

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of
Legislative Session 2023, Legislative Day No. 10
May 15, 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 25 persons in the audience.

The following members of the County Council were present:

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|--------------------|------------------|
| 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.

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 was one submission of written testimony received through the online testimony tool for Invitation to Audience, which was shared with the Council and posted on the County Council website.

The following persons spoke at Invitation to Audience:

Patric Enright, Gambrills
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. Rodvien, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

APPROVAL OF MINUTES

Ms. Hummer noted she would approve the minutes of May 11, 2023 although she was absent from the meeting.

Mr. Volke requested a correction be made to the line regarding the May 1, 2023 invocation.

The Administrative Officer noted all corrections.

On motion of Ms. Fiedler, seconded by Ms. Rodvien, the minutes for the following meetings were approved as presented:

May 1, 2023 - Legislative Day No. 9
May 2, 2023 – Budget Presentations
May 3, 2023 – Budget Presentations
May 4, 2023 – Budget Presentations
May 8, 2023 – Budget Presentations
May 9, 2023 – Budget Presentations
May 10, 2023 – Budget Presentations
May 11, 2023 – Budget Presentations

INTRODUCTION OF BILLS

BILL NO. 46-23 – AN EMERGENCY ORDINANCE concerning: Current Expense Budget – Fourth Quarter Fund Transfer and Supplementary Appropriations – FOR the purpose of transferring appropriations of funds between certain offices, departments, institutions, boards, commissions or other agencies in the general fund; making supplementary appropriations from unanticipated revenues to certain offices, departments, institutions, boards, commissions or other agencies in the general fund and to certain special funds of the County government for the current fiscal year; making this Ordinance an emergency measure; and generally relating to transferring appropriations of funds and making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2023.

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

BILL NO. 47-23 – AN EMERGENCY ORDINANCE concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfers of Funds – FOR the purpose of transferring appropriations of funds between certain offices, departments, institutions, boards, commissions or other agencies in the general fund; making supplementary appropriations from unanticipated revenues to the Local Education Fund for the current fiscal year; making this Ordinance an emergency measure; and generally

relating to transferring appropriations of funds and supplementary appropriations to the current expense budget for the fiscal year ending June 30, 2023.

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

BILL NO. 48-23 – AN ORDINANCE concerning: Modification to Conveyance of Surplus Property – Freetown Road in Glen Burnie, Maryland – FOR the purpose of modifying the terms and conditions of a prior deed conveying certain real property owned by Anne Arundel County to Bello Machre, Inc.

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

BILL NO. 49-23 – AN ORDINANCE concerning: Second Amendment to Lease between Anne Arundel County, Maryland and Bates School Limited Partnership – FOR the purpose of authorizing the Second Amendment to Lease of a portion of County-owned property in Annapolis, Maryland, known and designated as Wiley H. Bates High School, Smithville Street and South Villa Avenue, to Bates School Limited Partnership to extend the lease term for an additional period of forty-two (42) years, to expire on March 17, 2097.

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

BILL NO. 50-23 – AN ORDINANCE concerning: Finance, Taxation, and Budget – Real Property Taxes – Tax Credits – Disabled Veterans and Their Surviving Spouses and Retired Veterans – Duration – FOR the purpose of amending the duration of the disabled veteran real property tax credit; allowing a surviving spouse of a disabled veteran to be eligible for the property tax credit until remarriage; extending the duration of the retired veteran real property tax credit; and generally relating to finance, taxation, and budget.

Introduced by Mr. Volke, Ms. Leadbetter, Ms. Fiedler, and Mr. Smith

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 19-23 – RESOLUTION appointing members to the Anne Arundel County Ethics Commission

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

RESOLUTION NO. 20-23 – RESOLUTION appointing a member to the Anne Arundel County Adult Public Guardianship Review Board

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

RESOLUTION NO. 21-23 – RESOLUTION urging the County Executive to establish a workgroup to review the County's public infrastructure needs and capital program planning process

Introduced by Ms. Pickard, Mr. Smith, and Ms. Hummer

PUBLIC HEARING ON THE PROPOSED REAL PROPERTY TAX RATE (Constant Yield)

Chris Trumbauer, Budget Officer, spoke on the Constant Yield Tax Rate. (A copy of the remarks given is attached to these minutes.)

Mr. Smith stated that the County Council would set the property tax rate at the meeting beginning at 10:00 A.M. on June 14, 2023. The Chair stated that the public hearings will continue, with the second hearing being held on May 18, 2023 at Crofton High School.

The Chair called for a public hearing on the Constant Yield/Property Tax Rate.

The Administrative Officer stated there were no submissions of public testimony received for this topic.

The following persons spoke on the Constant Yield/Property Tax Rate:

David Morsberger, Davidsonville
Julie Johnson, Annapolis

There was one else present who wished to speak and the hearing was concluded.

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

BILL NO. 19-23 (As Amended)

The Chair called for Bill No. 19-23, as amended, An Ordinance concerning: Public Safety – ~~Ban the Bag Act of Anne Arundel County~~ Bring Your Own Bag Plastic Reduction Act – For the purpose of prohibiting the retail distribution of plastic bags in Anne Arundel County; defining certain terms; establishing the duties of certain retail establishments; requiring an example of a notice required by retail establishments to be posted on the County website; 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, as amended.

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

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

Debi Jasen, Pasadena
Priscilla Kania, Annapolis
Zachary Taylor, Washington, DC
JoAnne Zoller, Glen Burnie
David M, Queenstown
Sarah Price, Pasadena
David Morsberger, Davidsonville
John Jasen, Pasadena
Kate Fox
Matt Minahan

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

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

Amendment No. 13

The Administrative Officer read a brief summary of the amendment:

This amendment excludes certain businesses that sell or provide food for consumption on or off premises from the requirement to charge a minimum amount for paper carryout bags.

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

The Administration stated its support.

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

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

Amendment No. 14

The Administrative Officer read a brief summary of the amendment:

This amendment allows a retail establishment to provide reusable carryout bags to customers during a promotional period.

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

The Administration stated it is a policy choice for the Council.

Mr. Smith asked if this amendment would hinder the bill.

Ms. Rodvien responded.

There was further discussion on the amendment.

On motion of Ms. Fiedler, seconded by Ms. Leadbetter, Amendment No. 14 was defeated by the following roll call vote:

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

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

Amendment No. 15

The Administrative Officer read a brief summary of the amendment:

This technical amendment fixes an internal cross reference.

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

The Administration stated its support.

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

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

Nay – None

Amendment No. 16

The Administrative Officer read a brief summary of the amendment:

This amendment excludes from the definition of retail establishment an establishment that provides medical or dental services.

Ms. Fiedler, Sponsor, withdrew the amendment.

Amendment No. 17

The Administrative Officer read a brief summary of the amendment:

This amendment allows a retail establishment to provide reusable carryout bags to customers during a promotional period for up to 10 days.

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

The Administration stated it was a policy choice for the Council.

Ms. Rodvien asked for the Council's opinion on the amendment.

Ms. Hummer shared her appreciation for the amendment.

Mr. Smith commented on the amendment.

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

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

Mr. Smith

Nay – None

The Chair stated that Bill No. 19-23, as amended, will be heard on June 5, 2023.

BILL NO. 25-23

The Chair called for Bill No. 25-23, An Ordinance concerning: General Provisions – Public Campaign Financing – For the purpose of defining certain terms; establishing the Public Campaign Financing Fund; providing for the source of funding for the public campaign financing funds; providing for the limitations and conditions on contributions and loans to an applicant candidate; providing for the adjustment of contribution limitations; providing for the certification of qualified candidates eligible for public campaign financing; providing for the disbursement of public campaign financing funds; establishing limitations and conditions of public campaign financing funds; establishing the process to withdraw from participation in the Fund; establishing restrictions on an applicant, certified or participating candidate; creating the Commission to recommend funding for the Public Campaign Financing Fund; establishing that a violation of this title is a Class B civil offense; and generally relating to public campaign financing; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied Lori Blair Klasmeier, Office of Law.

Mr. Baron explained the purpose of the bill and gave a presentation. (A copy of the presentation is attached to these minutes.)

Ms. Rodvien asked about funds raised before the law goes into effect.

Mr. Baron answered.

Ms. Fiedler asked if there is an opt-out for the tax payer.

Mr. Baron responded.

Mr. Smith asked clarifying questions.

Mr. Baron answered.

Ms. Leadbetter asked if there was a time limit to receive the public funds and about additional staffing.

Mr. Baron responded.

There was further discussion regarding the bill.

The Chair called for the public hearing on Bill No. 25-23.

The Administrative Officer stated there were eight submissions of written testimony received through the online testimony tool for Bill No. 25-23, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 25-23:

Morgan Drayton, Odenton
Rebecca Forte, Severna Park
Debi Jasen, Pasadena
Abby Root, Odenton
Kurt Svendsen, Arnold
Emily Scarr, Severn
Alan Lang, Pasadena
Kate Fox
Matt Minahan
Patric Enright, Gambrills
Julie Johnson, Annapolis

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

The Chair called Bill No. 25-23, An Ordinance concerning: General Provisions – Public Campaign Financing; 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 increases the number of qualifying contributions a candidate for County Executive must receive in order to be certified as eligible for public campaign financing.

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

The Administration does not support.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 1 was defeated by the following roll call vote:

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

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

Amendment No. 2

The Administrative Officer read a brief summary of the amendment:

This amendment increases the number of qualifying contributions a candidate for Councilmember must receive in order to be certified as eligible for public campaign financing.

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

The Administration does not support.

On motion of Mr. Volke, seconded by Ms. Leadbetter, Amendment No. 2 was defeated by the following roll call vote:

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

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

Amendment No. 3

The Administrative Officer read a brief summary of the amendment:

This amendment reduces the total amount of public contribution a candidate for County Executive may receive for an election cycle.

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

The Administration does not support.

Mr. Volke spoke on what can be done with \$100,000.

Mr. Baron responded.

Ms. Pickard explained her view of the amendment.

There was further discussion regarding the amendment.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 3 was defeated by the following roll call vote:

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

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

Amendment No. 4

The Administrative Officer read a brief summary of the amendment:

This amendment reduces the total amount of public contribution a candidate for Councilmember may receive for an election cycle.

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

The Administration does not support.

Ms. Pickard shared her view of the amendment.

On motion of Mr. Volke, seconded by Ms. Leadbetter, Amendment No. 4 was defeated by the following roll call vote:

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

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

Amendment No. 5

The Administrative Officer read a brief summary of the amendment:

This amendment provides that a certified candidate does not include a candidate who holds elected office at the time of filing for a covered office.

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

The Administration does not support.

Mr. Smith asked a clarifying question.

Mr. Baron responded.

Ms. Rodvien expressed her agreement to place donors on the same level.

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

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

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

Amendment No. 6

The Administrative Officer read a brief summary of the amendment:

This amendment prohibits a certified candidate from receiving a public contribution for a contested election in the general election unless the certified candidate participates in a primary election immediately preceding the general election.

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

The Administration does not support.

Mr. Volke asked about unaffiliated candidates.

Mr. Baron responded.

Mr. Smith asked about primary elections.

Mr. Baron answered.

Ms. Fiedler asked for thoughts on a similar amendment.

Mr. Baron responded.

Ms. Rodvien asked a clarifying question.

Mr. Baron answered.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 6 was defeated by the following roll call vote:

Aye – Mr. Volke

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

Amendment No. 7

The Administrative Officer read a brief summary of the amendment:

This amendment alters the start of the disbursement period for public funds from 365 days before the primary election to 180 days.

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

The Administration does not support.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 7 was defeated by the following roll call vote:

Aye – Ms. Leadbetter, Mr. Volke

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

Amendment No. 8

The Administrative Officer read a brief summary of the amendment:

This amendment prohibits an applicant candidate from accepting a contribution or loan from themselves or their spouse.

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

The Administration does not support.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 8 was defeated by the following roll call vote:

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

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

Amendment No. 9

The Administrative Officer read a brief summary of the amendment:

This amendment deletes the requirement to increase the maximum eligible contribution an applicant candidate may accept from an individual every four years by the average increase in the consumer price index.

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

The Administration does not support.

Ms. Fiedler shared her view on the amendment.

Mr. Smith asked clarifying questions.

Mr. Baron answered.

There was further discussion regarding the amendment.

Mr. Baron and Mr. Volke clarified the amendment.

On motion of Mr. Volke, seconded by Ms. Leadbetter, Amendment No. 9 was defeated by the following roll call vote:

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

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

Amendment No. 10

The Administrative Officer read a brief summary of the amendment:

This amendment deletes the requirement that the public contribution limits and qualifying contribution limit be increased every four years by the average increase in the consumer price index.

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

Mr. Baron spoke on the amendment. The Administration does not support.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 10 was adopted by the following roll call vote:

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

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

Amendment No. 11

Mr. Volke, Sponsor, withdrew the amendment.

Amendment No. 12

Mr. Volke, Sponsor, withdrew the amendment.

Amendment No. 13

The Administrative Officer read a brief summary of the amendment:

This amendment allows the county councilmember to select the member of the Public Campaign Financing System Commission from the Councilmanic district they represent.

Mr. Volke, Sponsor, withdrew the amendment.

Amendment No. 14

The Administrative Officer read a brief summary of the amendment:

This amendment removes the exception for when the County Executive is not required to make an appropriation to the Public Campaign Financing Fund.

Mr. Volke, Sponsor, withdrew the amendment.

Amendment No. 15

The Administrative Officer read a brief summary of the amendment:

This amendment makes the annual appropriation for the Public Campaign Financing Fund permissive as opposed to mandatory.

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

Mr. Baron spoke on the amendment.

Ms. Pickard asked a clarifying question.

Mr. Baron answered.

Mr. Volke spoke on independent commissions.

Mr. Baron responded.

There was further discussion on the amendment.

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

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

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

Amendment No. 16

The Administrative Officer read a brief summary of the amendment:

This technical amendment corrects a misidentification of the “Exception” subsection to funding for the Public Campaign Financing Fund.

Mr. Baron explained the purpose of the amendment.

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

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

The Chair stated that Bill No. 25-23, as amended, will be heard on June 5, 2023.

ADJOURNMENT

There being no further business, on motion of Ms. Fiedler, seconded by Ms. Hummer, the meeting adjourned at 10:22 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer