



# 2022 LEGISLATIVE CONSIDERATIONS

FREDERICK COUNTY GOVERNMENT

November 18, 2021



**County Executive Jan Gardner**



# FREDERICK COUNTY GOVERNMENT

## OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner  
County Executive

Joy Schaefer, Director, Government Affairs

**TO:** Frederick County Delegation

**FROM:** Jan H. Gardner, County Executive *JHG*

**DATE:** November 18, 2021

**SUBJECT:** 2022 Frederick County Legislative Package

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Frederick County Executive Jan Gardner presents the County Legislative Package for the 2022 General Assembly session, for discussion at a joint meeting on Wednesday, November 18, 2021.

Legislative ideas were solicited from the general public, county agencies, the County Council, and municipal leaders. The County Executive contacted more 80 civic organizations, boards, commissions, and agencies to request their input and suggestions. Because the County Executive values public participation and an open process, the County Executive hosted a town hall style meeting on October 13, 2021, to receive public comment on proposed legislative initiatives and to hear additional suggestions.

The outcome of this open and transparent process produced both legislation and position statements, which our delegation can now advance on behalf of the citizens of Frederick County in the upcoming General Assembly session. It is our goal to have all levels of government effectively working together to address the priorities of the citizens of Frederick County.

The County's Legislative Package includes four (4) new proposed bills.

Three (3) originating from the County Executive

- Changes to the Natural Resources Article with regard to the forest banking program and the use of forest conservation funds (originated by County Executive; supported by County Council, 7-0)
- Changes to the Family Law Article to redirect a portion of the State's judge's fee collected in Frederick County to perform a marriage ceremony to Heritage Frederick for the express use of keeping the County's historical documents and preserving them (originated by County Executive; supported by County Council, 7-0)
- Changes to the Business Regulation Article to address issues presented by unused or vacant burial lots in Frederick County (originated by County Executive; supported by County Council, 7-0)

One (1) originating from the County Council

- Changes to the Education Article regarding the Frederick County Board of Education – Vacancies and providing for limited special elections to fill vacancies on the Frederick County Board of Education (originated by County Council, supported 7-0; supported by the County Executive)

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The County's Legislative Package includes three (3) position statements:

One (1) originating from the County Executive

- Support for Urban Renewal Authority for the Town of Mt. Airy, *supported unanimously by County Council*

Two (2) originating from County Council:

- Support to change current requirements for advertisement of the Constant Yield Tax Rate; *Motion passed 6-1*
- Support for legislation that advances climate mitigation efforts; *Motion passed 4-3*

The County's Legislative Package includes eighteen (18) requests from the public:

- Affordable Housing Council
- The Arc of Frederick County
- Commission for Women
- Containment Laboratory Community Advisory Committee
- Heritage Frederick
- Historic Preservation Commission
- Justice Jobs of Maryland, Inc.
- Mental Health Advisory Committee
- Pleasant Hill Cemetery Association
- Roads Board
- Sierra Club Catoclin Group
- Social Services Board
- Sustainability Commission
- Town of Emmitsburg
- Town of Mt. Airy
- Town of New Market
- Transportation Services Advisory Council
- United Way of Frederick County

At the County Executive's Town Hall, additional input was received from the following regarding the following issues and requests:

- Heritage Frederick and support for the redirection of the civil marriage ceremony fee
- Mental Health Advisory Council and support for their submitted requests
- Town of Mt. Airy and support for Urban Renewal Authority for the Town
- Support for suggestions put forward by the Sustainability Commission and the Sierra Club, Catoclin Group
- Comments regarding unused and vacant burial lots – suggestions to extend the timeframe and provide for descendants who appear beyond the timeframe

The Frederick County Liquor Board will submit legislative proposals separately.



## FREDERICK COUNTY GOVERNMENT

### OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner  
County Executive

Joy Schaefer, Government Affairs Director

### Legislative Calendar 2021 - 2022

Date	Activity
Monday, July 19, 2021	Seek legislative ideas by letter to 80+ organizations
Tuesday, August 10, 2021	Overview of proposed legislative process/request legislative ideas and proposals from the County Council
Thursday, August 26, 2021	Ask for input and legislative specifics from municipal leaders - Mayors/Burgesses meeting
Wednesday, September 29, 2021	Receive legislative initiatives from the County Council
Wednesday, October 13, 2021 at 6 p.m. Virtual Meeting	County Executive to host a Town Hall meeting (1 <sup>st</sup> floor Winchester Hall) on proposed 2022 General Assembly Legislative Package – County Council invited to attend
Tuesday, October 26, 2021	County Council considers draft 2022 Legislative Package
First week of November	Finalize 2022 Legislative Package
Thursday, November 18, 2021 3:30 p.m. – 4:30 p.m.	Meeting with Frederick County Delegation - Winchester Hall
Saturday, December 4, 2021 10 a.m.	Delegation Public Hearing - Winchester Hall
Wednesday, January 12, 2022 (Noon)	First day of the 2022 session of the Maryland General Assembly

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# Proposed Legislation

County Executive  
Proposed Legislation

**Forest Conservation – Forest Conservation Fund**

The proposed legislation suggests amendments to the State of Maryland's Natural Resources Article. These amendments would allow local jurisdictions to continue, as they have over the past two decades, to protect existing forests and valuable existing forest ecosystems through the State's forest banking program. At the same time, the suggested amendments will not impact the legislature's ability to evaluate the merits of forest mitigation banking via the study mandated by the General Assembly during the 2021 session. Any changes to the forest banking program recommended by the study can be made, upon completion of a technical study, by June 30, 2024, pursuant to the 2021 legislation.

Additionally, the amendments would provide flexibility to local jurisdictions in the use of conservation funds. The current timeframe to use the funds within two years or three growing seasons can be challenging for jurisdictions like Frederick County and its twelve municipalities. The process to expend the conservation funding includes planning, permitting, and the development of agreements. Further, smaller jurisdictions often have projects at less frequent intervals than larger cities and towns which are experiencing more rapid growth. Extending the reforestation or afforestation time period from two years/three growing periods to five (5) years or six (6) growing periods after receipt of funding will provide local governments the time needed to adequately and thoughtfully plan and utilize the funding.

(House Bill \_\_\_\_\_)

AN ACT concerning

**Forest Conservation – Forest Conservation Fund**

FOR the purpose of

BY amending

Article – Natural Resources  
Sections 5-1601 and 5-1610  
Annotated Code of Maryland

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the laws of Maryland read as follows:

**Article – Natural Resources**

§ 5-1601. Definitions

(gg) Qualified conservation. -- "Qualified conservation" means the conservation of all or a part of an existing forest that:

- (1) Was approved [on or before December 31, 2020,] by the appropriate State or local forest conservation program for the purpose of establishing a forest mitigation bank; and
- (2) Is encumbered in perpetuity by a restrictive easement, covenant, or another similar mechanism recorded in the county land records to conserve its character as a forest.

§ 5-1610. Forest Conservation Fund; local forest conservation fund

(e) Time period for reforestation or afforestation; return of funds. –

- (1) The Department shall accomplish the reforestation or afforestation for which the money is deposited within [2] 5 years or [3] 6 growing seasons, as appropriate, after receipt of the money.
- (2) Money deposited in the Fund under subsection (c) of this section shall remain in the Fund for a period of [2] 5 years or [3] 6 growing seasons, and at the end of that time

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EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

period, any portion that has not been used to meet the afforestation or reforestation requirements shall be returned to the person who provided the money to be used for documented tree planting in the same county or watershed beyond that required by this subtitle or other applicable statutes.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.



County Executive  
Proposed Legislation

**Frederick of Marriage Ceremony Fee**

The proposed legislation would amend current law to direct a portion of the revenue from marriage ceremony fees performed by the clerk of the circuit court to Heritage Frederick. This would ensure that all the revenue collected from this fee come back to Frederick County.

Heritage Frederick, like all heritage societies, is dedicated to preserving, collecting, and researching local historical items, artifacts and information. Many, like Heritage Frederick, have taken on the role of repositories and stewards of certain historical documents and records – marriage certificates and records among them. The proposed portion of fees collected from civil ceremonies in the County and redirected to Heritage Frederick would support the maintenance of this collection of marriage records.

Currently, in Frederick County the fee for civil ceremonies performed by the Clerk of the Circuit Court is \$25. The Clerk pays \$10 of that fee into the general fund and the remaining \$15 is retained, deposited and disbursed in the same manner as other fees by the Clerk. Nine (9) other counties – Allegany, Anne Arundel, Baltimore, Cecil, Garrett, Montgomery, Prince George's, Harford, and Washington – redirect all or a portion of the \$15 from the State back to a county's heritage organization (historical society, preservation trust, heritage society). The proposed legislation would add Frederick County to these counties which redirect the remaining civil ceremony fees in this way.

The legislation also requires accountability by requiring Heritage Frederick to report annually to the County as to how the funds received were spent, and allows the County to, at any time, request an audit of Heritage Frederick's financial records.

(House Bill \_\_\_\_\_)

AN ACT concerning

**Frederick County – Disposition of Marriage Ceremony Fee**

FOR the purpose of

BY adding to

Article – Family Law  
Section 2-410(a)(12)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the laws of Maryland read as follows:

**Article – Family Law**

2-410.

(a) (1) Except as provided in this subsection, a judge, clerk, or deputy clerk may not receive any fee, remuneration, or gift for performing a marriage ceremony.

(2) (i) 1. A Maryland judge's fee for performing a marriage ceremony is a nonrefundable fee, payable to the clerk before a marriage license is issued, in the amount of \$30 in Cecil County and \$25 in any other county.

2. The clerk's or deputy clerk's fee for performing a marriage ceremony is \$30 in Cecil County and \$25 in any other county.

(ii) Except as provided in paragraph (10) of this subsection, each month the clerk shall pay \$10 of each fee collected under this section into the general fund of the county.

(iii) Except as otherwise provided in this subsection, the clerk shall retain the remainder of each fee and deposit and disburse it in the same manner as other fees collected by the clerk.

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EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

(12) (I) IN FREDERICK COUNTY, THE CLERK SHALL PAY THE REMAINING \$15 OF EACH FEE TO HERITAGE FREDERICK.

(II) HERITAGE FREDERICK SHALL REPORT ANNUALLY TO FREDERICK COUNTY ON THE USE OF ALL FUNDS RECEIVED UNDER THIS SECTION.

(III) FREDERICK COUNTY MAY REQUEST AT ANY TIME AN AUDIT OF THE FINANCIAL RECORDS OF HERITAGE FREDERICK.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.

County Executive  
Proposed Legislation

**Frederick County – Abandoned Burial Lots – Termination of Ownership Rights**

The proposed bill would address issues concerning how the ownership of unused and vacant burial lots can become fractionalized over long periods of time and the difficulty in maintaining a record of the identity and whereabouts of those owners.

Over a two-year grace period, the bill would 1) place a duty on the owner(s) of an unused and vacant burial lot to maintain a mailing address with the cemetery. Owner(s) who fail to do so consent to receive notices and other communications from the cemetery via publication or posting; and 2) provide a procedure whereby the ownership of a burial lot that remains unused and vacant after seventy-five (75) years would revert to the cemetery.

The legislation would not apply to a burial lot containing the remains of a decedent.

(House Bill \_\_\_\_\_)

AN ACT concerning

**Frederick County – Abandoned Burial Lots – Termination of Ownership Rights**

FOR the purpose of addressing unused and vacant burial lots in Frederick County; providing that owners of vacant and unused burial lots must provide the cemetery with their mailing address, for the disposition of abandoned burial lots by establishing a procedure whereby a cemetery may terminate the ownership rights in a burial lot that:(i) remains vacant and unused for a period of at least seventy five (75) years from the date of sale or last recorded designation or transfer; and (ii) has no improvements on the burial lot, including the placement of a monument, memorial, or other permanent appurtenance.

BY adding to

Article – Business Regulation  
Section 5-503.1 and 5-503.2  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the laws of Maryland read as follows:

**Article – Business Regulation**

**5-503.1. OWNERS OF VACANT AND UNUSED BURIAL LOTS TO PROVIDE MAILING ADDRESSES.**

THIS PROVISION IS APPLICABLE ONLY IN FREDERICK COUNTY.

(A) ALL OWNERS OR FRACTIONAL OWNERS OF INTERESTS IN A VACANT AND UNUSED BURIAL LOT, THEIR HEIRS, SUCCESSORS, ASSIGNS, PERSONAL REPRESENTATIVES AND AGENTS, WHO DESIRE TO RECEIVE NOTICES AND OTHER COMMUNICATIONS CONCERNING THE BURIAL LOT FROM THE CEMETERY HAVE A DUTY TO KEEP THE CEMETERY INFORMED OF THEIR MAILING ADDRESSES.

(B) ON AND AFTER JANUARY 1, 2025, ALL OWNERS OR FRACTIONAL OWNERS OF INTERESTS IN A VACANT AND UNUSED BURIAL LOT, THEIR HEIRS, SUCCESSORS, ASSIGNS, PERSONAL REPRESENTATIVES AND AGENTS, WHO DO NOT PROVIDE THE CEMETERY WITH THEIR MAILING ADDRESSES CONSENT TO RECEIVE NOTICES AND OTHER COMMUNICATIONS CONCERNING THE BURIAL LOT BY

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EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

(1) POSTING OF THE NOTICE AT A CONSPICUOUS LOCATION NEAR THE ENTRANCE TO THE CEMETERY; OR

(2) PUBLICATION OF THE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OF THE LOCATION OF THE CEMETERY.

**5-503.2. DISPOSITION OF ABANDONED BURIAL LOTS.**

THIS PROVISION IS APPLICABLE ONLY IN FREDERICK COUNTY.

(A) TERMINATION OF OWNERSHIP RIGHTS IN AN UNUSED AND UNIMPROVED BURIAL LOT.

(1) ON OR AFTER JANUARY 1, 2025, IF A BURIAL LOT IN A CEMETERY:

(I) REMAINS UNUSED FOR A PERIOD OF AT LEAST SEVENTY FIVE (75) YEARS FROM THE DATE OF SALE OR LAST RECORDED DESIGNATION OR TRANSFER; AND

(II) HAS NO IMPROVEMENTS ON THE BURIAL LOT, INCLUDING THE PLACEMENT OF A MONUMENT, MEMORIAL, OR OTHER PERMANENT APPURTENANCE;

THEN THE PERSON OR ENTITY HAVING JURISDICTION OVER THE CEMETERY MAY TERMINATE THE RIGHTS AND INTEREST OF THE OWNER OF THE BURIAL LOT IN ACCORDANCE WITH THIS SECTION.

(2) AFTER JUNE 1, 2022, A CONTRACT FOR THE PURCHASE OF A BURIAL LOT MUST INCLUDE NOTICE THAT THE CONTRACT IS SUBJECT TO TERMINATION AS PROVIDED IN PARAGRAPH (1).

(B) NOTICE.

(1) IF A CEMETERY:

(I) DESIRES TO TERMINATE THE RIGHTS AND INTERESTS OF THE OWNER OF THE UNUSED AND UNIMPROVED BURIAL LOT; AND

(II) DETERMINES THAT THE CONDITIONS SPECIFIED IN SUBSECTION (A) HAVE BEEN MET;

THEN THE CEMETERY MUST SEND TO THE OWNER A NOTICE OF THE INTENT TO TERMINATE THE OWNER'S RIGHTS TO THE BURIAL LOT.

(2) THE NOTICE MUST BE SENT BY CERTIFIED MAIL WITH RETURN RECEIPT REQUESTED TO THE OWNER'S LAST KNOWN ADDRESS.

(C) DUTIES OF OWNER; REQUEST FOR PURCHASE.

(1) AN OWNER WHO RECEIVES A TERMINATION NOTICE UNDER SUBSECTION (B) OF THIS SECTION MAY INFORM THE CEMETERY OF THE OWNER'S CONTINUED INTENT TO USE THE BURIAL LOT. IF THE CEMETERY HAS BEEN INFORMED OF THE OWNER'S INTENT, THEN THE CEMETERY MAY NOT TERMINATE THE RIGHTS AND INTERESTS OF THE OWNER OF THE BURIAL LOT.

(2) AN OWNER WHO HAS RECEIVED A TERMINATION NOTICE UNDER SUBSECTION (B) OF THIS SECTION MAY REQUEST THE PERSON OR ENTITY HAVING JURISDICTION OVER THE CEMETERY TO PURCHASE THE BURIAL LOT FOR THE AMOUNT ORIGINALLY PAID FOR THE BURIAL LOT.

(D) FAILURE TO RESPOND TO NOTICE; TERMINATION OF OWNER'S RIGHTS; REMEDIES.

(1) IF THE CEMETERY DOES NOT RECEIVE A RESPONSE FROM THE OWNER OF THE UNUSED AND UNIMPROVED BURIAL LOT WITHIN SIXTY (60) DAYS AFTER SENDING THE NOTICE REQUIRED IN PARAGRAPH (B) OF THIS CHAPTER, THEN THE CEMETERY SHALL ADVERTISE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY IN WHICH THE CEMETERY IS LOCATED SEEKING THE OWNER'S CURRENT ADDRESS.

(2) IF THE CEMETERY OBTAINS A NEW ADDRESS FOR THE OWNER OF THE UNUSED AND UNIMPROVED BURIAL LOT AFTER THE ADVERTISING REQUIRED IN PARAGRAPH (1), THEN THE CEMETERY MUST REPEAT THE NOTICE REQUIREMENT UNDER SUBSECTION (B).

(3) IF THE CEMETERY DOES NOT RECEIVE A RESPONSE REGARDING THE OWNER OF THE UNUSED AND UNIMPROVED BURIAL LOT WITHIN SIXTY (60) DAYS AFTER PLACING THE ADVERTISEMENT REQUIRED IN PARAGRAPH (1), THEN THE OWNER'S RIGHTS AND INTEREST IN THE BURIAL LOT TERMINATE. AFTER TERMINATION OF THE RIGHTS AND INTERESTS IN A BURIAL LOT UNDER THIS SECTION, THE PERSON OR ENTITY HAVING JURISDICTION OVER THE CEMETERY MAY SELL A BURIAL LOT TO A NEW OWNER.

(4) IF THE OWNER OF A RIGHT TO INTERMENT OR AN INDIVIDUAL ENTITLED TO USE A RIGHT TO INTERMENT THAT HAS BEEN FORFEITED UNDER

THIS SECTION DEMANDS THE RIGHT TO USE THE INTERMENT, THE CEMETERY SHALL PROVIDE TO THE OWNER OR INDIVIDUAL ONE OF THE FOLLOWING:

(I) IF THE SPACE HAS NOT BEEN SOLD, THE CEMETERY WILL CONVEY THE SPACE TO THEM, OR

(II) IF THE SPACE HAS BEEN SOLD, THEN THE CEMETERY WILL REPLACE THE SPACE WITH OTHER SPACE(S) OF EQUAL OR LESSER VALUE, OR

(III) IF THE CEMETERY CANNOT DO THE PRECEDING, THE CEMETERY SHALL PROVIDE REIMBURSEMENT IN THE AMOUNT FOR WHICH THE RIGHT TO INTERMENT WAS RESOLD, LESS AN ADMINISTRATION FEE OF NO MORE THAN 10%.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.



County Council  
Proposed Legislation

**Amendment to Maryland State Law to Provide for Limited Special Elections to Fill  
Vacancies on the Frederick County Board of Education**

**Goal:** A vacancy on the Board of Education should be filled by a vote of Frederick County's residents.

**What is the Current Process?**

Vacancies on the Board of Education are currently filled by an appointment-based process, whereby the County Executive appoints a replacement, and the County Council confirms the appointment. Appointments are a necessary component to fill a vacancy in this office; however, it should not be the ONLY component. The Board of Education is composed of elected officials with a tremendous amount of authority over both taxpayer funds and the education of our children. The voters should have a voice in this process.

**What is being Proposed in this Amendment?**

I am proposing a couple of things in this Charter amendment but, first and foremost, it is to enable the voters to choose a replacement for a vacancy on the Board of Education. I am NOT proposing that an election be held any time a vacancy occurs. Rather, I am proposing that we take advantage of the fact that during the mid-term of every elected Member's term, there is an existing election – either Presidential or Gubernatorial – which can be utilized to fill the vacancy. This has practical implications for when a vacancy will trigger an election. Specifically, the vacancy must occur early enough for candidates to register for the election. More specifically, the vacancy should occur no later than 30 days prior to the Primary registration deadline following the vacating Member's last election.

Why not have an election whenever we need one? The simple answer is cost. A “one-off” election has been estimated to cost \$250,000-\$300,000. My strong preference is to avoid such a cost. What if we needed to do more than one during a four-year term? That starts to add up.

**How Would the Special Election be Conducted?**

In response to a question during our initial Council review, consultations were held with the Frederick County Election Director and the State Board of Elections. Under current State election law, during a non-partisan primary such as the one held for the Board of Education, twice as many candidates as there are open seats are nominated from the Primary Election. Thus, whenever a special election is needed to fill an unexpired term, two additional nominees will come from the Primary. No changes are required in this part of the law.

For the General Election, the State Board of Elections concurred with the idea that the winner of the special election is the next highest vote getter, after the regular BOE openings have been filled. For example, if there are four full-term openings on the ballot and one partial term, then the fifth highest vote-getter receives the partial term.

**Are Special Elections Authorized in Maryland Law?**

Yes. Maryland law authorizes Counties to hold special elections conducted during regularly scheduled elections to fill vacancies for Board of Education. The State Education Article for Frederick County (Title 3, § 5B-01(d)(2), on the other hand, must be amended to provide this option here.

**Do Other Charter Counties Authorize Special Elections?**

Yes. As provided by the Frederick County Election Director, the term “special election” is actually a misnomer, but is used here to refer to the filling of a vacancy via the next scheduled election. The process for filling vacancies on the Boards of Education for Maryland’s charter counties varies greatly, including the following:

- Appointment Authority
  - Governor – Baltimore, Cecil, Harford (for appointed members only), Talbot
  - County Executive – Frederick, Howard, Prince Georges
  - County Council – Anne Arundel (effective 11/1/2020), Harford (for elected members only), Dorchester, Wicomico
  - Board of Education - Montgomery
- Nominating Commissions for Appointments – Anne Arundel, Baltimore, Wicomico
- Special Elections (next congressional election) – Howard, Talbot, Wicomico

As you may note, there is just as much precedent for vacancies to be filled by election, as there are for our current system of appointment by the County Executive.

**There is Still a Role for Appointments**

Even if you agree with this proposal, we will still need an appointment-based process. We will need to make an interim appointment prior to the outcome of a special election. That appointee would serve until the first Monday in December, at which time the winner of the election takes office. Also, if a vacancy occurs after the deadline, then we will need to appoint someone to fill the remainder of the vacating member’s term.

## Proposed Amendment Language

2018 Maryland Code; Education; Division II –Elementary and Secondary Education; Title 3 – Establishment of County Boards of Education; Subtitle 5B – Frederick County; 3-5B-01. Membership

(d) Vacancies. --

(1) The terms of voting members are staggered as provided in subsection (c) of this section.

(2) ~~[Subject to confirmation of the County Council, the County Executive shall appoint a qualified individual to fill a vacancy on the county board for the remainder of the term and until a successor is elected and qualifies.]~~ **IF THERE IS A VACANCY BY A VOTING MEMBER OF THE COUNTY BOARD OCCURRING 30 DAYS OR LESS BEFORE THE CANDIDATE REGISTRATION DEADLINE FOR THE NEXT PRIMARY ELECTION, THE COUNTY EXECUTIVE SHALL APPOINT, SUBJECT TO CONFIRMATION OF THE COUNTY COUNCIL, A QUALIFIED INDIVIDUAL TO FILL THE VACANCY ON THE COUNTY BOARD FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS ELECTED IN ACCORDANCE WITH PARAGRAPH (4)(I) OF THIS SUBSECTION AND QUALIFIES.**

**(3) IF THERE IS A VACANCY BY A VOTING MEMBER OF THE COUNTY BOARD OCCURRING MORE THAN 30 DAYS BEFORE THE CANDIDATE REGISTRATION DEADLINE FOR THE NEXT PRIMARY ELECTION FOLLOWING THE VACATING MEMBER'S ELECTION:**

**(I) THE COUNTY EXECUTIVE SHALL APPOINT, SUBJECT TO CONFIRMATION OF THE COUNTY COUNCIL, A QUALIFIED INDIVIDUAL TO TEMPORARILY FILL THE VACANCY ON THE COUNTY BOARD WHO SHALL SERVE UNTIL A QUALIFIED INDIVIDUAL IS ELECTED IN ACCORDANCE WITH PARAGRAPH (4)(II) OF THIS SUBSECTION; AND**

**(II) THE INDIVIDUAL ELECTED UNDER ITEM (I) OF THIS PARAGRAPH SHALL SERVE FOR THE REMAINDER OF THAT TERM UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.**

**(4) AT A GENERAL ELECTION, VACANCIES SHALL BE FILLED AS FOLLOWS:**

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### EXPLANATION:

**BOLD CAPITALS INDICATE MATTER ADDED TO THE ORDINANCE.**

**[Brackets and strikethrough] indicate matter deleted from the ordinance.**

**(I) THE CANDIDATES WITH THE HIGHEST VOTE TOTALS SHALL FIRST FILL ANY VACANT POSITIONS FOR A FULL TERM OF 4 YEARS; AND**

**(II) AFTER ALL VACANT POSITIONS FOR A FULL TERM OF 4 YEARS ARE FILLED, THE CANDIDATE WITH THE NEXT HIGHEST VOTE TOTAL SHALL FILL THE POSITION FOR WHICH A SUCCESSOR WAS APPOINTED UNDER PARAGRAPH (3) OF THIS SUBSECTION AND SERVE THE REMAINDER OF THAT TERM.**

**(5) CANDIDATES FOR A VACATED OFFICE MAY BE NOMINATED AT A PRIMARY ELECTION IN THE SAME MANNER AS ANY OTHER POSITION ON THE COUNTY BOARD.**

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**EXPLANATION:**

**BOLD CAPITALS INDICATE MATTER ADDED TO THE ORDINANCE.**

**[Brackets and ~~strikethrough~~] indicate matter deleted from the ordinance.**

# Position Statements



**JAN H. GARDNER**  
**Frederick County**  
**Executive**

## **POSITION STATEMENT**

**Town of Mt. Airy -  
Urban Renewal Authority**

**County Position: SUPPORT**

Frederick County Executive Jan Gardner requests the Frederick County Delegation's support for legislation to grant Urban Renewal Authority to the Town of Mt. Airy.

Frederick County supports the Town's efforts to address vacant, abandoned, and vandalized properties in collaboration with property owners and landlords. Just as more than sixty municipalities are able to do, the Town of Mt. Airy should be enabled to work with building owners to protect the community from blight and dangerous conditions that impact residents and business owners.

The Frederick County Delegation, on behalf of the Town, put forward this legislation during the 2020 General Assembly Session. The Delegation's bill was passed in the House and was making its way through the Senate. However, Session ended before it could make more progress.

The County Executive respectfully requests the Frederick County Delegation again propose this legislation to confer Urban Renewal Authority to the Town of Mt. Airy.



**County Council  
Frederick County**

**POSITION STATEMENT**

Requirements for advertisement of  
Constant Yield Tax Rate

**County Position: SUPPORT**

The Frederick County Council request the Frederick County Delegation to support changes to the current requirements in Maryland law specifying exact wording to be used, thus allowing for more easily understood advertisements, removing specific requirements for those advertisements, and allowing for electronic advertisement.

Currently, the language used for a Constant Yield Tax Rate can be misleading or deceiving. If a property assessment by the State of Maryland Department of Assessments and Taxation increases while the County's Constant Yield Tax Rate is held constant, it then requires a larger County tax bill, thereby increasing County revenues. Under this scenario, the State of Maryland requires a County to call this a tax increase, even though the tax rate has not changed.

Additionally, technology has expanded access to online newspapers and information for many residents. Allowing Counties to advertise electronically will allow easier access to the information. Allowing Counties to advertise electronically would allow specific guidelines to be removed from print ads, which may cause confusion.

We respectfully request the Frederick County Delegation's strong advocacy and support to address the issues with the requirements for advertising the Constant Yield Tax Rate.



**County Council  
Frederick County**

**POSITION STATEMENT**

Climate Solutions Now Act

**County Council Position: SUPPORT**

On behalf of the Frederick County Council we wish to convey our support of the Climate Solutions Now Act. We respectfully request the Frederick County Delegation support this proposed legislation in the 2022 Session of the Maryland General Assembly.

The legislation as proposed during the 2021 session would have made broad changes to the State's approach to reducing statewide greenhouse gas (GHG) emissions and addressing climate change. While some of the proposed actions were partially addressed in other legislation last session, there are many issues that remain unresolved.

We recognize that a new version of this Act will go through a dynamic process in both chambers of the legislature, but nonetheless wish to make a strong statement of support for the statewide action on climate change that will be the focus of this bill in its future form.

In 2020 the Frederick County Council resolved to "commit to equitable climate emergency mobilization efforts to address global warming, reduce county-wide greenhouse gas emissions 50% from 2010 levels by 2030 and 100% no later than 2050, and employ efforts to safely drawdown carbon from the atmosphere." Climate change is not only a global, national, and state-wide issue - it is also a local issue.

On behalf of the citizens of Frederick County we urge your support for this essential and worthwhile legislation.



## Requests from the Public



## **2022 Legislative Package**

### **Summary of Public Requests for Legislation and Position Statements**

As of October 14, 2021

In response to a solicitation sent to over 80 organizations, board, commissions and associations, the following organizations sent a variety of requests related to legislative changes or suggestions. Some asked for new legislation, while others requested modifications to existing legislation passed in previous sessions. Many requests were in relation to the need for increased funding in order to meet growing needs for services. Still others provided input to any potential legislation that might be proposed during session.

### **Requests for Legislation**

#### **Heritage Frederick**

Submitted by: Stefanie Basalik, Ph.D., Executive Director, Heritage Frederick

--

Heritage Frederick requests legislation to redirect \$15 of the \$25 marriage ceremony fee from the State to Heritage Frederick to support the preservation and maintenance of the County's marriage records.

#### **Pleasant Hill Cemetery Association**

Submitted by: John L. Thompson, Jr. on behalf of Pleasant Hill Cemetery Association

--

Request to add sections in Maryland Business Regulation Article to address the ownership of unused and vacant burial lots by placing a duty on an owner to maintain a mailing address with the cemetery and to provide a procedure whereby the ownership of a burial lot that remains unused and vacant for fifty years would revert to the cemetery.

#### **Town of Emmitsburg**

Submitted by: Don Briggs, Mayor, City of Emmitsburg

--

Town requests a modification to a requirement in the forest conservation law. Law requires the use of forest conservation fee in-lieu funds within two years or the monies need to be given back to the developer. Town would like consideration given to extending the two years to five or ten years.

#### **Town of Mt. Airy**

Submitted by:

--

Town requests adding Mt. Airy to the sixty-seven municipalities with Urban Renewal Authority to bring a blighted property owner to the table in order to create a meaningful dialogue on the future of the site.

#### **Town of New Market**

Submitted by: Winslow Burhans, Mayor, Town of New Market

--

Request addressing the requirements for personnel with regard to the ability to monitor speed cameras. It is their understanding that speed camera monitoring must be done by a law enforcement officer, which lends to unnecessary expense and challenges to law enforcement agencies in staffing to adequately meet the needs of patrol personnel.

## **Requests for Legislative Positions, Modifications to Existing Legislation**

### **Affordable Housing Council**

Submitted by: Mark Long, Chair, Affordable Housing Council

--

The Affordable Housing Council requests the following: 1) accelerate the full implementation of HB 18 Landlord and Tenant – Residential Tenants – Access to Counsel, currently set for October 1, 2025, to on or before October 1, 2023; and 2) propose adding non-profit developers of affordable housing projects to the exemption list of entities allowed to do condominium projects with a land trust ground lease.

### **Containment Laboratory Community Advisory Committee**

Submitted by: Dr. Matthew Sharkey, Chair

--

The Containment Laboratory Community Advisory Committee modifications to 2021 HB Maryland Department of Health – Gene Synthesis Providers and Manufacturers of Gene Synthesis Equipment – Certification in the event that the legislation is proposed in the 2022 session.

### **Mental Health Advisory Committee**

Submitted by: Dr. Pamela Blake, Chair, Mental Health Advisory Committee

--

The Committee suggests proposals to establish equitable medical service for individuals struggling with mental illness that will enhance the quality of health of those faced with high health care costs and long-term mental health care costs. Specifically, the Committee suggests addressing 1) the effect that a rise in income has on eligibility for State and/or Federal benefits; 2) the ability for an individual to augment their mental health care costs without jeopardizing access to other basic necessities, such as housing, food, or prescription drug assistance; 3) that Maryland fund psychiatric service dogs when prescribed by a physician or healthcare practitioner; and 4) that the State allow all expenses incurred for the care of a service dog as a medical expense in documentation for re-certification for state and federal living assistance.

### **Roads Board**

Submitted by: Jason Stitt, Department Head, Department of Engineering and Construction Management and Staff Liaison, Frederick County Roads Board

--

The Roads Board requests a position statement in support of three issues: 1) restoration of Highway User Revenue distributions to local governments to levels that existed prior to 2008; 2) creation of a State program to aid local jurisdictions in the completion of ADA self-evaluations and Transition Plans; and 3) creation of a State fund to aid local jurisdictions carrying out repairs and replacements identified in their Transition Plans.

### **Sierra Club Catoclin Group**

Submitted by: Paul Walker, Group Chair, Sierra Club Catoclin Group

--

The Sierra Club Catoclin Group request support positions for six topics: 1) Environmental Human Rights Amendment (2021 HB 82/SB 151); 2) Plastic Bag Reduction Act (2021 HB 314/SB 223); 3) action to control pollution of the Potomac River and Frederick County's air by Rockwool; 4) climate emergency legislation, similar to that in the Climate Solutions Now Act of 2021 (HB 583/SB 414); 5) "local deference" on stormwater management requirements for small lot construction and a related pilot program; and 6) legislation in opposition to toll lanes on I-495/I-270, 3P partnerships, beltway widening (2021 HB 67/SB 843 and HB 705).

### **Social Services Board**

Submitted by: Debbie Marini, Director, Frederick County Department of Social Services and Staff Liaison, Social Services Board

--

The FCDSS Advisory Board, is interested in legislation that will improve our ability to keep children and vulnerable adults safe in our communities, such as providing online training for mandatory reporters. We also hope to support legislation that will make it easier for our transitional foster youth, who will be going to college, to obtain on-campus housing and connect them with a mentor/liaison to support them in that transition. Finally, for our community members who are receiving cash benefits and food stamps, we are supporting legislation that allows them to automatically qualify for other helpful assistance programs such as energy assistance.

### **Sustainability Commission**

Submitted by: Dawn Ashbacher, OSER and Staff Liaison to the Sustainability Commission

--

The Frederick County Sustainability Commission have nine recommendations across three broad themes. With regard to long-term environmental goals, they suggest 1) piloting an alternative for stormwater mitigation for better results; 2) upgrading stormwater and wastewater conveyance and storage management; and 3) reducing greenhouse gas emissions associated with the electricity grid. A goal for social sustainability would be to 4) accelerate solar deployment. And suggestions to foster economic stability include 5) expand the installation of microgrids; 6) transition all bus fleets to electric; 7) study the feasibility of electric rapid transit bus service and monorail; 8) support and encourage the regeneration of natural systems on agricultural lands; and 9) invest financially in climate solutions.

## **Other Input Received**

### **The Arc of Frederick County, Inc.**

Submitted by: Shauna Mulcahy, Director, Community Engagement

--

The Arc of Frederick County requests that transportation issues as they relate to people with disabilities are addressed. Specific issues include long waiting periods for TransIt Plus services and the need to increase maximums for the Taxi Access Program.

### **Commission for Women**

**Submitted by: Chelsea Kadish, President, Frederick County Commission for Women**

--

The Commission for Women notes the challenges women continue to disproportionately face as the State recovers from the pandemic, namely the lack of access to reliable and speedy internet and the lack of high quality childcare. Additionally, they would like to see the Frederick County State Delegation represented on all General Assembly standing committees.

### **Historic Preservation Commission**

**Submitted by: Amanda Whitmore, Staff to the Historic Preservation Commission**

--

The Commission requests include support for the following 1) increasing or, at the minimum, maintaining current funding levels to the State's historic preservation grant programs; 2) funding the State's Barn Preservation Fund; 3) maintaining current funding levels for the Maryland Heritage Areas Program; and 4) increasing the staffing levels and funding for the Maryland Historical Trust, the State's Historic Preservation Office.

### **Justice Jobs**

**Submitted by: Robert Clegg, PhD, Executive Director, Justice Jobs of Maryland, Inc.**

--

Justice Jobs recommends a legislative funding request that will enable the provision of Sunday bus service on the same routes and times as provided on Saturdays. This will help to address the most practical barrier to employment.

### **Transportation Services Advisory Council**

**Submitted by: Roman Steichen, Director, TransIT Services of Frederick County and Staff Liaison, Transportation Services Advisory Board**

--

The Roads Board requests support for the following positions: 1) Contributions from dialysis providers for patient transportation costs; 2) increased 5311 (rural fixed-route transit) operations funding; 3) increased paratransit (SSTAP) funding, 4) increased 5307 (urbanized area fixed-route transit operations to support expanded services; 5) modification of the Federal Transit Authority's allowable revenue vehicle spare part ratio for agencies that have adopted alternative fuel vehicles; and 6) reinforcement of municipal and inter-jurisdictional coordination, particularly in passenger amenities within the City of Frederick, and ensuring the preservation of regional connections to MTA, Greyhound, Bayrunner, etc.

### **United Way of Frederick County**

**Submitted by: Ken Oldham, President and CEO**

--

The United Way of Frederick County proposes five recommendations to advance equity for working families in Frederick County – households known as “ALICE” (Asset Limited, Income Constrained, Employed). 1) Ensure continued access to the COVID-19 and flu vaccines and testing; 2) Maintain basic needs security for County residents; 3) Increase the supply and accessibility of quality child care; 4) Increase availability to broadband access to remove barriers to online learning and telehealth; and 5) Continue to support State funding for the Volunteer income Tax Assistance (VITA) program, to ensure all qualifying families receive the earned income tax credit and the child care tax credit.

###

# Considerations Submitted by the Public

## Letters and Emails (In Alphabetical Order)

**Affordable Housing Council Legislative Proposals  
for 2022 Maryland General Assembly**

- 1) Request to accelerate full implementation of HB 18, **Landlord and Tenant – Residential Tenants – Access to Counsel**.

HB 18 was passed during last General Assembly, and among other things, provides **access to counsel** for tenants facing eviction. It is being phased in gradually, however, and aims for full implementation by October 1, 2025.

In light of the possibility of mass evictions due to the pandemic, **our request is for acceleration of full implementation, with a goal of October 1, 2023 or before.**

- 2) There is currently a prohibition in the MD Condo statute to have condominiums on a ground lease such as Land Trust, except where the land trust is owned by a county, city, or other government entity. We propose including non-profit developers developing affordable housing projects to the exemption list of entities allowed to do condo projects with a land trust ground lease.

**From:** [Shauna Mulcahy](#)  
**To:** [Schaefer, Joy](#)  
**Subject:** From The Arc of Frederick County  
**Date:** Thursday, August 5, 2021 3:18:38 PM

---

**[EXTERNAL EMAIL]**

Hi Joy!

The Arc of Frederick County would like to recommend that transportation be considered for the County's legislative package for the 2022 General Assembly session. Issues specifically related to people with disabilities include the waiting period for transit plus (waiting windows are long) and to increase maximums for Taxi Access Program.

Thank you for your consideration!

Shauna Mulcahy

**Shauna Mulcahy**

Director of Community Engagement  
The Arc of Frederick County  
620-A Research Court  
Frederick, MD 21703  
[smulcahy@arcfc.org](mailto:smulcahy@arcfc.org)



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If you have received this email in error, please notify me immediately by use of the reply button, and then delete the email from your system.

Thank you.

[The Arc of Frederick County](#)





## Frederick County Commission For Women

401 Sagner Avenue

Frederick, MD 21701

(301) 600-1066

CFW@FrederickCountyMD.gov

[www.FrederickCountyMD.gov/fccfw](http://www.FrederickCountyMD.gov/fccfw)

[www.Facebook.com/fccfw](https://www.Facebook.com/fccfw)



October 12, 2021

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*The Commission for  
Women is affiliated with  
Frederick County  
Government*

Jan H. Gardner, County Executive  
Winchester Hall  
12 E. Church Street  
Frederick, MD 21701

Re: 2022 State Legislative Initiatives

County Executive Gardner:

Thank you for providing the Frederick County Commission for Women with the opportunity to provide input into Frederick County's 2022 legislative priorities. Over the course of the last year, Maryland began to bounce back from the significant hurdles of 2020. Women, however, are disproportionately being left behind as Maryland advances into our "new normal."

Access to broadband internet is essential to equalizing women's ability to compete in a post-2020 economy. Women own a significant portion of the home-based businesses in Frederick County, and access to reliable and speedy internet will not only assist these businesses but will also be an asset to all Frederick-based businesses. Also, women provide the majority of childcare, and the lack of access to reliable and speedy internet was a significant burden while children schooled from home. The County must advocate for broadband internet service for all County residents.

Women's access to employment will be hindered until childcare is more available. As daycare providers closed, many deciding not to reopen, more and more women chose to leave work. This is especially true for residents having to travel long distances, use public transportation while worrying about COVID infection in public spaces, and those worried about daycare closures affecting their availability to consistently attend work. Women's absence from the workforce will have short-term consequences on families' ability to provide basic needs within their budget and long-term consequences regarding women's retirement, time-in-grade, and buying power. The County must advocate for measures to make childcare more accessible.

***Our Mission: To create a stronger community by addressing challenges and fostering unlimited opportunities for all women.***

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Rev. 02/05/20



## Frederick County Commission For Women

401 Sagner Avenue

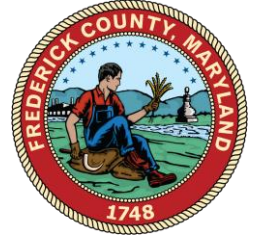
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Rosario Campos

Lakshmi Darbha

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Cindy Shubin

Desiree Tucker

Marguerite Vacca-Kaye

Finally, Frederick County legislators should make every effort to see a Frederick County legislator on every House of Delegates and Senate standing committee. During the 2021 Legislative Session, no Frederick County legislator sat on the Senate Education, Health and Environmental Affairs Committee; Senate Finance Committee; or House Ways and Means Committee. These committees consider:

*Education, Health and Environment Affairs*: the licensing and regulation of businesses and labor, including business, health and related occupations; education policy; elections; ethics; local government; State government organization, procedures, and administrative law.

*Finance*: credit regulation and consumer financing; economic and community development; health and welfare matters; labor and employment; State personnel issues; social programs; unemployment insurance; utility regulation; and workers' compensation.

*Ways and Means*: legislation relating to children, youth, and families; education financing, including primary and secondary education, community colleges, and scholarships and financial aid; election law; State and local taxes; and transportation funding and revenues.

These committees consider legislation of interest to the Commission for Women and Frederick County, generally. Committee members guide legislation as well as decide which legislative priorities will be considered. It is important that Frederick County have representatives engaging on these issues at the committee level. The County should coordinate with Frederick County legislators to ensure Frederick County is represented on all committees.

Thank you in advance for your time and consideration.

Respectfully,

Chelsea Kadish, President

On behalf of the

Frederick County Commission for Women

*The Commission for  
Women is affiliated with  
Frederick County  
Government*

***Our Mission: To create a stronger community by addressing challenges and fostering unlimited opportunities for all women.***

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Rev. 02/05/20

**From:** [Chair Frederick CLCAC](#)  
**To:** [Schaefer, Joy](#); [Karen Lewis-Young](#)  
**Cc:** [Matt Sharkey](#); [Dwayne Oland](#); [Jackman, Joany](#); [Bob Hawley](#); [J. Craig Reed Ph. D. \(CLCAC\)](#); [Alexi Franklin](#); [Carmody, Christopher David \(Chris\) CPT USARMY NG MDARNG \(USA\)](#); [ggronvall@jhu.edu](#)  
**Subject:** 2022 Legislative Considerations  
**Date:** Wednesday, September 15, 2021 9:01:10 PM

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**[EXTERNAL EMAIL]**

Joy,

Thank you for reaching out to the Containment Laboratory Community Advisory Committee (CLCAC) for ideas and suggestions for Frederick County's legislative package for the 2022 General Assembly Session. CLCAC members do not have new legislation to recommend this year. However, we met with an expert in the field of DNA synthesis and biosecurity (Dr. Gigi Gronavall, Johns Hopkins University, Center for Health Security) yesterday afternoon, and would like to offer suggestions for modifications to HB 1256: *Gene Synthesis Providers and Manufacturers of Gene Synthesis Equipment*.

Suggest following modifications of § 17-802 [A]

1. Suggest tying the MD guidelines to the HHS Screening Framework Guidance for Providers of Synthetic Double-Stranded DNA. Another option would be to tie the MD guidelines to those adopted by the International Gene Synthesis Consortium (IGSC), but it may be more appropriate and serve as a better example for further states adopting similar standards to use the U.S. federal guidelines as the basis for MD guidelines. This would allow the MD guidelines to be updated as new technological challenges emerge that may drive the federal guidelines to be updated and would also take the burden of developing such guidelines away from MDH, which may decrease resistance to the Bill in Annapolis.
2. In case federal guidelines are updated in the coming year(s), suggest making the language in § 17-802 point toward the most recent of up-to-date federal screening guidance, instead of pointing specifically to the 2010 Screening Framework Guidance for Double-Stranded DNA.

Suggest following modifications of § 17-802 [B]

1. If language is not changed to point to the most up-to-date federal or IGSC screening guidance, then it is probably a good idea to limit sequences of concern to sequences regulated by the federal select agent program. Again, pointing to the federal guidance is likely to solve this problem.
2. Suggest adding a provision in this section that customers should preemptively identify if regulated sequences are contained in their orders and notify the providers of their legitimate status as a researcher with access to the regulated sequences. This may alleviate some of the burden represented by the human follow-up.

Suggest following modifications of § 17-803 [A]

1. The CLCAC and our colleague from Johns Hopkins favor the establishment of a "gold star" certification by MD for providers that certify they are compliant with the federal screening framework guidance. Requiring individuals/institutions in receipt of state monies to only purchase synthetic DNA from MD "gold star" certified companies or companies similarly

certified in other states (e.g., CA) or by international bodies (i.e., IGSC), would start to build an interstate coalition of high quality bioeconomies.

Suggest following modifications of § 17-804 [B]

1. Suggest removing the fines for companies in order to relieve opposition from industry groups.
2. Suggest placing enforcement wholly at the level of § 17-805

Suggest following modifications of § 17-805 [B]

1. Suggest changing language "*may purchase gene synthesis products only from a gene synthesis provider, and gene synthesis equipment from a manufacturer of gene synthesis equipment that is certified under this subtitle*" to "*may purchase gene synthesis products only from a gene synthesis provider, and gene synthesis equipment from a manufacturer of gene synthesis equipment that is certified under this subtitle or under subtitles in other states that comply with the minimum requirements of the most up to date federal screening framework guidance.*"

Thank you for considering these modifications of your proposed legislation. We sincerely appreciate your continuing efforts to make Maryland a safe place for all Marylanders while also ensuring that our state continues to thrive economically.

Best,

Matt Sharkey, Ph.D.

Chair, Frederick Containment Laboratory Community Advisory Committee (CLCAC)  
847-687-5099



October 7, 2021

Ms. Jan H. Gardner, County Executive  
Winchester Hall  
12 East Church Street  
Frederick, MD 21701

Dear Ms. Gardner,

On behalf of the Board of Directors of the Historical Society of Frederick County, Inc., dba Heritage Frederick, I am respectfully requesting county support for a proposed 2022 delegation bill. Currently, Frederick County collects a twenty-five dollar fee for each marriage ceremony conducted. Ten of those dollars are automatically returned to the county and the remaining fifteen are designated to the state's general fund. With the help of our delegation, we anticipate the fifteen dollars to come to Heritage Frederick to assist us in the continued preservation of our artifact and archival collections.

Currently, in the State of Maryland, nine counties participate in this type of financial backing for preservation organizations with funds from marriage ceremony fees. Museums, libraries, preservation groups, and historical societies are long-standing keepers of genealogy records, specifically marriage records. The funds secured from each fee will help Heritage Frederick protect, conserve where needed, and promote Frederick's important historical records.

Thank you for your past efforts and commitment in assuring our community's history remains relevant and accessible. Supporting this delegation bill ensures all potential money comes back to support the economy of Frederick County and safeguards our heritage for the future.

Respectfully,

Stefanie S. Basalik, Ph.D.  
Executive Director



## FREDERICK COUNTY GOVERNMENT

### DIVISION OF PLANNING & PERMITTING

Livable Frederick Planning & Design Office

Jan H. Gardner  
County Executive

Steven C. Horn, Division Director  
Kimberly Golden Brandt, Director

September 2, 2021

Jan H. Gardner, County Executive  
Winchester Hall  
12 E. Church Street  
Frederick, MD 21701

Re: 2022 State Legislative Initiatives

Dear County Executive Gardner,

At their September 1, 2021 regular meeting, the Historic Preservation Commission approved forwarding the following for your consideration regarding the County's legislative package for the 2022 General Assembly Session.

- Support increasing or, at the minimum, maintaining current funding levels to the State's historic preservation grant programs. These grant programs are important for preserving and interpreting historic sites throughout the State. However, the amount of grant requests far outweighs the amount of funding available. Typically, Frederick County averages about one awardee per program per year.

The Historic Preservation Capital Grant Program is currently funded at \$600,000 to support capital upgrade projects on certified historic structures state-wide with each applicant able to request up to \$100,000.

The Historic Preservation Non-Capital Research and Survey Grant Program is currently funded at \$300,000 to support architectural and archeological research, survey and documentation, public education, and planning and feasibility projects state-wide with each applicant able to request up to \$75,000.

The African American Heritage Grant Program is currently funded at \$1 million to support capital upgrade projects on sites representing African American historical experiences with each applicant able to request up to \$100,000.

- Support funding the State's Barn Preservation Fund. The bill to create this fund was passed in 2006 and amended in 2015, but has yet to be allocated any funding. This fund would be used to preserve historic barns and agricultural structures in the State. The Fiscal and Policy Notes for House Bill 699 indicate that the fund would require approximately \$300,000 to begin to address the demand for barn preservation. While Frederick County has recently created the Rural Historic Preservation Grant Program to support preservation of historic resources such as barns and other agricultural outbuildings, the Barn Preservation Fund

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would provide an additional funding source to meet the needs of preserving these historic resources.

- Support maintaining current funding levels for the Maryland Heritage Areas Program. This program supports capital and non-capital projects within the boundaries of a heritage area and with a clear heritage tourism component. Funding for this program was recently increased from \$3 million to \$6 million. Parts of Frederick County are included within the boundary of the Heart of the Civil War Heritage Area (HCWHA), which encompasses areas of Washington, Frederick, and Carroll Counties. The HCWHA routinely has one of the largest applicant pools of all the heritage areas seeking funding from this program.
- Support increasing the staffing levels and funding for the Maryland Historical Trust, the State's Historic Preservation Office. The Maryland Historical Trust is responsible for assisting the people of Maryland in understanding their historical and cultural heritage through research, conservation, and education.

Thank you for the opportunity to participate in the legislative process.

Sincerely,



Amanda K. Whitmore  
Staff to the Historic Preservation Commission  
Historic Preservation Planner  
Livable Frederick Planning & Design Office  
30 N. Market Street  
Frederick, MD 21701  
301-600-1147  
[AWhitmore@FrederickCountyMD.gov](mailto:AWhitmore@FrederickCountyMD.gov)





## Justice Jobs of Maryland, Inc.

22 S. Market St., Ste. 210, Frederick, MD 21701

(301) 360-3503

[info@justicejobsmd.org](mailto:info@justicejobsmd.org)

[www.justicejobsmd.org](http://www.justicejobsmd.org)

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Barbara Reigle, President	Tarolyn Thrasher, Vice-President	Connie B. Clegg, Secretary
Rev. Mark Groover, Treasurer	Shauna Lee, Atty. At Law, Director	Bob Clegg, Executive Director

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September 15, 2021

The Honorable Jan Gardner  
County Executive  
Winchester Hall  
12 E. Church St.  
Frederick MD 21702

Re: 2022 Legislative Considerations

Dear Executive Gardner,

Thank you for the opportunity to provide input into 2022 legislative priorities for Frederick County. Justice Jobs of Maryland, Inc. is a 501(c)(3) nonprofit organization which assists people experiencing barriers to employment by helping them to get and keep jobs in the formal economy. Here is a brief snapshot of our perspective:

- Since August 2018, we have helped 160 persons land jobs in the service economy, manufacturing, construction, and the professional and business sectors.
- Over 90% of these hires have past or current judicial involvement, are past victims of substance use disorder, or both.
- Among those hired, job retention exceeds 70% at 6 months after hire, as our process screens those not ready for employment.
- Justice Jobs' hires account for approximately \$3MM of the Frederick County tax base, plus additional savings in human and community services.

Justice Jobs partners with Frederick County Workforce Services under Frederick County Vendor Contract RFQ #19-322 (Reentry Employment Services) to provide soft skills job training, resume assistance, and 1:1 online application assistance to job applicants who are judicially involved. This contract was recently renewed for a third consecutive year.

Our work with those who are among the hardest to serve uniquely positions us to provide legislative input. It is a myth that absolutely everyone who wants a job can get one. A demographic exists at the bottom of the economic scale that experiences barriers to employment that make it difficult for them to get hired, even in a hiring economy like we have now. Such barriers include a history of incarceration or addiction, lack of technology skills, transportation or childcare problems, or the effects of racism, sexism, genderism, ageism, or ableism.



*The most practical barrier to employment we see for the population we serve, is lack of access to public transportation on Sundays.* For entry level jobs, especially in healthcare, caregiving, hospitality, restaurants, and retail, most employers are looking primarily for people who can work on weekends. This is because others who already work for them have moved to the preferred Monday thru Saturday slots, creating a primary need for Sunday help. However, since the county buses do not run on Sundays, many of our employees who would love to start, say, in a caregiving job at a retirement or convalescent center, are unable to do so because the only open positions require weekend work.

In many work locations in the county and even in Frederick City, this transportation barrier also applies to late second shift every day of the week, as well as to early first shift. However, the need for Sunday bus service covering the same times and routes as the other days of the week is critical. This would benefit not only jobseekers, but also employers, especially in the caregiving, healthcare, and hospitality industries. When we call employers to verify job postings that we find on the web for these industries in Frederick County, we find that over 70% of those openings require weekend work. It is no wonder that we see so many "Help Wanted" signs in windows and on signs as we drive around the county. The inability to find entry level workers who can work weekend shifts is thus a negative economic driving force for both jobseekers and employers.

Because public transportation poses a powerful barrier to employment for many people who want to work, and because that barrier can be addressed in a practical way by the legislative process, *Justice Jobs recommends a legislative funding request to provide Sunday bus service on the same routes and times as on Saturdays.* With the state currently flush with federal funding, this is a perfect opportunity to extend equity in transportation services to those in greatest need, and for the benefit both of them and of employers.

Justice Jobs is grateful for the County's past and present support in the work we do, as well as for our partnership with Frederick County Workforce Services which has been a most meaningful and helpful relationship to us. Again, I thank you for this opportunity to have input into the legislative process in Frederick County.

With best regards,

A handwritten signature in black ink, appearing to read 'R. Clegg', with a long, sweeping flourish extending from the end.

Robert S. Clegg, Ph.D., M.Div.  
Executive Director  
Justice Jobs of Maryland, Inc.

Pamela D. Blake, D.ED., MDiv  
2129 Wainwright Court Unit 1 D

301 668-1234  
Frederick, MD 21702

September 14, 2021

Ms. Joy Schaefer  
Director of Government Affairs  
Office of the County Executive  
12 East Church Street  
Frederick, MD 21701

Re: 2022 Legislative Considerations

Dear Ms.Schaefer:

This letter is in response to your request for ideas and suggestions for Frederick County's legislative package for 2022 General Assembly Session. I believe the following suggestions will enhance the quality of health for those with exponentially high health care cost and long-term mental health care costs.

I ask you to excuse in advance the verbosity of this letter but detailed examples are necessary to understand the magnitude of the issues. These four proposals are uniquely linked in the establishment of equitable medical services for those struggling with mental illness.

Currently, vulnerable citizens receiving most forms of state and federal public assistance are placed in an ethical dilemma in regards to accessing financial assistance to pay for medical expenses which are not covered by insurance, Medicare or Medicaid. Allow me to explain. There is a question on the re-certification forms for The Housing Authority (HUD grants), Public Assistance and Supplemental Nutrition Assistance Program (SNAP) as well as other organizations that ask the recipient if they have received funds from any outside source other than the meager resources that qualified them for services initially. If an individual has incurred large medical bills due to some mental health treatments not being covered by insurance, they can't seek help to pay those bills without being penalized. All monies accepted from any source is considered income. A rise in income renders the individual with mental health needs ineligible for most state and government assistance. Vulnerable individuals that seek resources to help pay for medical bills could, in fact, lose all of their benefits.

This matter should be addressed at the legislative level since state and federal funding guidelines jeopardize the safety for persons living with serious mental health issues. The significance of this legislative change is the increase in quality of life for those most in need of mental health treatment. More specifically, Post Traumatic Stress Disorder (PTSD) and other psychiatric illnesses. This is the first recommendation.

After years of opposition, the Veterans Administration (VA) recently acknowledged that psychiatric service dogs should be funded through medical benefits. The VA now consider psychiatric service dogs a valid medical treatment option for PTSD and related mental health issues. The cost of this form of treatment ranges from \$16,000 to \$30,000. While veterans will now have access to psychiatric service dogs for treatment, neither Medicare nor Medicaid covers this treatment. Most organizations that currently provide service dogs, with any grant or discount, are for military individuals.

As civilians, we are told to hold fundraisers or take out loans for medical treatment. This is where those most in need of services are placed in a double-bind. If miraculously we are able to raise funds and answer affirmatively on the re-certification form, we become ineligible for a modicum life existence. The loss of state and federal assistance is a loss of Housing Assistance Voucher Choice, SNAP benefits, Heating and Electric assistance, Prescription drug assistance and any additional services provided to financially insecure individuals. A psychiatric service dog is prescribed by a physician or therapist as a medical treatment yet the financial barriers for this treatment are magnified due to the impending losses.

In its appearance, the options for a single 64- year-old disabled senior are: 1) to miraculously raise the funds, lose all the benefits one is currently receiving and, by default, the senior and the medically prescribed service dog become homeless; or 2) to not advocate for or secure funds for a medical device that would increase the quality of one's life with PTSD and remain sheltered. This is not a "what if" scenario, this is real life living with mental health diagnoses. Thus, an individual should have the ability to augment their mental health care costs without jeopardizing access to other basic necessities. This is the second recommendation.

Maryland is ranked by Mental Health America, as one of the top tier states for addressing mental health concerns for its residents. I believe Maryland should be one of the first states to follow in the steps of the VA and allocate funds toward civilians from the most vulnerable population to obtain a psychiatric service dog. The VA's decision that psychiatric service dogs are a medical form of treatment was based on years of research. These are not emotional support dogs but are dogs trained to assist their owner with PTSD, balance, alert to danger and other mental health needs. This medical treatment would be an asset for seniors who want to age in place, yet, have a mental health disorder for which a service dog would allow them to enjoy life absent of institutions. This is actually cheaper than the annual cost of a nursing home or some other facility.

Several years ago, the Maryland legislature created and funded a program (Bridges) to address housing concerns for clients receiving mental health services but were unable to secure housing. It created a partnership between The Housing Authority and HUD, where the State funded the shelter for these individuals meeting certain criteria, for a few years. Then, the individual was moved over to HUD funding with the Housing Authority. It was successful.

With the alarming numbers of suicides and individuals needing mental health services due to this protracted pandemic, I believe funds should be earmarked for civilians to have access to psychiatric service dogs. As physicians and clinicians seek best case treatment options for civilians with severe PTSD and related mental illnesses, trained canine companions will become a viable treatment option. If the State of Maryland contracts with several organizations who train these service animals the cost could potentially be toward the lower end for patients.

Let me ask this: which seems most feasible and honors the dignity for someone who forgets to take their psychotropic medications – continue cycles of hospitalizations with the state absorbing the rising cost of institutionalization, even if brief, or providing a service dog that is trained to remind its owner to take their medications?

I am asking the Maryland legislature to be a trendsetter. Follow the VA's lead and provide equitable mental health treatment to civilian residents by funding psychiatric service dogs when prescribed by a physician or healthcare practitioner who has worked with the individual. This is the third recommendation.

The fourth recommendation, in concert with this request, is to allow all expenses incurred for the care of the service dog be a medical expense in documentation for re-certification for state and federal living assistance.

I believe once enacted, these recommendations for the legislature, will allow for equitable mental health treatment and services for civilian Marylanders, but specifically, those most in need of support. I urge you to take up this matter with urgency because training for these medical assistance dogs takes between 12 and 14 months. As the mental health crisis rise in this country, we must act now rather than later.

Respectfully Submitted,

Dr. Pamela D. Blake  
Chair, Mental Health Advisory Committee

John L. Thompson, Jr.  
Attorney at Law  
12 Liberty Street  
Walkersville, Maryland 21793-8531  
(301) 845-8139  
fax: (301) 845-2323  
[jthompson@frederickmd.com](mailto:jthompson@frederickmd.com)

July 27, 2021

Senator Ronald N. Young  
Delegate Carol L. Krimm  
Delegate Ken Kerr  
Delegate Dan Cox

Senator Michael J. Hough  
Delegate Karen Lewis Young  
Delegate Barrie S. Ciliberti  
Delegate Jesse T. Pippy

RE: Proposed Bill to Add New §§5.503.1 & 5.503.2 to the Business Regulation Article of the Maryland Code

Dear Delegation Members:

I am lending a hand to the Board of Trustees ("Board") of the Pleasant Hill Cemetery Association, Incorporated ("Pleasant Hill"). The Pleasant Hill Cemetery is adjacent to the Bush Creek Church of the Brethren in Monrovia.

On July 15, 2021 the Board adopted a Resolution proposing a bill that would add new §§5-503.1 & 5-503.2 to the Business Regulation Article of the Maryland Code. I am attaching a scan of the Board Resolution and the proposed bill for your review and consideration. I will USPS mail paper copies to your Annapolis Offices.

The Board Resolution outlines the underlying issues concerning how the ownership of unused and vacant burial lots can become fractionalized over long periods of time and the difficulty in maintaining a record of the identity and whereabouts of those owners.

The proposed bill would, if adopted and after a two (2) year grace period,

- place a duty on the owner(s) of an unused and vacant burial lot to maintain a mailing address with the cemetery. Owner(s) who fail to do so consent to receive notices and other communications from the cemetery via publication or posting; and

- provide a procedure whereby the ownership of a burial lot that remains unused and vacant after (50) years would revert to the cemetery.

The purchase of a burial lot is not a fee simple acquisition of the land within the boundaries of the lot:

“[T]he Courts and legislative bodies have almost universally recognized that the ‘property’ or ‘estate’ which one acquires when he purchases a cemetery lot or a crypt is a ‘qualified’ property or estate. It is generally referred to, even though conveyed by a deed absolute in form, as an easement, privilege, or license for the sole purpose of sepulture . . .”<sup>1</sup>

Consequently, the doctrine of adverse possession do not apply to unused and vacant burial lots.

As explained by the authorities in the comments to the bill, the two (2) year grace period is sufficient and the proposal does not constitute a taking.

As an analogy, a person who inadvertently leaves their jacket on a park bench has certainly not abandoned it. However, if the jacket remains there for a period of years, it is not unfair to presume abandonment.

I do not believe the General Assembly intended for the Maryland Uniform Disposition of Abandoned Property Act (“Act”) to cover unused and vacant burial lots. In most provisions of the Act, a presumption of abandonment arises if the property in question remains unclaimed for three (3) years. In the case of unused and vacant burial lots, a three (3) year period seems unreasonably short.

The proposal does not apply to a burial lot containing the interred remains of a decedent. “[A]fter burial, descendants do not have property rights in the body, for it is in the custody of the law.”<sup>2</sup>

Thank you very much for considering the proposal.

Sincerely,

A handwritten signature in blue ink that reads "Lennie".

John L. Thompson, Jr.

Cc: Frederick County Executive  
Frederick County Council  
Maryland Cemetery Oversight Board  
Maryland Cemetery, Funeral and Cremation Association

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<sup>1</sup> *Diffendall v. Diffendall*, 239 Md. 32, 36, 209 A.2d 914, 916 (1965).

<sup>2</sup> *Kline v. Green Mount Cemetery*, 110 Md. App. 383, 388, 677 A.2d 623, 625 (1996).

**From:** [Stitt, Jason](#)  
**To:** [Schaefer, Joy](#)  
**Cc:** [Shen, Robert](#); [Nipe, Charles](#)  
**Subject:** RE: Request for Legislative Ideas from the County Executive  
**Date:** Wednesday, September 15, 2021 12:24:52 PM  
**Attachments:** [image002.png](#)

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Hi Joy,

Here are our suggestions, which are the same as the last two years:

- 1. Restoration of Highway User Revenue distributions to local governments to levels that existed prior to 2008.** These funds are necessary for the maintenance of local jurisdiction's highway networks.
- 2. Creation of a State program to aid local jurisdictions in the completion of ADA self-evaluations and Transition Plans.** Such a program would ensure consistent application of ADA standards and interpretations and potentially increase efficiency.
- 3. Creation of a State fund to aid local jurisdictions carrying out repairs and replacements identified in their Transition Plans.** Funds would be prioritized for ADA work related to sidewalks in State Highway rights-of-ways. At this time State Law requires local jurisdictions to pay for maintenance and repair of sidewalks along State Roads. While the State has existing programs to address sidewalk construction, maintenance, and ADA compliance in State rights-of-ways, they are currently insufficient to address on-going ADA compliance at the local level.

Please let me know if you have any questions or need additional information.

Thank you,

Jason

**Jason M. Stitt, P.E.**

Department Head

Department of Engineering and Construction Management

355 Montevue Lane, Suite 200

Frederick, MD 21702

Office: 301-600-2932

Cell: 301-418-0307

**From:** [paul walker](#)  
**To:** [Schaefer, Joy](#)  
**Subject:** County Executive 2022 Legislative Package initial inputs from Sierra Club Catoctin Group  
**Date:** Monday, October 4, 2021 4:28:04 PM

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**[EXTERNAL EMAIL]**



To: Frederick County Executive, Jan Gardner  
Director of Governments Affairs, Joy Schaefer

Date: October 4, 2021

Subject: Sierra Club Catoctin Group input to County's 2022 Legislative Package

Dear Ms Schaefer and Madam County Executive:

Thank you for this opportunity to share the Sierra Club Catoctin Group's (SCCG) initial list of 2022 priorities for consideration by the County Executive for inclusion in her legislative package to the 2022 Frederick County General Assembly delegation.

The Sierra Club Maryland Chapter is yet developing its top five legislative priorities, so, we also appreciate the chance to share those after the upcoming Town Hall and before November 18th. We hope to provide additional details on a few of these by that time as well.

The SCCG Executive Committee respectfully requests CE Gardner's support for the following important topics, referencing 2021 bill numbers where available:

1. Environmental Human Rights Amendment (2021 bills HB0082/SB0151)

2. Plastic Bag Reduction Act (2021 bill numbers HB314/SB223)

3. Rockwool Mineral Wool Factory in Ranson, WV:

Legislative action is needed by Maryland to control pollution of MARYLAND's Potomac River and Frederick County's Air by Rockwool:

- A new permit should be applied for under the Clean Air Act;
- Rockwool should reapply for an individual NP DES permit; and,
- Maryland/MDE should perform strict water monitoring in the Potomac downstream



from Ranson, as unreported chemical spills, pond lining defects, and heavy metals have been found in storm water discharge many times higher than allowable in the first few month of operations.

Senator Young, CM Fitzwater, Congressman Raskin and Congressman Trone all sent letters to the EPA Administrator to support a review of permitting under the Clean Air Act, and, either attended or sent reps to the review.

4. Climate emergency: legislation similar to Climate Solutions Now (2021 bills HB583/SB414)

5. Clean water and soil: Seek “local deference” on storm water management requirements for small lot construction to establish a pilot program that allows builders to choose to divert funds they would be required to spend on SWM infrastructure to a fund for soil health, conservation, and soil health projects under specific circumstances, to be defined, with Code to be changed.

6. Transportation: Support legislation opposing Toll lanes on 495/270; 3P partnerships; beltway widening (2021 bills HB 67/SB843 and HB705).

Thank you again for initiating this dialogue and considering SCCG priorities. Should you desire additional information or a chat, please contact me at the mobile number, below. Also, thank you for all you do to represent and lead Frederick County.

Sincerely,

Paul Walker, Group Chair  
Sierra Club Catoctin Group  
Cellular: 301-318-7995  
Alternate email: [Paul.walker@mdsierra.org](mailto:Paul.walker@mdsierra.org)  
Web site: <https://www.sierraclub.org/maryland/catoctin-group>

9478 Frostown Road,  
Middletown, MD 21769

**From:** [Debbie Marini -DHS- Frederick County](#)  
**To:** [Schaefer, Joy](#)  
**Subject:** Re: Request for Legislative Ideas from the County Executive  
**Date:** Monday, September 27, 2021 3:11:54 PM  
**Attachments:** [image002.png](#)

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**[EXTERNAL EMAIL]**

*The FCDSS Advisory Board, is interested in legislation that will improve our ability to keep children and vulnerable adults safe in our communities, such as providing online training for mandatory reporters. We also hope to support legislation that will make it easier for our transitional foster youth, who will be going to college, to obtain on-campus housing and connect them with a mentor/liaison to support them in that transition. Finally, for our community members who are receiving cash benefits and food stamps, we are supporting legislation that allows them to automatically qualify for other helpful assistance programs such as energy assistance.*

*Thank you for your patience.*

*Debbie*

*Debbie Marini, LCSW-C, Director*

*Frederick County Department of Social Services*

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Debbie Marini, LCSW-C  
Director  
Frederick County Department of Social Services  
[1888 N. Market Street](#)  
[Frederick, MD 21701](#)

## FCSC Legislative Recommendations for the 2022 Maryland Session

The following are legislative recommendations from the Frederick County Sustainability Commission. The recommendations are grouped into three broad themes and nine specific topics.

### **Long Term Environmental**

1. Pilot an alternative for stormwater mitigation for better results
  - Seek local deference to permit the county to pilot a program to assess repurposing stormwater management fees for small clusters and spot lot developments under defined circumstances. The goal of this effort is to leverage stormwater management funds to greater effect with larger and more impactful projects.
2. Upgrade stormwater and wastewater conveyance and storage management
  - Increase funding for climate resilience projects that address the need for greater capacity
3. Reduce greenhouse gas emissions associated with the electricity grid
  - Support passage of the Coal Community Transition Act (HB66/SB148, last year)
  - Support efforts that continue and expand support for Community Solar and Community Choice Energy.

### **Social**

4. Accelerate solar deployment
  - Support bills that expand funding for solar. An example would be MEA funding for providing solar PV systems for institutional & community resource support facilities.

### **Economic Sustainability**

5. Expand the installation and use of microgrids
  - Request funds from MEA for microgrid feasibility study for select locations in the county
6. Transition all bus fleets to electric and enhance ridership experience
  - Support passage of efforts to accelerate and fund the move to electric school buses in Maryland. In the last session this was bill HB832, the Electric School Bus Program.
7. Study the feasibility of electric rapid transit bus service & monorail
  - Seek state support for feasibility & economic study
8. Support and encourage the regeneration of natural systems on agricultural lands
  - Expand funding for the state's Healthy Soils program
  - Seek funding and rules that promote the preservation of wetlands
9. Financial Investment in Climate Solutions
  - Support efforts to create a Green Bank or Climate Accelerator in Maryland.
  - Support the Climate Solutions Now Act that will invest in and address broad actions to address climate change.

**From:** [Cathy Willets](#)  
**To:** [Schaefer, Joy](#)  
**Cc:** [Mayor Briggs](#); [Zach Gulden](#)  
**Subject:** 2022 Legislative Considerations  
**Date:** Monday, August 9, 2021 2:24:30 PM

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**[EXTERNAL EMAIL]**

Good afternoon Joy,

I am sending you the Town of Emmitsburg's requests for the upcoming General Assembly Session. On behalf to the Mayor, the Town would like to seek a modification to a requirement in the newly passed forest conservation law. In the law, we are required to use forest conservation fee in-lieu funds within two years or the monies need to be given back to the developer. We feel that the two year requirement is too short and does not allow ample time for planning and a good use of the monies. We would like consideration given to extending the two years to five or ten years. If you need additional information on topic, please let me know.

Our second request is not really a legislative consideration, but we are looking for assistance from the County Executive as well as our local legislators to push for the SHA/MDOT park and ride on Rte. 140 near the planned Rutters. The park and ride as supposed to be a joint project with Rutters but the State has put it on the back burner. SHA recently told staff that it was pushed back to the bottom of the list due to lack of funding from COVID. The Town does not much parking to begin with, but commuter parking is very limited to Silo Hill Parkway. This parking option will be greatly reduced in the near future as a possible hotel/motel is in the works. Any assistance would be greatly appreciated.

Best regards,

Cathy

Cathy Willets  
Town Manager  
Town of Emmitsburg  
300A South Seton Ave.  
Emmitsburg, MD 21727  
301-600-6300

PATRICK T. ROCKINBERG  
Mayor

JASON M. POIRIER  
Council President



Council Members  
PAMELA M. REED  
Secretary

Council Members  
KARL L. MUNDER  
LYNNE. GALLETTI  
STEPHEN M. DOMOTOR

RECEIVED

406 02 2021

Office of the  
County Executive

July 30, 2021

The Honorable Jan H. Gardner  
County Executive  
12 East Church Street  
Frederick, Maryland 21701

RE: 2022 Legislative Package

Dear County Executive Gardner,

I am writing in response to your inquiry for suggestions for Frederick County's legislative package.

The Town will be supporting the Maryland Municipal League's Legislative package which has yet to be finalized. Otherwise we look forward to the Frederick County Legislative package and the proposals put forth in the upcoming General Assembly Session.

We did want to make you aware that the Town will be attempting to obtain Urban Renewal Authority as our efforts were disrupted before a final vote in the 2019 Session due to the Covid shutdown.

Your inquiry to solicit the Town's input is greatly appreciated.

Sincerely,

Patrick T. Rockinberg  
Mayor

**From:** [Winslow Burhans](#)  
**To:** [Schaefer, Joy](#)  
**Cc:** [William Wantz](#); [Shane Rossman](#); [Michael Wright](#); [Matt Chance](#); [Dennis Kimble](#); [Christopher Weatherly](#)  
**Subject:** RE: Request for Legislative Ideas from the County Executive  
**Date:** Friday, August 6, 2021 2:38:36 PM  
**Attachments:** [image002.png](#)  
[TR 821-809 amended.pdf](#)

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**[EXTERNAL EMAIL]**

Hi Joy:

Please find attached the legislation related to Speed Cameras. As we discussed, the issue is the definition of agency as it relates to a municipality without a police force. While not specifically stated, inference is made that an agency must be a "law enforcement agency" that is "authorized to issue a citation." Given the current shortage of law enforcement officials and the anticipated retirement of officers as well as law enforcement's difficulties filling those retirements, this definition may need to be amended and revised. Specifically, it should not take a fully trained police officer to read photographic data in order to issue a citation. It is not a traffic stop. This would be analogous to a meter reader needing to be a police officer or a municipal code enforcement officer be required to be an attorney. This would likely free up law enforcement resources such that duly sworn officers do actual police work, while tasks that require less training be done by others with training for the specific task of reading speed camera data and related tasks. This would be a more cost efficient use of public monies.

I have copied the Town Attorney and the Town Council should you have any questions.

Thanks,  
Winslow

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# TSAC

## *Transportation Services Advisory Council*

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September 23, 2021

Jan Gardner, County Executive  
Winchester Hall  
12 East Church Street  
Frederick, MD 21701

RE: 2022 Legislative Considerations

Dear County Executive Gardner:

Thank you for the opportunity to comment on the legislative items to be included in Frederick County's 2022 Legislative Package. Since TSAC will not meet until October 15th, your letter was routed to the members via email for consideration. Based on that review and on behalf of the Transportation Services Advisory Council (TSAC), the Council would like to advocate for the following in the County's 2022 Legislative Package:

- Dialysis providers do not contribute to the transportation costs for their patients. At one point dialysis was consuming around 40% of our TP resources, and we were on track for a 35% non-dialysis trip denial rate in FY20, if not for the pandemic slowdown in Q4. Dialysis is for-profit and is aware that their clients need this service to survive and will do whatever it takes to make their appointments. Local transit systems tend to provide a significant portion of these trips. In effect, public funds are being used to subsidize a billion dollar industry. There has been movement on this topic in recent legislative sessions, and the latest is that it's been moved to a study – TAM is advocating for this to keep momentum.
- Increased 5311 (rural fixed-route transit) operations funding. This has been a CE priority for years, and this funding has been stagnant for about 15 years.
- More Paratransit (SSTAP) funding (and have the Feds also contribute if possible!). Recall that there is no Federal money in our SSTAP grant, and only a very small amount from the State.
- Increased 5307 (urbanized area fixed-route transit) operations funding. A constant request from our riders is to decrease headways, operate longer into the evening, expand service on Saturday, and implement Sunday service. This cannot be done at the current funding level.
- Request FTA to modify the allowable revenue vehicle spare ratio (currently at 20%) for agencies that have adopted alternative-fuel vehicles. This request is to have the FTA amend their current policy.
- Reinforcing the importance of municipal and inter-jurisdictional coordination, specifically on improving passenger amenities within the City and ensuring the preservation of regional connections to MTA, Greyhound, Bayrunner, etc.



**TSAC**

*Transportation Services Advisory Council*

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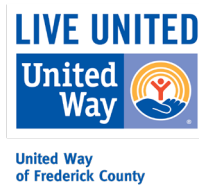
Thank you again for the opportunity to make comment and recommendations to the 2022 Legislative Package.

Sincerely,

Tim Davis, Chair  
Transportation Services Advisory Council

cc: Roman Steichen  
TSAC Members





September 2021

The Honorable Jan H. Gardner  
County Executive, Frederick County  
Winchester Hall  
12 E. Church St.  
Frederick, MD 21701

**Re: 2022 Legislative Considerations**

Dear County Executive Gardner:

For nearly 85 years, United Way of Frederick County (UWFC) has fought for the health, education and financial stability of every person in our community. In Frederick County today, 37% of households struggle to afford basic household necessities. These households, known as ALICE (Asset Limited, Income Constrained, Employed) are one unexpected expense away from spiraling into poverty. COVID-19 has had an enormous impact, financial and otherwise, on ALICE families. We are more concerned than ever before about their future financial stability.

It is from the ALICE Report that we develop annual advocacy positions that focus on advancing equity for working families in Frederick County. Below is a brief snapshot of these positions for you in response to your request for suggestions dated July 16, 2021. For your consideration, we provide the following:

- Ensure continued access to the COVID-19 and flu vaccines as well as testing and access to future vaccines for all
- Maintain basic needs security for Frederick County residents including, but not limited to, quality education, food, health care, affordable housing and transportation
- Increase the supply and accessibility of quality childcare for families
- Increase availability to broadband access to remove barriers to online learning and telehealth for Frederick County residents and students
- Continue support for Volunteer Income Tax Assistance (VITA) in the state budget to ensure that every family who qualifies for the earned income tax credit and the child tax credit receives the benefits they deserve

As always, United Way is available to work further with you and your team to support ALICE households in Frederick County. Please let us know if you have any questions.

Sincerely,

Ken Oldham  
President & CEO

Keith R. Harris  
Chair, Advocacy Committee