



**ANNE ARUNDEL COUNTY
OFFICE OF THE COUNTY AUDITOR**

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: September 1, 2021
Subject: Auditor Review of Legislation for the September 7, 2021 Council Meeting

**Bill 66-21:
Zoning – Parking,
Nonresidential Outdoor
Lighting, and Signage –
Prohibited Signs and
Temporary Signs (As
Amended)**

Summary of Legislation

This bill revises the definition of temporary sign by adding language to further clarify its definition. This bill also removes wind signs from the types of prohibited signs. In addition, this bill makes changes to requirements for temporary signs, including limiting the total number of temporary signs on private property to four signs and adding time limits that allow a temporary sign to be displayed for no more than two periods of 60-consecutive days per 12-month period.

We commented on this bill in our letter dated July 14, 2021. At the July 19, 2021 Council meeting, this bill was amended to allow animated signs and to continue the prohibition on signs painted on the roof of a structure. A technical amendment was passed to rearrange the words used in the definition of temporary sign. We have no further comments on this bill.

**Bill 67-21:
Public Ethics – Financial
Disclosure – Legislative
Counsel to the County
Council**

Summary of Legislation

This bill adds financial disclosure requirements applicable to the position of Legislative Counsel to the County Council.

Review of Fiscal Impact

This bill has no fiscal impact.

**Bill 68-21:
Public Safety – Animal
Care and Control –
Authority to Impound –
Tethering of Dogs**

Summary of Legislation

This bill amends the circumstances under which an animal may be impounded and a dog may be tethered outdoors.

Review of Fiscal Impact

The Police Department does not expect a change in workload from this bill. This bill does not have a direct fiscal impact.

**Bill 69-21:
Current Expense Budget –
Capital Budget and
Program – Supplementary
Appropriations and Fund
Transfer**

Summary of Legislation

This bill makes supplementary appropriations from unanticipated revenues and amends the Fiscal Year 2022 Approved Budget (FY22 Budget) by transferring appropriations of funds between three capital projects.

These changes to the FY22 Budget have been reviewed by the Planning Advisory Board, and they have offered an advisory recommendation of approval.

Review of Fiscal Impact

This bill transfers \$1,165,000 in unappropriated fund balance to the Office of Finance (Non-Departmental) for Pay-As-You-Go funding for the Beverly Triton Nature Park capital project due to an increase in the cost of materials.

On June 30, 2021, the estimated unappropriated General Fund balance was \$114,225,000. Of this amount, \$110,790,000 was used in the FY22 Budget so that as of July 1, 2021, the available unappropriated fund balance was \$3,435,000.

The lowest bid for the Beverly Triton Nature Park project of \$4,620,000 came in higher than the construction budget of \$3,401,000. This increase is related to costs that were higher than expected in the initial estimate. The difference was offset by a reduction in miscellaneous costs for a total request of \$1,165,000.

This bill also transfers appropriations in the total amount of \$2,600,000 between the Beverly Triton Nature Park, Eisenhower Golf Course, and Jug Bay Environmental Ed Ctr capital projects as follows:

- Beverly Triton Nature Park (Project #P570300) – decreases \$1,300,000 in general County bonds and increases \$1,300,000 in other state grants;
 - Eisenhower Golf Course (Project #P570200) – decreases \$500,000 in other state grants and increases \$500,000 in general County bonds; and
 - Jug Bay Environmental Ed Ctr (Project #P584500) – decreases \$800,000 in other state grants and increases \$800,000 in general County bonds.
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Bill 69-21 (continued)

These transfers are to utilize grant funding through the Local Parks and Playgrounds Infrastructure (LPPI) state grant. LPPI funds must be used for projects that are accessible to the general public and the FY22 Budget included these LPPI funds for parks that are not accessible to the general public. As a result, a revised submission replaced Beverly Triton Nature Park with the existing projects. These transfers result in no net change to the amount of general County bonds or other state grants appropriated in the FY22 Budget.

The Controller certified that these funds are available for appropriation.

**Bill 70-21:
Snug Harbor Waterways
Improvement District -
Modification****Summary of Legislation**

This bill modifies the limits of the Snug Harbor Waterways Improvement District (WID) by removing 1705 Snug Harbor Road from the WID and adding 4914 Whipple Way to the WID to assign a boat slip. A signed petition in favor of the change is required by the owners of at least 75% of the properties in the existing WID, as well as owners of at least 75% of the properties being added to the WID.

We have reviewed the supporting documents and determined the petition meets the requirements for modifying an existing WID. There were 35 qualified “Yes” votes out of 44 eligible properties (80%), which satisfies the requirement that at least 75% of the property owners approve the changes. The property owner being added to the WID also was a qualified “Yes” vote (100%), which satisfies the requirement that at least 75% of the property owners being added to the WID also approve the changes.

Review of Fiscal Impact

This bill has no direct fiscal impact.

**Bill 71-21:
Licenses and Registrations
– Swimming Pools – Pool
Operator and Lifeguard
Licenses**

Summary of Legislation

This bill repeals the requirement for a lifeguard license. It also increases the application fee to obtain a pool operator license from \$20 to \$60 and extends the term of the license from one year to three years.

Code of Maryland Regulations (COMAR) 10.17.01.05 defines lifeguard as an individual who is 15 years old or older and who has a valid lifeguard certificate from:

- The American Red Cross;
- The Boy Scouts of America, not including a lifeguard merit badge;
- The Young Men's Christian Association;
- Ellis and Associates' National Pool and Waterpark Lifeguard Training; or
- An organization with a lifesaving training program equivalent to that of the American Red Cross.

The COMAR definition of lifeguard requiring a valid lifeguard certificate will still be in place.

Review of Fiscal Impact

This bill removes the requirement for lifeguards to be licensed by the County. County lifeguard licenses are managed by the Health Department. Per the Health Department, there are currently 826 lifeguard licenses issued in the County. The application fee for a lifeguard license is \$20, and lifeguard licenses resulted in revenues as follows: \$46,330 in fiscal year 2019, \$23,054 in fiscal year 2020, and \$29,470 in fiscal year 2021. Removing the license requirement will remove the related license revenue and will also decrease the clerical workload, including paperwork, data entry, and issuing licenses.

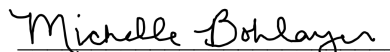
**Resolution 36-21:
Support of the County
Executive Entering into an
Agreement with Robert A.
Pascal Youth and Family
Services, Inc.**

Summary of Legislation

This resolution urges the County Executive to promptly enter into an agreement to lease the building known as 41 Community Place in Crownsville to the Pascal Crisis Stabilization Center.

We commented on this resolution in our letter dated July 14, 2021. At the July 19, 2021 Council meeting, this resolution was held until the September 7, 2021 meeting. We have no further comments on this resolution.

Sincerely,


Michelle Bohlayer
County Auditor