

County Council of Howard County, Maryland

2025 Legislative Session

Legislative Day No. 2

Resolution No. 45 -2025

Introduced by: The Chairperson at the request of the County Executive

Short Title: Easement – 0.0357 acres - Baltimore Gas and Electric – County Property along Church Ave.

Title: A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement containing 0.0357 acres to Baltimore Gas and Electric Company so that Baltimore Gas and Electric Company may install communication facilities on property owned by Howard County, Maryland; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; adding certain reporting requirements for Baltimore Gas and Electric Company to the County Council; and providing that the County Executive is not bound to grant the easement if he finds that the property may have a further public use.

Introduced and read first time Feb 3, 2025.

By order

Michelle Harrod
Michelle Harrod, Administrator

Read for a second time at a public hearing on Feb 18, 2025.

By order

Michelle Harrod
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted ☒, Adopted with amendments ☐, Failed ☐, Withdrawn ☐, by the County Council on March 3, 2025.

Certified By

Michelle Harrod
Michelle Harrod, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, Howard County (the “County”) is the fee simple owner of property shown
2 as Lot 24, Parcel 364 on Tax Map 38 (the “County Property”), located along Church Ave; and
3

4 **WHEREAS**, Baltimore Gas and Electric Company (“BGE”) has requested an easement
5 containing 0.0357 acres, more or less, (the “Easement”), as shown in the attached Exhibit A, to
6 install communication facilities on the County Property for use in connection with BGE’s
7 electric utility business and for any other communication purpose, including the provision of
8 infrastructure to enable internet providers to reach communities within the County (the
9 “Communication Facilities”); and
10

11 **WHEREAS**, the Communication Facilities include, but are not limited to, wires, cables,
12 fiber optic cables, and conduits; and
13

14 **WHEREAS**, BGE will be required to restore at BGE’s expense the County Property to a
15 condition equal to or better than its condition immediately preceding any opening, excavation, or
16 other work in the easement area for the installation or maintenance of the Communication
17 Facilities; and
18

19 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
20 Easement; and
21

22 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
23 authorizes the County Council of Howard County, Maryland (the “County Council”) to declare
24 that property is no longer needed for public purposes and also authorizes the County Council to
25 waive advertising and bidding requirements for an individual conveyance of real property upon
26 the request of the County Executive; and
27

28 **WHEREAS**, the County Council has received a request from the County Executive to
29 waive the advertising and bidding requirements in this instance for the grant of the Easement to
30 BGE.
31

1 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
2 Maryland, this _____ day of _____, 2025, that the County Executive may
3 convey an Easement containing 0.0357 acres, as shown in the attached Exhibit A, to BGE.
4

5 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
6 Executive and having held a public hearing, the County Council declares that the best interest of
7 the County will be served by authorizing the County Executive to waive the usual advertising
8 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
9 the Easement to BGE.
10

11 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the
12 property may have a further public use with which the Easement will interfere and, therefore,
13 that the Easement should not be granted, he is not bound to grant the Easement in accordance
14 with this Resolution.
15

16 **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,
17 Maryland that upon completion of its Grid Communication and Connectivity Program route,
18 BGE shall, within one year of project completion and annually thereafter, provide a report to the
19 County Council on the following:

- 20 1. Lease terms and revenue benefit to BGE from each fiber optic contract with third
21 parties;
22 2. Average monthly cost increase to County ratepayers to fund this program; and
23 3. Average savings to County ratepayers, as a result of revenue generated by this
24 program.
25

Amendment 1 to Council Resolution No. 45-2025

BY: Liz Walsh

**Legislative Day 3
Date: March 3, 2025**

Amendment No. 1

(This Amendment adds a reporting requirement for Baltimore Gas and Electric Company (BGE) upon completion of the Middle-Mile communications infrastructure project)

1 On the Title page, in line 5 of the Title, after the semi-colon, insert the following: “adding certain
2 reporting requirements for Baltimore Gas and Electric Company to the County Council;”

3
4 On page 2, following line 14, insert the following:

5
6 “ **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,
7 Maryland that upon completion of its Grid Communication and Connectivity Program route,
8 BGE shall, within one year of project completion and annually thereafter, provide a report to the
9 County Council on the following:

10 1. Lease terms and revenue benefit to BGE from each fiber optic contract with third
11 parties;

12 2. Average monthly cost increase to County ratepayers to fund this program; and

13 3. Average savings to County ratepayers, as a result of revenue generated by this
14 program.
15

I certify that this a true copy of

Am 1 to CR 45-2025
passed on March 3, 2025
Nichelle J. [Signature]
Council Administrator



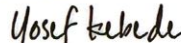
Howard County

Internal Memorandum

Subject: Testimony & Fiscal Impact Statement
Council Resolution No. ___ - 2025, authorizing the County Executive to grant an easement containing 0.0357 acres to Baltimore Gas and Electric Company so that Baltimore Gas and Electric Company may install communication facilities on property owned by Howard County, Maryland; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to grant the easement if he finds that the property may have a further public use.

To: Brandee Ganz
Chief Administrative Officer

From: Yosef Kebede, Director
Department of Public Works

Signed by:

B4217725E8EC47C...

Date: January 23, 2025

The Department of Public Works (the "Department") has been designated coordinator for preparation of testimony relative to the above referenced Council Resolution for the granting of an easement containing 0.0357 acres (the "Easement Area") to the Baltimore Gas and Electric Company ("BGE") located on property owned by Howard County, Maryland, shown as Lot 24, Parcel 364 on Tax Map 38 (the "County Property").

BGE has requested an easement to install communication facilities on the County Property for use in connection with BGE's electric utility business and for any other communication purpose, including the provision of infrastructure to enable internet providers to reach communities within the County (the "Communication Facilities"). The Communication Facilities include, but are not limited to, wires, cables, fiber optic cables, and conduits.

BGE will be required to restore at BGE's expense the County Property to a condition equal to or better than its condition immediately preceding any opening, excavation, or other work in the easement area for the installation or maintenance of the Communication Facilities.

The Department of Public Works has reviewed and approved the proposed grant of easement to BGE for the installation of the Communication Facilities.

Section 4.201, "Disposition of Real Property", of the Howard County Code authorizes the County Council to declare that property is no longer needed for public purposes and authorizes the County Council to waive advertising and bidding requirements for an individual conveyance of real property upon the request of the County Executive.

Page 2 of 2

The County Council has received a request from the County Executive to waive the advertising and bidding requirements in this instance for the Amendment to Deeds in order to allow for the installation of the Communications Facilities in the Easement.

There is no fiscal impact to the County.

Representatives of the Department will be present at the public hearing to answer any questions or concerns. If you require any further information concerning this matter or have any additional questions, please do not hesitate to contact me at your convenience.

cc: Jennifer Sager
File

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Introduced and read first time _____, 2025.

By order _____
Michelle Harrod, Administrator

Read for a second time at a public hearing on _____, 2025.

By order _____
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted ____, Adopted with amendments ____, Failed ____, Withdrawn ____, by the County Council on _____, 2025.

Certified By _____
Michelle Harrod, Administrator

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