel
A Adelota, Annapolis
Julie Johnson, Annapolis

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. Leadbetter, 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. Hummer, seconded by Ms. Rodvien, the minutes for July 3, 2023, Legislative Day No. 13, were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 64-23 – AN ORDINANCE concerning: Subdivision and Development – Zoning – Boards, Commissions, and Similar Bodies – Parole Town Center – Parole Town Center Master Plan – FOR the purpose of repealing the 1994 Parole Urban Design Concept Plan; renaming the “Parole Town Center Growth Management Area” to the “Parole Town Center”; removing certain restrictions to granting a variance by the Administrative Hearing Office and Board of Appeals in the Parole Town Center Growth Management Area; adding certain definitions; modifying certain development requirements in the Parole Town Center; adding grandfathering provisions applicable to certain development applications; providing for the scope and applicability of certain provisions; establishing certain bulk regulations; establishing certain allowed uses and conditions and certain prohibited uses; requiring a certain percentage of inclusionary housing units on certain sites; adding certain standards for reservation of land for public facilities, parking, electric vehicle charging stations, bicycle, and pedestrian and facilities; creating an incentive program for certain development; adding the process for applying for and approving an incentive program request; establishing subareas within the Parole Town Center; adopting the 2023 Parole Town Center Master Plan; and generally relating to subdivision and development, zoning, boards, commissions, and similar bodies, and the County’s Parole Town Center Master Plan.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 65-23 – AN ORDINANCE concerning: Zoning – Critical Area Growth Allocation for Property Located on Galesville Road in Galesville, Maryland – FOR the purpose of granting a portion of the County’s Critical Area growth allocation to property owned by Galesville Community Properties, Inc. by changing its designation on the County’s Critical Area maps from Limited Development Area to Intensely Developed Area; establishing requirements and limitations on the development of the property granted the growth allocation; and generally relating to the grant of growth allocation for the Galesville Community Properties, Inc. property.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 66-23 – AN ORDINANCE concerning: Zoning – Outdoor Lighting on Piers – FOR the purpose of requiring that outdoor lighting installed on a pier to be a full cutoff fixture mounted horizontally to the ground; and generally relating to zoning.
Introduced by Ms. Fiedler

MOTION TO SUSPEND RULES

On motion by Ms. Leadbetter, seconded by Ms. Pickard, a motion to change the order to vote and hear on bills in the following order: Bill No. 51-23, Resolution No. 28-23, Bill No. 60-23, Bill No. 53-23, Bill No. 54-23, Bill No. 56-23, Bill No. 57-23, Bill No. 58-23, Bill No. 59-23, Bill No. 55-23, and Bill No. 61-23, was passed by the following roll call:

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

Nay – Ms. Leadbetter, Mr. Volke

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

BILL NO. 51-23 (As Amended)

The Chair called for Bill No. 51-23, as amended, An Ordinance concerning: the issuance, sale and delivery of Anne Arundel County, Maryland general obligation bonds and bond anticipation notes – For the purpose of authorizing the issuance by Anne Arundel County, Maryland (the “County”) of bond anticipation notes in an amount to be outstanding at any time not in excess of Nine Hundred Million Dollars (\$900,000,000) and bonds in an amount not exceeding ~~One Billion One Hundred Eighty Seven Million Five Hundred Eighty Thousand Three Hundred Fifty Six Dollars (\$1,187,580,356)~~ One Billion One Hundred Seventy Eight Million One Hundred Eighty Six Thousand Four Hundred Twenty Dollars (\$1,178,186,420) in order to finance in whole or in part the construction of capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2024, or in such capital budgets for prior fiscal years, or usable portions thereof; authorizing the issuance by the County of refunding bonds to refund some or all of the outstanding bond issues of the County listed on Exhibit II attached hereto and incorporated herein in an aggregate principal amount not to exceed 120% of the aggregate principal amount of the outstanding bonds to be refunded, subject to the requirement that debt service savings shall be achieved in connection with any such refunding; authorizing the County to borrow money and incur indebtedness otherwise authorized to be borrowed and incurred hereunder in the form of bonds or bond anticipation notes by obtaining a loan or loans from the Maryland Water Infrastructure Financing Administration pursuant to and in accordance with Sections 9-1601 through 9-1622, inclusive, of the Environment Article of the Annotated Code of Maryland (2014 Replacement Volume and 2022 Supplement) for the public purpose of financing a portion of the costs of acquiring, constructing and equipping certain wastewater facilities and water supply systems; providing for the execution and delivery by the County of a loan agreement and bond to evidence any such loan; reaffirming and clarifying the guides and standards relating to the borrowing of money to finance such capital projects heretofore adopted; listing the capital projects to be financed in whole or in part from the proceeds of sale of the bonds hereby authorized, or usable portions thereof, estimated costs and probable useful lives thereof; showing compliance with the limitations on the power of the County to incur indebtedness; providing for essential

flexibility in the financing of such capital projects and the issuance of such bonds by authorizing such bond anticipation notes to be repaid from the proceeds of the sale of such bonds; prescribing the procedure for the issuance and sale of such bond anticipation notes and bonds; empowering the County Executive of the County (the “County Executive”), or the Chief Administrative Officer of the County (the “Chief Administrative Officer”) if authorized by the County Executive, subject to such guides and standards, to determine the time and method of sale of such bond anticipation notes and refunding bonds, which sale may be a private (negotiated) sale or a public sale, and the time, place, and procedure for the public sale of such bonds other than refunding bonds; empowering the County Executive, or the Chief Administrative Officer if authorized by the County Executive, subject to such guides and standards, to determine the forms of such bonds and to determine the forms of such bond anticipation notes; empowering the County Executive, or the Chief Administrative Officer if authorized by the County Executive, to provide for or determine the private (negotiated) sale of any loan agreement or bond to the Maryland Water Infrastructure Financing Administration, the form or forms thereof and other details with respect thereto and to the sales thereof; providing that such bond anticipation notes may be issued as notes in the nature of commercial paper and, in such event, authorizing the County Executive, or the Chief Administrative Officer if authorized by the County Executive, to determine various matters and to take various actions in connection with such issuance; providing that such bonds and bond anticipation notes may be issued as variable rate demand or similar obligations and, in such event, authorizing the County Executive, or the Chief Administrative Officer if authorized by the County Executive, to determine various matters and to take various actions in connection with such issuance; covenanting to issue, upon its full faith and credit, the bonds in anticipation of the sale of which any bond anticipation notes are issued when, and as soon as, the reason for deferring the issuance thereof no longer exists, to pay the principal of and interest on (to the extent such is not otherwise paid) such notes from the proceeds of such bonds and that, if the County shall be unable to issue and sell its bonds in an amount sufficient to pay the principal of and interest on any notes issued, then to appropriate sufficient revenues in each fiscal year following the issuance of such bond anticipation notes to pay the maturing principal thereof and the interest thereon to the extent not otherwise paid; covenanting to appropriate sufficient revenues in each fiscal year following the issuance of such bonds to pay the maturing principal thereof and the interest thereon and to meet such appropriation either by revenues derived from self-liquidating projects or from the proceeds of ad valorem taxes, or a combination of the foregoing; pledging the full faith and credit of the County, to the payment of the bonds and bond anticipation notes issued hereunder and the interest thereon, when due; providing that the pledge of the taxing power to secure such bonds and bond anticipation notes shall be subject to the limitation imposed by Section 710(d) of The Anne Arundel County Charter, except in the case where refunding bonds are issued to refund bonds secured by the pledge of the full faith and credit and unlimited taxing power of the County; covenanting that the proceeds of such bonds and bond anticipation notes, or any money which may be deemed to be proceeds, will not be used in a manner to cause such bonds to be arbitrage bonds; canceling, rescinding, and repealing authority to issue certain bonds only to the extent such authority has not been previously exercised under Bill No. 58-22, as amended, and ratifying, confirming and validating the previous authorization, issuance, sale and delivery of bonds and bond anticipation notes pursuant to applicable authority; ratifying and authorizing the issuance of Shore Erosion Control Construction Loans pursuant to and in accordance with Sections 8-1001 to 8-1008, inclusive, of the Natural Resources Article of the Annotated Code of Maryland (2023 Replacement Volume); and generally providing for the consolidation and authorization of a

borrowing program for the County, and matters generally related thereto; and the Administrative Officer read a portion of the title.

Hannah Dier, Director of Fiscal Affairs, was accompanied by Billie Penley, Office of Finance, William Henn, Bond Counsel, David Gregory, Bond Counsel, Chris Trumbauer, Budget Officer, and Lori Blair Klasmeier, Office of Law.

Ms. Dier explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 51-23, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 51-23, as amended.

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

The Chair called Bill No. 51-23, as amended, An Ordinance concerning: the issuance, sale and delivery of Anne Arundel County, Maryland general obligation bonds and bond anticipation notes; and the Administrative Officer read a portion of the title.

Bill No. 51-23, as amended, was passed by the following roll call:

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

Nay – None

CALL OF RESOLUTIONS FOR FINAL READING AND VOTE

RESOLUTION NO. 28-23

The Chair called for Resolution No. 28-23, A Resolution approving estimates of the annual costs of providing health insurance benefits and the employer subsidies used to determine the rates for certain participants under the County Employee and Retiree Health Benefits Program; and the Administrative Officer read a portion of the title.

Hannah Dier, Director of Fiscal Affairs, was accompanied by Anne Budowski, Personnel, Kelly Lovett, Personnel, Chris Trumbauer, Budget Officer, and Lori Blair Klasmeier, Office of Law.

Ms. Dier explained the purpose of the resolution.

The Chair called for the public hearing on Resolution No. 28-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Resolution No. 28-23.

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

The Chair called Resolution No. 28-23, A Resolution approving estimates of the annual costs of providing health insurance benefits and the employer subsidies used to determine the rates for certain participants under the County Employee and Retiree Health Benefits Program; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This technical amendment corrects Code citations and terminology in the exhibit to the resolution; and substitutes a revised exhibit.

Ms. Dier explained the background and purpose of the amendment.

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

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

Nay – None

Resolution No. 28-23, as amended, was adopted by the following roll call:

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

Nay – None

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

BILL NO. 60-23

The Chair called for Bill No. 60-23, An Ordinance concerning: Hollywood on the Severn Special Community Benefit District – Approval of Loan and Assignment Agreement – For the purpose of obligating the County to levy the special tax known as the special community benefit assessment on the Hollywood on the Severn Special Community Benefit District in an amount sufficient to repay a loan from Sandy Spring Bank to the Hollywood-on-Severn Improvement Association, Inc. in each of up to five fiscal years during the term of the loan; and the Administrative Officer read a portion of the title.

Hannah Dier, Director of Fiscal Affairs, was accompanied by Chris Trumbauer, Budget Officer, and Lori Blair Klasmeier, Office of Law.

Ms. Dier explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 60-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 60-23.

The following persons spoke on Bill No. 60-23:

Ardath Cade, Severna Park
Eric Mier, President, Severna Park

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

The Chair called Bill No. 60-23, An Ordinance concerning: Hollywood on the Severn Special Community Benefit District – Approval of Loan and Assignment Agreement; and the Administrative Officer read a portion of the title.

Bill No. 60-23 was passed by the following roll call:

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

BILL NO. 53-23 (As Amended)

The Chair called for Bill No. 53-23, as amended, An Ordinance concerning: Zoning – Solar Energy Generating Facilities – For the purpose of revising the definition of “solar energy generating facility – community”; allowing rooftop mounted solar energy generating facilities as a conditional use in certain commercial and industrial zoning districts; ~~removing certain solar energy generating facilities as a conditional use in certain industrial zoning districts~~; providing for the exemption of certain requirements for conditional use and special exception use of “solar energy generating facilities – community” that are “rooftop-mounted only facilities” or on properties owned or leased by the County, sanitary landfills, reclamation areas; removing certain distance requirements for certain solar energy generating facilities for a conditional special exception use; exempting facilities requiring a certificate of public convenience and necessity from the State Public Service Commission from requirements for conditional and special exception use; and generally relating to zoning; and the Administrative Officer read a portion of the title.

Ethan Hunt, Director of Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, and Lori Blair Klasmeier, Office of Law.

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

The Chair called for the public hearing on Bill No. 53-23, as amended.

The Administrative Officer stated there were four submissions of written testimony received through the online testimony tool for Bill No. 53-23, as amended, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 53-23, as amended:

William Ford, Harwood
Anna Chaney, Lothian
Kathy Gramp, Tracys Landing
Deana Tice, Harwood
Matt Minahan, Edgewater
Kate Fox, Davidsonville
Joe Devlin, Annapolis

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

The Chair called Bill No. 53-23, as amended, An Ordinance concerning: Zoning – Solar Energy Generating Facilities; and the Administrative Officer read a portion of the title.

Amendment No. 2

The Administrative Officer read a brief summary of the amendment:

This amendment exempts rooftop-mounted solar facilities from the requirement for a decommissioning plan; allows the County to collect any expenses incurred for the removal of rooftop-mounted solar facilities; and exempts rooftop-mounted solar facilities from certain special exception requirements.

Mr. Hunt explained the background and purpose of the amendment.

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

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

Amendment No. 3

The Administrative Officer read a brief summary of the amendment:

This amendment alters a special exception requirement for the developer of a solar facility to repeal a certain limitation on the requirement that the developer avoid disturbing certain soils; changes the term “prime agricultural soils” to “prime farmland”; and repeals the prohibition on a solar facility resulting in more than 50% of prime agricultural soils on the site from being removed from production.

Ms. Leadbetter, sponsor, explained the background and purpose of the amendment.

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

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

Amendment No. 4

The Administrative Officer read a brief summary of the amendment:

This amendment alters the current prohibition on locating solar energy generating facilities within 10 miles of each other to only apply in rural agricultural zoning districts; and exempts solar energy generating facilities that are roof-top only facilities from the prohibition.

Ms. Leadbetter, sponsor, explained the background and purpose of the amendment.

Mr. Hunt spoke on the amendment.

Ms. Pickard asked for clarification.

Ms. Leadbetter responded.

Ms. Rodvien asked a clarifying question and shared her concerns on the amendment.

Ms. Blair-Klasmeier and Ms. Miller answered.

Ms. Pickard clarified the amendment.

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

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

The Chair stated that Bill No. 53-23, as amended, would be heard on September 5, 2023.

BILL NO. 54-23 (As Amended)

The Chair called for Bill No. 54-23, as amended, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Credits – High Performance Buildings – For the purpose of amending the definition of “high performance dwelling” to allow a real property tax credit for high performance buildings that meet national green building standards; adding the methods for calculating the real property tax credit for high performance buildings; amending the

requirement for the form of the application for the tax credit; and generally related to finance, taxation, and budget; and the Administrative Officer read a portion of the title.

Ms. Hummer, sponsor, explained the background and purpose of the bill.

Hannah Dier, Director of Fiscal Affairs, was accompanied by Brian Schenck, Office of Finance, Chris Trumbauer, Budget Officer, and Lori Blair Klasmeier, Office of Law.

The Administration stated its support of the bill.

The Chair called for the public hearing on Bill No. 54-23, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 54-23, as amended.

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

The Chair called Bill No. 54-23, as amended, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Credits – High Performance Buildings; and the Administrative Officer read a portion of the title.

Bill No. 54-23, as amended, was passed by the following roll call:

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

Nay – None

BILL NO. 56-23

The Chair called for Bill No. 56-23, An Ordinance concerning: Zoning – Licensed Dispensaries, Growers, and Processors of Cannabis – For the purpose of modifying the definition of “farming”; modifying certain references to licensed growers, processors, and dispensaries of cannabis; removing certain licensed dispensaries of cannabis from certain commercial and industrial zoning districts as a special exception use; adding certain licensed dispensaries of cannabis to certain commercial, industrial and mixed use zoning districts as a conditional use; revising the use requirements for licensed dispensaries, growers, and processors of cannabis and State-licensed medical clinics as a conditional use in certain zoning districts; removing the use requirements of licensed dispensaries, growers, and processors of cannabis as a special exception use in certain zoning districts; revising the use requirements for plasma centers as a special exception use in certain zoning districts; and generally relating to zoning; and the Administrative Officer read a portion of the title.

Pete Baron, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, and Lori Blair Klasmeier, Office of Law.

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

Ms. Fiedler asked what would happen if the bill did not pass.

Mr. Baron and Ms. Blair-Klasmeier responded.

Ms. Leadbetter asked a clarifying question.

Mr. Baron and Ms. Blair-Klasmeier answered.

The Chair called for the public hearing on Bill No. 56-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 56-23.

The following persons spoke on Bill No. 56-23:

David Dull, Baltimore

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

Ms. Rodvien asked about dispensary locations.

Mr. Baron responded.

The Chair called Bill No. 56-23, An Ordinance concerning: Zoning – Licensed Dispensaries, Growers, and Processors of Cannabis; and the Administrative Officer read a portion of the title.

Bill No. 56-23 was passed by the following roll call:

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

Nay – None

BILL NO. 57-23

The Chair called for Bill No. 57-23, An Ordinance concerning: Boards, Commissions, and Similar Bodies – Anne Arundel County Community Reinvestment and Repair Commission – Finance, Taxation, and Budget – Community Reinvestment and Repair Special Revenue Fund – For the purpose of establishing the Anne Arundel County Community Reinvestment and Repair Commission; providing for the purpose, membership, terms and compensation of members, appointment of a chair, meeting standards, and duties of the Community Reinvestment and Repair Commission; establishing the Community Reinvestment and Repair Special Revenue Fund for the purpose of receiving funds from the State Cannabis Reinvestment and Repair Fund; providing that the Fund shall be a special, non-lapsing fund; establishing the purpose of the Fund; and generally relating to boards, commissions, and similar bodies, and finance, taxation, and budget; and the Administrative Officer read a portion of the title.

Hannah Dier, Director of Fiscal Affairs, was accompanied by Chris Trumbauer, Budget Officer, and Lori Blair Klasmeier, Office of Law.

Ms. Dier explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 57-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 57-23.

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

The Chair called Bill No. 57-23, An Ordinance concerning: Boards, Commissions, and Similar Bodies – Anne Arundel County Community Reinvestment and Repair Commission – Finance, Taxation, and Budget – Community Reinvestment and Repair Special Revenue Fund; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This technical amendment corrects terminology and grammar.

Ms. Dier explained the background and purpose of the amendment.

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

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

Nay – None

Bill No. 57-23, as amended, was passed by the following roll call:

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

Nay – None

BILL NO. 58-23

The Chair called for Bill No. 58-23, An Ordinance concerning: Pensions – Deferred Retirement Option Program – Term of Participation Period – Withdrawal or Disability – For the purpose of allowing a seventh year of participation for certain DROP participants who are members of the Police Service Retirement Plan; providing for interest on the seventh year of DROP participation for certain employees; amending provisions that allow early withdrawal from DROP; amending provisions that apply to a disability pension during DROP participation;

applying this Ordinance retroactively; and generally relating to pensions; and the Administrative Officer read a portion of the title.

Hannah Dier, Director of Fiscal Affairs, was accompanied by Anne Budowski, Personnel, Kelly Lovett, Personnel, and Lori Blair Klasmeier, Office of Law.

Ms. Dier explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 58-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 58-23.

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

The Chair called Bill No. 58-23, An Ordinance concerning: Pensions – Deferred Retirement Option Program – Term of Participation Period – Withdrawal or Disability; and the Administrative Officer read a portion of the title.

Bill No. 58-23 was passed by the following roll call:

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

Nay – None

BILL NO. 59-23

The Chair called for Bill No. 59-23, An Ordinance concerning: Approval of the Ground Lease between Anne Arundel County and Woodland Beach Volunteer Fire Department, Inc. – For the purpose of approving an agreement to lease County-owned property containing 3.0275 acres, more or less, located on Stepney Lane in Edgewater, Maryland, to the Woodland Beach Volunteer Fire Department, Inc., for the development, construction, operation, and maintenance of a fire station and other firefighting facilities; and the Administrative Officer read a portion of the title.

Pete Baron, Government Affairs, was accompanied by Chris Daniels, Office of Central Services, and Lori Blair Klasmeier, Office of Law.

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

The Chair called for the public hearing on Bill No. 59-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 59-23.

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

The Chair called Bill No. 59-23, An Ordinance concerning: Approval of the Ground Lease between Anne Arundel County and Woodland Beach Volunteer Fire Department, Inc.; and the Administrative Officer read a portion of the title.

Bill No. 59-23 was passed by the following roll call:

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

Nay – None

BILL NO. 55-23 (As Amended)

The Chair called for Bill No. 55-23, as amended, An Ordinance concerning: Construction and Property Maintenance Codes – Codes and Supplements – Fire Prevention Code – Zoning – Recovery Residences, Group Homes, and Community-Based Assisted Living Facilities – For the purpose of establishing fire prevention parameters for recovery residences, group homes, or community-based assisted living facilities to be classified as a single-family detached dwelling; defining certain terms; amending parking space requirements to include recovery residences; allowing a recovery residence as a permitted use in all residential districts; amending the conditional use requirements for group homes II; ~~exempting recovery residences with certain occupancy from the Construction Code~~; requiring that recovery residences comply with the 2018 International Residential Code; and generally relating to construction and property maintenance codes and zoning; and the Administrative Officer read a portion of the title.

Mr. Volke, sponsor, explained the background and purpose of the bill.

On the motion by Mr. Volke, seconded by Ms. Fiedler, the request to change the public testimony time from two minutes to one minute was defeated by the following roll call:

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

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

Ethan Hunt, Director of Governmental Affairs, was accompanied by Pete Baron, Government Affairs, Lynn Miller, Office of Planning and Zoning, Andrew McCarra, Inspections and Permits, Chief Trisha Welford, Fire Department, Tonii Gedin, Health Department, Sandy O'Neill, Health Department, Adrienne Mickler, Mental Health, and Greg Swain, County Attorney.

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

Ms. Pickard spoke on the bill.

Ms. Rodvien shared her view on testimony.

Mr. Volke asked for the definition of auxiliary use.

Mr. Swain responded.

Ms. Pickard spoke on auxiliary uses.

There was continued discussion on the bill.

The Chair called for the public hearing on Bill No. 55-23, as amended.

The Administrative Officer stated there were twenty-four submissions of written testimony received through the online testimony tool for Bill No. 55-23, as amended, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 55-23, as amended:

Brenda Gardner, Pasadena
James Stevenson, Bowie
Chris Kauffman, Glen Burnie
Alexandra Kauffman, Glen Burnie
Lukas Kassa, Baltimore
Nick Albaugh, Pasadena
Brian McCall, Westminster
Charles Chapman, Pasadena
Jamie Miller, Pasadena
Jessie Costley, Westminster
Michael Bowen, Pasadena
Theresa Shaffer, Glen Burnie
Randi Carnes, Pasadena
Matthew Paris, Frederick
Basile Ferro, Glen Burnie
Jessica Kline, Pasadena
Evan Albrecht, Arnold
Therese Hessler, Annapolis
Vincent Dantone, Bowie
Nicholas Acosta, Pasadena
Truie Heiland, Glen Burnie
Jared Vogt, Pasadena
Samantha Sweeney, Pasadena
Rodney Porter, Brooklyn Park
Richard Rollins
Sara Burden, Pasadena
Gregory Snyder, Annapolis
Robert Mist
Christine Gardner
Patricia Crowley, Millersville
Bryce Hudak, Baltimore
Justin Johnson
David Dull, Brooklyn Park
Tom Neidert, Pasadena

George St. Peter, Glen Burnie
William, Pasadena
Dale Furches
Kimberly Wierman, Baltimore
Byron
Diana Whittler
Patricica Collins
Lisa Middledorf,
Corrie Dunn
Amanda Dicken, Crofton
Jillian Johnston
Stacy Gillen, Annapolis
Randell Law
Shawna Ceely
Sarah Daniel, Odenton
Anthony Altomare
Dan Hoadley, Crownsville
Kristy Blalock, Crownsville
Joe Rogers, Annapolis
Angel Traynor, Annapolis
Ryan Chamberlain, Annapolis
Mary Lely
Sahar, Frederick
Kim Taylor
David Plott, Annapolis
Chris Pedersen, Pasadena
Thomas Repczynski, Vienna, VA
Brooke Foster

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

RECESS

On motion by Ms. Rodvien, seconded by Mr. Volke, the Council took a recess at 9:40 P.M.

RECONVENE

The Council reconvened at 9:50 P.M. All Councilmembers and the County Auditor were present.

The Chair called Bill No. 55-23, as amended, An Ordinance concerning: Construction and Property Maintenance Codes – Codes and Supplements – Fire Prevention Code – Zoning – Recovery Residences, Group Homes, and Community-Based Assisted Living Facilities; and the Administrative Officer read a portion of the title.

Amendment No. 11

The Administrative Officer read a brief summary of the amendment:

This amendment provides that the use of a single-family detached dwelling as a recovery residence, group home, or community-based assisted living facility is not a change of occupancy classification if the single-family detached dwelling is being used for that purpose as of January 1, 2024.

Ms. Pickard, sponsor, explained the background and purpose of the amendment.

The Administration supports.

Ms. Pickard shared her appreciation for the public testimony.

Mr. Volke spoke on the amendment.

Ms. Hummer spoke on her support of the amendment.

Ms. Pickard clarified the amendment.

There was continued discussion of the amendment.

On motion of Ms. Pickard, seconded by Ms. Hummer, Amendment No. 11 was defeated by the following roll call vote:

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

Nay – Ms. Leadbetter, Mr. Volke, Ms. Fiedler, Ms. Rodvien

Amendment No. 12

The Administrative Officer read a brief summary of the amendment:

This amendment alters the definition of group homes I and II; provides that the use of a single-family detached dwelling as a group home for persons with intellectual, developmental, or physical disabilities is not a change of occupancy classification or sub-classification; provides that a conditional use requirement that two group homes II not adjoin each other does not apply to a group home for persons with intellectual, developmental, or physical disabilities.

Ms. Pickard, sponsor, explained the background and purpose of the amendment.

The Administration supports.

Mr. Volke asked for clarification on the amendment.

Mr. Baron responded.

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

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

Nay – Ms. Leadbetter, Mr. Volke, Ms. Fiedler, Ms. Rodvien

Amendment No. 13

The Administrative Officer read a brief summary of the amendment:

This amendment provides a recovery residence to include a facility that is operated by an affiliate of certain treatment providers if the affiliation is in existence on or before January 1, 2024.

Ms. Pickard, sponsor, explained the background and purpose of the amendment.

The Administration supports.

Mr. Volke clarified the amendment.

Ms. Hummer spoke on Partial Hospitalization Programs (PHP).

On motion of Ms. Pickard, seconded by Ms. Hummer, Amendment No. 13 was defeated by the following roll call vote:

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

Nay – Ms. Leadbetter, Mr. Volke, Ms. Fiedler, Ms. Rodvien

Amendment No. 14

The Sponsor withdrew the amendment.

Amendment No. 15

The Administrative Officer read a brief summary of the amendment:

This amendment strikes the prohibition on a recovery residence being operated by an affiliate of a treatment provider that provides level 2.5 or higher substance abuse disorder treatment services.

Mr. Smith, sponsor, explained the background and purpose of the amendment.

The Administration supports.

Mr. Smith appealed to Ms. Rodvien.

Ms. Fiedler explained her vote on the amendment.

Mr. Smith responded.

There was further discussion on the amendment.

On motion of Mr. Smith, seconded by Ms. Pickard, Amendment No. 15 was defeated by the following roll call vote:

Aye – None

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

Ms. Rodvien thanked the public for their testimony.

Ms. Leadbetter spoke on the bill.

Ms. Fiedler, Ms. Hummer, and Mr. Volke shared their thoughts on the bill.

Bill No. 55-23 was defeated by the following roll call:

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

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

BILL NO. 61-23

The Chair called for Bill No. 61-23, An Ordinance concerning: Construction and Property Maintenance Codes – Fire Prevention Code – Codes and Supplements – Zoning – Recovery Residences – For the purpose of exempting single-family detached dwellings used as recovery residences from the Fire Prevention Code when certain conditions are met; adding a definition of “recovery residence”; adding parking requirements for recovery residences; allowing recovery residences as permitted uses in all residential districts; requiring that recovery residences comply with the 2018 International Residential Code; and generally relating to construction and property maintenance codes and zoning; and the Administrative Officer read a portion of the title.

Ms. Pickard, sponsor, explained the background and purpose of the bill.

Ethan Hunt, Director of Governmental Affairs, was accompanied by Pete Baron, Government Affairs, Lynn Miller, Office of Planning and Zoning, Andrew McCarra, Inspections and Permits, Chief Trisha Wolford, Fire Department, Tonii Gedin, Health Department, Sandy O’Neill, Health Department, Adrienne Mickler, Mental Health, and Greg Swain, County Attorney.

The Administration supports.

Ms. Fiedler shared her thoughts on the bill.

Ms. Pickard expressed her feeling on the bill.

Ms. Leadbetter agreed with Ms. Fiedler.

The Chair called for the public hearing on Bill No. 61-23.

The Administrative Officer stated there were three submissions of written testimony received through the online testimony tool for Bill No. 61-23, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 61-23:

David Plott, Annapolis
Joe Rogers, Annapolis
Chris Pedersen, Pasadena

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

The Chair called Bill No. 61-23, An Ordinance concerning: Construction and Property Maintenance Codes – Fire Prevention Code – Codes and Supplements – Zoning – Recovery Residences; and the Administrative Officer read a portion of the title.

Ms. Hummer spoke on the bill.

Ms. Pickard shared her thoughts on the bill.

On motion by Ms. Rodvien, seconded by Mr. Smith, the request to hold the bill was defeated by the following roll call:

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

Mr. Volke clarified the bill.

Bill No. 61-23 was defeated by the following roll call:

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

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Ms. Fiedler, the meeting adjourned at 12:00 A.M.

Respectfully submitted,

By Anna Macaulay

For Laura Corby
Administrative Officer