



**COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND  
AGENDA**

**Legislative Session 2022, Legislative Day No. 19  
October 17, 2022 – 7:00 P.M.**

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**Legislative Session and Public Hearings  
Council Chambers**

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- A. Call to Order
- B. Invocation (Ms. Rodvien)
- C. Pledge of Allegiance
- D. Ethics Statement
- E. Invitation to Audience
- F. Announcement of Items not Appearing on Agenda
- G. Preliminary Motion
- H. Approval of Minutes

October 3, 2022 – Board of Health Meeting

October 3, 2022 – Legislative Day No. 18

- I. Public Hearings and Call of Bills and Resolutions for Final Reading and Vote

[BILL NO. 85-22](#) – AN ORDINANCE concerning: Personnel – Positions in the Classified Service – Position Control – Department of Aging and Disabilities and Police Department – FOR the purpose of decreasing certain positions in the classified service; increasing certain positions in the classified service; and generally relating to personnel.

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

[BILL NO. 86-22](#) – AN ORDINANCE concerning: Purchasing – Acquisition of Real Property by Gift – FOR the purpose of approving acceptance of a gift of real property totaling 12.101 acres of land, more or less, fronting on Laurel Ft. Meade Road, in Laurel, Maryland, from Cynthia P. Alexander and Katherine P. Schaeffgen.

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

[BILL NO. 87-22](#) – AN ORDINANCE concerning: Public Works and Zoning – Small Cell Systems and Commercial Telecommunication Facilities on Scenic or Historic Roads – FOR the purpose of requiring that a developer submit a certified technical analysis that demonstrates the need for a small cell system or commercial telecommunication facility to be located along a scenic or historic road located south of Maryland Route 214 in Anne Arundel County as a condition precedent to project approval; making certain technical changes; and generally relating to public works and zoning.

Introduced by Mr. Volke

[BILL NO. 88-22](#) – AN ORDINANCE concerning: Subdivision and Development – BRAC Mixed Use Development – Applicability – FOR the purpose of amending the grandfathering provision applicable to development applications for BRAC Mixed Use Development established by Bill No. 31-22; and generally relating to subdivision and development.

Introduced by Mr. Pruski and Ms. Lacey

[RESOLUTION NO. 39-22](#) – RESOLUTION approving the application to the United States Department of Justice, Office of Justice Programs, for a grant under the Edward Byrne Memorial Justice Assistance Grant Program federal FY 2022 Local Solicitation and recognizing the County Executive’s authority to act in connection with the grant

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

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

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

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

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

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

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

J. Other Business

K. Adjournment

The October 17, 2022 Council meetings will be broadcast on Arundel TV. To find a list of local cable channels or to access Arundel TV you may visit: [www.aacounty.org/services-and-programs/government-television](http://www.aacounty.org/services-and-programs/government-television). For more details on all the ways to participate please visit: [www.aacounty.org/services-and-programs/county-council-meeting-participation](http://www.aacounty.org/services-and-programs/county-council-meeting-participation).

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

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

The following members of the County Council were present:

Sarah F. Lacey	First District
Allison Pickard	Second District
Nathan Volke	Third District
Andrew C. Pruski	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Jessica Haire	Seventh District

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

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

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

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

Respectfully submitted,

By       Anna Macaulay

For       Laura Corby  
          Administrative Officer

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND  
Minutes of  
Legislative Session 2022, Legislative Day No. 18  
October 3, 2022

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

The following members of the County Council were present:

Sarah F. Lacey	First District
Allison Pickard	Second District
Nathan Volke	Third District
Andrew C. Pruski	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Jessica Haire	Seventh District

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

**ETHICS STATEMENT**

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

**INVITATION TO AUDIENCE**

The Chair opened Invitation to Audience.

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

The following person spoke at Invitation to Audience:

Debi Jasen, Pasadena

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

**PRELIMINARY MOTION**

On motion of Ms. Haire, seconded by Ms. Pickard, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

## **APPROVAL OF MINUTES**

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

## **INTRODUCTION OF RESOLUTIONS**

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

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

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

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

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

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

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

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

## **RESOLUTION NO. 48-22**

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

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

### **BILL NO. 73-22 (As Amended)**

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

Ms. Fiedler, Sponsor, explained the amended bill.

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

The Administration supported the bill.

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

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

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

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

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

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

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

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

Ms. Rodvien

Nay – None

### **BILL NO. 78-22**

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

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

Mr. Baron explained the bill.

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

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

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

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

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

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

### **BILL NO. 79-22**

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

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

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

The Administration supported the bill.

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

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

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

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



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

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

Nay – None

**BILL NO. 80-22**

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

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

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

The Administration supported the bill.

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

Mr. Volke responded.

Ms. Lacey asked what the process for citations is.

Ms. Kenney responded.

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

Ms. Kenney agreed.

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

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

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

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

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

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

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

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

Nay – None

**BILL NO. 81-22**

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

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

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

The Administration supported the bill.

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

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

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

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

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

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

**BILL NO. 82-22**

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

Ms. Fiedler, Sponsor, explained the bill.

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

The Administration supported the bill.

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

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

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

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

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

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

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

Ms. Fiedler responded.

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

Ms. Fiedler confirmed the language in the notification.

Ms. Kenney agreed.

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

Ms. Kenney answered.

Ms. Pickard expressed her agreement with the bill.

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

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

Ms. Rodvien

Nay – None

**BILL NO. 83-22**

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

Ms. Lacey, Sponsor, explained the bill.

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

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

There was discussion on the regulation of the historic roads.

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

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

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

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

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

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

Ms. Lacey spoke on the bike and pedestrian paths.

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

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

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

## **BILL NO. 84-22**

The Chair called for Bill No. 84-22, An Ordinance concerning: General Provisions – Flags on County Property – For the purpose of prohibiting the County from authorizing private persons or entities to fly flags on County flagpoles; and generally relating to general provisions; and the Administrative Officer read a portion of the title.

Mr. Volke, Sponsor, explained the bill.

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

The Administration opposed the bill.

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

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

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

John Jasen, Pasadena  
Patric Enright, Gambrills

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

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

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

Ms. Haire expressed her view of the bill.

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

Ms. Kenney responded.

Ms. Lacey commented on the bill.

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

Ms. Kenney agreed.

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

Ms. Kenney answered.

Mr. Volke explained the bill in depth.

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

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

Nay – Ms. Lacey, Ms. Pickard, Mr. Pruski, Ms. Rodvien

### **RESOLUTION NO. 37-22**

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

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

Mr. Baron explained the resolution.

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

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

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

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

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

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

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

Ms. Rodvien

Nay – None

### **RESOLUTION NO. 38-22**

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

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

Mr. Baron explained the resolution.

Mr. Snead shared information on the grant.

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

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

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

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

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

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

#### **RESOLUTION NO. 44-22**

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

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

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

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

Mr. Baron recognized all who worked on the resolution.

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

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

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

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

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

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

**Amendment No. 1**

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

Mr. Pruski explained the amendment.

The Administration supported the amendment.

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

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

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

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

**RESOLUTION NO. 48-22**

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

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

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

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



**OTHER BUSINESS**

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

The Council unanimously declined.

**ADJOURNMENT**

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

Respectfully submitted,

By Anna Macaulay

For Laura Corby  
Administrative Officer



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

**To:** Councilmembers, Anne Arundel County Council  
**From:** Michelle Bohlayer, County Auditor  
**Date:** October 13, 2022  
**Subject:** Auditor's Review of Legislation for the October 17, 2022 Council Meeting

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**Bill 85-22:  
Personnel – Positions in  
the Classified Service –  
Position Control –  
Department of Aging and  
Disabilities and Police  
Department**

**Summary of Legislation**

This bill removes the Human Services Aide I position in the Department of Aging (Aging) and one Police Officer position in the Police Department (Police) that was included in the Fiscal Year 2023 Approved Budget (FY23 Budget) and approves the addition of one Program Specialist I position in Aging and one Police Captain position in Police in the FY23 Budget.

The creation of the new Program Specialist I position is to provide supervision and operational program coordination in the Operations Management division which requires the knowledge of a range of program issues to perform assignments involving standard principals. The creation of the new Police Captain position is to handle Internal Affairs operations.

**Review of Fiscal Impact**

The one vacant Human Services Aide I position will be converted to a Program Specialist I position. Annual salary costs for one Program Specialist I position ranges from approximately \$53,500 to \$90,900. This position is new and no funds were included in the FY23 Budget, however, funds for annual salary costs totaling \$39,021 were included in the FY23 Budget for the one vacant Human Services Aide I position. The FY23 fiscal impact of the Program Specialist I position will depend on the hiring date, negotiated salary, and associated benefits. Aging intends to fill the position as soon as possible.

Also, 1 of the 35 vacant Police Officer positions will be converted to a Police Captain position. Annual salary costs for 1 Police Captain ranges from approximately \$109,500 to \$176,500. This position is new and no funds were included in the FY23 Budget, however, funds for annual salary costs totaling \$57,778 were included in the FY23 Budget for the vacant Police Officer position. The FY23 fiscal impact of the Police Captain will depend on the hiring date, negotiated salary, and

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**Bill 85-22 (continued)**

associated benefits. The Police intends to promote from within for the position as soon as possible.

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**Bill 86-22:  
Purchasing – Acquisition  
of Real Property by Gift****Summary of Legislation**

This bill approves acceptance of a gift of real property consisting of 12.101 acres of land on Laurel Ft. Meade Road in Laurel from Cynthia P. Alexander and Katherine P. Schaeffgen. The Maryland Department of Assessments and Taxation (SDAT) assessed value of the property is \$12,100.

Anne Arundel County Code (Code) § 8-3-101 requires the County Executive to identify the public purpose for which the property may be used. Additionally, the County Executive must ensure that the Director of Public Works conducts an environmental assessment and provide a written determination of any potential hazard or future remediation expense and also must ensure the Budget Officer provides a written assessment of the fiscal impact of the gift, including any future expenditures.

The County Executive's public use of the property will be to use it for a stream restoration project and to support the requirements of the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System permit issued by the Maryland Department of Environment.

The Department of Public Works (DPW) obtained a Phase I Environmental Site Assessment (ESA) from Arc Environmental of the property. The ESA observed no evidence of any recognized environmental conditions; however, two de-minimis environmental conditions were identified, solid waste dumping and surrounding property being listed on the state hazardous waste sites database. The Director of DPW provided a written determination indicating that DPW will remove any solid waste dumped on the property and estimates the cost to be approximately \$5,000 whereas no fiscal impact for the second condition was noted.

The Budget Officer provided the bill's fiscal note as a written assessment of the fiscal impact of the gift, including any future expenditures.

**Review of Fiscal Impact**

The fiscal impact of accepting this real property gift is a reduction of \$113 in annual property tax revenue based on the assessed value of the property per SDAT and the FY23 property tax rate. It should be noted that any reduction in property tax revenue resulting from accepting this real property gift would result in the remaining real property tax bills being increased to offset this decrease due to the County's practice of maximizing property tax revenue under the property tax cap. There will be some maintenance costs, such as the \$5,000 estimated by DPW for removing any dumped materials on the property.

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**Bill 87-22:  
Public Work and Zoning –  
Small Cell Systems and  
Commercial  
Telecommunication  
Facilities on Scenic or  
Historic Roads**

**Summary of Legislation**

This bill requires that a developer submit a certified technical analysis that demonstrates the need for a small cell system or commercial telecommunication facility to be located along a scenic or historic road located south of Maryland Route 214 in the County as a condition precedent to project approval and makes certain technical changes.

**Review of Fiscal Impact**

The Office of Planning and Zoning (OPZ) and the Department of Inspections and Permits do not anticipate a change in workload due to this bill and does not anticipate needing additional resources to meet the requirements of this bill. This bill would result in additional workload for DPW to review the required technical analysis, however, they anticipate being able to absorb this within the existing permit workflow. The limited applicability based on location will most likely decrease the number of applications but the specific number of hours is unknown given the uncertainty in the number of future applications. This bill has no direct fiscal impact.

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**Bill 88-22:  
Subdivision and  
Development – BRAC  
Mixed Use Development -  
Applicability**

**Summary of Legislation**

This bill amends the grandfathering provision applicable to development applications for BRAC Mixed Use Development established by Bill 31-22 to an application filed before December 15, 2022.

**Review of Fiscal Impact**

OPZ does not anticipate a change in workload due to this bill and does not anticipate needing additional resources to meet the requirements of this bill. There have been no applications received since June 27, 2022. This bill has no direct fiscal impact.

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**Resolution 39-22:  
Approving the Edward  
Byrne Memorial Justice  
Assistance Grant Program  
Application**

**Summary of Legislation**

This resolution approves the application to the United States Department of Justice, Office of Justice Programs to administer the Edward Byrne Memorial Justice Assistance Grant Program Fiscal Year 2022 (FY22) Local Solicitation. This grant application requires that it be made available for review by the governing body of the applicant jurisdiction.

**Review of Fiscal Impact**

This resolution approves the application for this grant in the amount of \$145,557 for the federal FY22 grant to be received in the County FY23 Budget. The Circuit Court, Department of Health, and Partnership for Children, Youth, and Families portions of this grant were included in the FY23 Budget; however, the Office of the Sheriff and the Office of the State's Attorney portion of this grant were not included in the FY23 Budget. A supplementary appropriation will be required if awarded. This grant does not require any matching funds.

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**Resolution 45-22:  
Determination of County-  
Owned Property Part of  
the Dorsey Run Road  
Right-of-Way in Annapolis  
Junction as Surplus  
Property**

**Summary of Legislation**

This resolution declares certain improved County-owned property that is a part of the Dorsey Run Road right-of-way in Annapolis Junction, as surplus property. According to SDAT, the property is approximately 2.9245 acres and has an assessed value of \$526,400 as of July 1, 2022.

**Review of Fiscal Impact**

We reviewed this resolution and the Administration's fiscal note and agree with the information presented. This resolution declares the property surplus and has no fiscal impact. Pursuant to Code § 8-3-204(f), if the County Council approves this determination as surplus property and the purchase price is less than 90% of its appraised value or the appraised value is \$50,000 or more, the Administration will be required to obtain County Council approval for the disposition of the property.

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**Resolution 46-22:  
Application to Sell an  
Agricultural Land  
Preservation Easement**

**Summary of Legislation**

This resolution approves Stephen D. Hopkins and Mark D. Hopkins' application to sell an agricultural land preservation easement to the Maryland Agricultural Land Preservation Foundation (MALPF). State law requires the County's Agricultural Preservation Advisory Board to review MALPF applications, rank them based on locally established priorities adopted by MALPF, and make recommendations for approval to the local governing body. Additionally, state law requires the "planning and zoning body" to review the applications to determine whether the purchase is compatible with existing and approved County plans and overall County policy, and make recommendations for approval to the local governing body. Both the County Agricultural Preservation Advisory Board and the Planning and Zoning Officer have complied with these provisions of state law and recommend that the County Council approve this application.

The state appropriation for the MALPF purchases allotted to Anne Arundel County for the FY23 in the state's initial round of funding is \$1,352,246. These funds are provided with no matching requirement. Any state funding initially allocated and not utilized by other counties in the first round is allocated to the remaining counties with a matching requirement of 40%. If state funding is not sufficient to cover its share of the offer price, the County is allowed to provide additional funding, but it is not required. According to MALPF, the application was reviewed and found to be complete and the owners have been informed that the application was deemed sufficient. The application was then submitted to the Maryland Department of General Services for appraisal, and the appraiser should complete the appraisal by March 2023.

**Review of Fiscal Impact**

As of September 30, 2022, the Agricultural Easement Program Capital Project (C443400) has approximately \$3.98 million available, of which, a portion of these funds are targeted to the Rural Legacy Program and the FY22 MALPF offers, leaving in excess of \$3.7 million available for the FY23 MALPF matching funds and related overhead. The County has adequate funds to cover any required match to purchase this easement in the capital project.

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**Resolution 47-22:  
Supporting the Anne  
Arundel County Board of  
Education's Fiscal Year  
2024 Public School  
Construction Capital  
Improvement Program  
Request**

**Summary of Legislation**

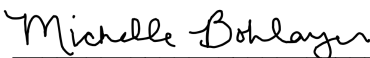
This resolution confirms the County Executive's support and letter of support for the Board of Education's (BOE) Fiscal Year 2024 (FY24) School Construction Capital Improvement Program (CIP) for submission to the Maryland State Department of Education's Interagency Committee on School Construction. We have reviewed the letter and the BOE's FY24 capital request. The BOE has increased their total FY24 CIP to \$198,541,000 from the \$129,860,000 included for FY24 in the FY23 CIP adopted by the County Council.

**Review of Fiscal Impact**

We agree with the Administration's fiscal note that any fiscal impact would be considered and determined in future budget deliberations.

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Sincerely,



Michelle Bohlayer  
County Auditor