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Anne Arundel County Council  
Fifth District

January Article

Happy New Year – may it be prosperous and fulfilling.

2011 was a remarkably full and productive year for the County Council; 2012 has the potential to be no less so.

In addition to the regular budget issues this year, we will consider the Charter Review Commission's recommendations, which are due no later than April 16, 2012. Any of the recommendations deemed appropriate, and any others proposed by any Council Member, will be considered for placement on the November 2012 ballot for a countywide referendum. A five-vote majority is required for an issue to be placed on the ballot.

Three issues are frequently mentioned: binding arbitration, the criteria for disqualifying an elected member of the Council, and term limits for Board of Appeal members. (As the County Council district realignment recognizing 2010 census data does not require a ballot vote, it will be handled separately, most likely before our budget period.)

County Council member disqualification is an interesting and challenging issue, especially for a part-time legislative body. The County Charter, Sec. 202(c), provides for disqualification if an elected member no longer resides in the district represented. It also provides that a military reservist who is called to active duty for more than 180 days is deemed to have "vacated" his position under Sec. 205(h).

In today's "virtual" world, a Councilman's full-time employment could cause one to be temporarily working away from home – either nearby or far away – for an extended period of time. From my experience, one would or could return for family or other professional requirements with careful planning. One such requirement would be attending Council meetings, particularly when votes important to one's district are pending.

While missing some important votes may be unavoidable, repeatedly missing votes provides, in my opinion, a basis for disqualification. The question is, "How many absences over what period of time would be considered disqualifying?" Further, would a similar number of absences for health or medical reasons also be disqualifying or otherwise deemed as having vacated one's position? In other words, what constitutes failure to perform one's councilmanic duties and responsibilities of office?

In contrast, Sec. 404 of the County Charter states "*if a County Executive shall be convicted of a crime involving moral turpitude, of misfeasance or malfeasance in office, or fails to perform the daily duties and responsibilities of his office as set forth in Section*

*405 for a continuous period of six months, his office may be declared vacant by the affirmative vote of not less than five members of the County Council’.*

The specifics and resolution of the current situation in District 1 will clearly shape the Council’s deliberations on any proposed Charter amendment.

During the budget cycle, taxes will again be a hot topic. With real estate taxes being a major piece of the County’s revenue stream (43%), the continuing decline in real estate values portends several years of stagnant or declining assessments. To maintain current yields, some tax rate increases will probably be up for consideration, notwithstanding that 2013 will be the first year with slot revenues available.

Storm water runoff is an important issue on our peninsula, one that generates many calls to our office for assistance. Equally noteworthy is the strong support for the storm water management bill that Councilman Chris Trumbauer and I sponsored.

Within the Council, resistance to raising any fees is strong and probably dominant given the concurrent proposals to increase flush fees at the State level. Consequently, we will withdraw the bill with plans of maybe reintroducing it at a later date.

The size of the problem with storm water runoff is huge. The Department of Public Works estimates the cost of the Watershed Improvement Plan to be \$968M, of which 5% is needed just to catch up on deferred maintenance and repairs on existing drainage networks. This backlog continues to grow faster than the current repair program.

Fortunately, construction on a \$5.4 million storm water runoff repair project to replace the Shipley’s Choice Dam will be started later this summer. The dam will be removed and a stable stream system will be constructed along Bear Branch. Unfortunately and unavoidably, West Benfield Road will be closed for about four months during the project.

The Board of Education Capital Improvement Program (CIP) requests construction funding for both Benfield ES and Rolling Knolls ES in 2013 -- ahead of Severna Park High School. The CIP seeks \$5.7M for SPHS to complete the design and bid packages to support a 2014-2015 build program.

The proposed school CIP exceeds anticipated funding support from the County Executive. It is my intent to seek and support construction funding for the “priority 1” high school before the two “priority 2” elementary schools.

In closing, I would like to hear from you on ways we can improve our already wonderful district. Call me to schedule an appointment or send me an invitation to your community meeting. Together we can make a difference. Happy New Year to All!