



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

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: December 23, 2021
Subject: Auditor's Review of Legislation for the January 3, 2022 Council Meeting

**Bill 99-21:
Subdivision and
Development – Site
Development –
Exemptions (As Amended)**

Summary of Legislation

This bill exempts improvements to an existing nonresidential structure outside the critical or bog protection area from the site development plan process under certain conditions and repeals an exemption relating to certain grading permits.

We commented on this bill in our letter dated December 1, 2021. At the December 20, 2021 Council meeting, this bill was amended to remove redundant language to correct a technical issue and to clarify that the 50 daily vehicle trips in the completion year of the improvements must be new trips. We have no further comments on this bill.

**Bill 102-21:
Zoning – Requirements
for Conditional Uses –
Adult Independent
Dwelling Units – Setbacks**

Summary of Legislation

This bill clarifies that structures in an adult independent dwelling facility be located a certain distance from all lot lines and requires that parking areas for adult independent dwelling units be located a certain distance from residential lot lines.

We commented on this bill in our letter dated December 15, 2021. At the December 20, 2021 Council meeting, this bill was held until the January 3, 2022 meeting. We have no further comments on this bill.

**Bill 103-21:
Zoning – Commercial
Districts – Gunsmiths and
Ammunition Sales
Facilities (As Amended)**

Summary of Legislation

This bill allows gunsmiths and ammunition sales facilities as permitted use in C3 zoning districts.

We commented on this bill in our letter dated December 15, 2021. At the December 20, 2021 Council meeting, this bill was amended to prohibit gunsmiths and ammunition sales facilities in town center districts. We have no further comments on this bill.

**Bill 104-21:
Zoning – School Bus
Facilities**

Summary of Legislation

This bill adds a definition of school bus facility, allows school bus facilities as a permitted use in C4, W1, W2, and W3 zoning districts; allows school bus facilities as a conditional use in C1, C2, and C3 zoning districts; allows school bus facilities as a conditional use in Small Business Districts; and adds the conditional use requirements for school bus facilities.

We commented on this bill in our letter dated December 15, 2021. At the December 20, 2021 Council meeting, this bill was held until the January 3, 2022 meeting. We have no further comments on this bill.

**Bill 105-21:
Personnel – Employee
Relations – Rights of
Classified Employees –
Limitation on Number of
Appropriate
Representation Units**

Summary of Legislation

This bill modifies the maximum number of appropriate representation units for collective negotiations to a maximum of 12. The County currently has 10 bargaining units and this bill will allow for two additional bargaining units.

Review of Fiscal Impact

The fiscal impact will be the result of future negotiations with two additional bargaining units.

**Bill 106-21:
Zoning – Critical Area
Overlay – Resource
Conservation Area – Farm
Alcohol Production
Facility**

Summary of Legislation

This bill allows farm alcohol production facilities as a use in the critical area Resource Conservation Area (RCA), subject to approval of the Maryland Critical Area Commission.

Prior to Bill 68-20, wineries were included in the RCA. Farm alcohol production facilities includes both farm breweries and wineries.

Review of Fiscal Impact

The Office of Planning and Zoning (OPZ) does not expect a change in workload from this bill. This bill has no direct fiscal impact.

**Bill 107-21:
Capital Budget and
Program – OPS Compl
Solar Panels-Sewer and
OPS Compl Solar Panels
Water Capital Projects –
Reduced and
Supplementary
Appropriations**

Summary of Legislation

This bill amends the capital budget for the current fiscal year by reducing an appropriation to the OPS Compl Solar Panels-Sewer and the OPS Compl Solar Panels Water capital projects, makes a supplementary appropriation of funds to the OPS Compl Solar Panels-Sewer and the OPS Compl Solar Panels Water capital projects, and amends the Capital Program and Capital Projects Bond Ordinance for the current fiscal year.

Review of Fiscal Impact

This bill reduces \$423,000 of WasteWater Bonds from the OPS Compl Solar Panels-Sewer project (#S808600) and reduces \$1,500,000 of Water Bonds from OPS Compl Solar Panels Water project (#W808800) and makes a supplementary appropriation in those same amounts to replace that funding with state grant funding from the Energy Water Infrastructure Program (EWIP) Grant from the Maryland Department of Environment. Initially, the EWIP Grant was for \$1,077,000 which was funding the OPS Compl Solar Panels-Sewer project. Upon notification that the grant amount was increased to \$3,000,000, an increase of \$1,923,000, each project was allocated a total of \$1,500,000 in funding from the grant. This bill will result in cost savings for the Water and Wastewater Utility Fund.

**Bill 108-21:
Public Safety –
Distribution of Literature
to Purchasers of Guns or
Ammunition**

Summary of Legislation

This bill requires the Anne Arundel County Department of Health (Health Department) to prepare and distribute certain literature to establishments that sell guns or ammunition, adds certain display and distribution requirements for sellers, authorizes enforcement by the Health Department, and makes a violation a Class C civil offense.

Review of Fiscal Impact

The Health Department currently estimates that \$6,000 will be needed for additional literature creation and printing costs. They are currently working to determine estimated employee costs associated with managing enforcement of this bill.

**Bill 109-21:
Public Safety – Security
Measures for the Sale of
Firearms**

Summary of Legislation

This bill prohibits a gun dealer or a person promoting or sponsoring a gun show from conducting business without the Police Department’s approval of security measures, specifies the required security measures, requires gun dealers who transport firearms to have a certain inventory list in their possession, sets forth enforcement measures, and makes a violation a Class C civil offense.

Review of Fiscal Impact

The Police Department has not determined a fiscal impact but does not expect a large commitment of time due to this legislation. Based on their review, there are currently 21 stores that sell guns in the County and they are unaware of any guns shows that currently occur in the County.

**Bill 110-21:
Subdivision and
Development – Critical
Area Overlay – Marina
Development in Buffer
Modification Areas**

Summary of Legislation

This bill exempts from certain reconfiguration requirements:

- marinas that relocate legal lot coverage in a buffer modification area to an area outside the buffer modification area without creating additional lot coverage; and
- certified Clean Marinas that construct improvements over existing legal lot coverage outside the buffer modification area.

This bill is subject to approval of the Maryland Critical Area Commission.

Review of Fiscal Impact

OPZ does not expect a change in workload from this bill. This bill has no direct fiscal impact.

**Bill 111-21:
Finance, Taxation, and
Budget – Budget – Grants
Special Revenue Fund –
Coronavirus State and
Local Fiscal Recovery
Funds**

Summary of Legislation

This bill requires that certain appropriations to the Grants Special Revenue Fund funded by Coronavirus State and Local Fiscal Recovery Funds be approved by resolution of the Council and requires reports to the Council concerning the use of Coronavirus State and Local Fiscal Recovery Funds. This bill requires the Council to approve appropriations for these funds of more than \$500,000 and allows the Council to schedule a hearing within two days after receipt of the resolution, which requires four affirmative votes, and that such hearing be held not more than ten business days after receipt of the resolution.

Review of Fiscal Impact

This bill would require Council approval for all grants over \$500,000. Currently, the administration has the authority to increase grants that were already included in the approved budget (either with an estimated

Bill 111-21 (continued)

amount or a placeholder) if the Controller confirms that the grant funds are available for expenditure by the County and there are sufficient funds available for the payment of any required County matching funds. If in place, 17 projects in fiscal year 2022 (FY22) through November 30, 2021 would have required Council approval.

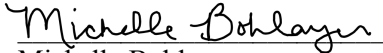
**Bill 112-21:
Finance, Taxation, and
Budget – Budget – Grants
Special Revenue Fund –
Coronavirus State and
Local Fiscal Recovery
Funds****Summary of Legislation**

This bill requires that certain appropriations to the Grants Special Revenue Fund funded by Coronavirus State and Local Fiscal Recovery Funds be approved by resolution of the Council, requires that a hearing to act on the resolution be requested by at least three Councilmembers, and requires reports to the Council concerning the use of Coronavirus State and Local Fiscal Recovery Funds. This bill requires the Council to approve appropriations for these funds of more than \$500,000 and allows three or more Councilmembers to request, within two days after receipt of the resolution, that a hearing be scheduled, and that such hearing be held not more than ten business days after receipt of the resolution.

Review of Fiscal Impact

This bill would require Council approval for all grants over \$500,000. Currently, the administration has the authority to increase grants that were already included in the approved budget (either with an estimated amount or a placeholder) if the Controller confirms that the grant funds are available for expenditure by the County and there are sufficient funds available for the payment of any required County matching funds. If in place, 17 projects in fiscal year 2022 (FY22) through November 30, 2021 would have required Council approval.

Sincerely,


Michelle Bohlayer
County Auditor