

Introduced November 2, 2020
Public Hearing November 16, 2020
Council Action December 7, 2020
Executive Action December 10, 2020
Effective Date February 9, 2021

County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 15

Bill No. 60-2020

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

AN ACT amending and updating the duties of the Office on Aging and Independence and the Commission on Aging; updating terminology; and generally relating to the Older Howard Countians Act.

Introduced and read first time November 2, 2020. Ordered posted and hearing scheduled.
By order Diane Schwarz Jones
Diane Schwarz Jones, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on November 16, 2020.
By order Diane Schwarz Jones
Diane Schwarz Jones, Administrator

This Bill was read the third time on December 7, 2020 and Passed , Passed with amendments , Failed .

By order Diane Schwarz Jones
Diane Schwarz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 10th day of December, 2020 at 2 a.m./p.m.

Approved/Vetoed by the County Executive December 10, 2020

Calvin Ball
Calvin Ball, County Executive

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 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 1. By amending

4 Title 12 "Health and Social Services"

5 Section 12.500 "Office on Aging and Independence"

6
7 2. By amending

8 Title 12 "Health and Social Services"

9 Section 12.501 "Commission on Aging"

10
11 **Title 12. Health and Social Services.**

12 **Subtitle 5. Older Howard Countians Act.**

13
14 **Section 12.500. Office on Aging and Independence.**

15 (a) *General Provisions.* General provisions applicable to this Office are set forth in subtitle 2,
16 "Administrative Departments and Offices," of title 6, "County Executive and the Executive
17 Branch," of the Howard County Code.

18 (b) *Head.* The Administrator on Aging and Independence shall head the Office on Aging and
19 Independence. The Office is under the general supervision of the Director of Community
20 Resources and Services.

21 (c) *Qualifications of Administrator on Aging and Independence.* The Administrator on Aging and
22 Independence shall be thoroughly trained and experienced in the principles and practices of a social
23 services program with considerable knowledge of the financial, social, educational, organizational
24 and other special needs ~~[[and problems of the elderly]]~~ OF OLDER ADULTS. The Administrator shall
25 have ~~[[had]]~~ five years of increasingly responsible experience in social service or related work,
26 two years of which shall have been in a managerial position dealing with the provision of services
27 of ~~[[the elderly]]~~ OLDER ADULTS.

28 (d) *Duties and Responsibilities.* The Office shall:

29 (1) Develop, in cooperation with the Commission on Aging and with other County
30 organizations, both public and private, a comprehensive County-wide annual plan for a
31 coordinated system of health, social and community services for ~~[[the aged]]~~ OLDER

1 ADULTS, including housing and institutional and noninstitutional care, and present such
2 plan to the County Executive. The annual plan shall include statements of the long- and
3 short-term needs of [[the elderly]] OLDER ADULTS in Howard County, the long- and short-
4 term plans for serving those needs, and the proposed funding sources and administrative
5 responsibility for these plans.

6 (2) Administer those programs and activities for [[the aged]] OLDER ADULTS designated as the
7 responsibility of the Office in the annual plan.

8 (3) Subject to existing law, review and coordinate all local programs and services, both public
9 and private, insofar as they relate and are important to the well-being of the County's
10 [[aged]] OLDER ADULTS, including, but not limited to, programs and services in the areas of
11 income, maintenance, public health, mental health, housing and urban development,
12 employment, education, recreation and rehabilitation of persons with disabilities.

13 (4) Review and formulate policy recommendations to the County and County Council in
14 reference to publicly funded plans and programs which have an impact on the
15 [[aged]] OLDER ADULTS.

16 (5) [[Consult with the County Commission on Aging]] PROVIDE ADVICE on all matters
17 pertaining to policy and programs THAT IMPACT OLDER ADULTS. [[prior to making
18 recommendations to the Executive and County Council.]]

19 [[(6) After consultation with the Commission on Aging, present plans for programs for the
20 elderly to the County Executive and County Council for budgetary approval.]]

21 [[(7) Consult with and advise the head of the principal departments of the County Government
22 with respect to programs and services for the aged, for which they are primarily
23 responsible.]]

24 ([[8]]6) Cooperate with State, Federal and other local governmental units and agencies in
25 effectuating the purposes of this subtitle.

26 ([[9]]7) Establish and administer any programs or services deemed desirable by [[the
27 Commission on Aging and]] the County Executive, under direction of the State Department
28 of Aging or the provisions of the Older Americans Act, as amended.

29 ([[10]]8) After [[prior consultation with the Commission on Aging and]] approval by the
30 County Executive, apply for, accept and use any State or Federal funds, or other grant, fund
31 and contributions, public or private, available for the purposes specified in this subtitle.

1 ([[11]]9) Prepare and submit to the [[County Executive]] DEPARTMENT OF COMMUNITY
2 RESOURCES AND SERVICES, a budget for the Office and the Commission on Aging in
3 accordance with customary budget procedures.

4 ([[12]]10) [[Subject to section 22.1000 of the County Code prepare and submit an annual report
5 to the County Executive and the County Council, setting forth the activities of the Office
6 and the Commission on Aging in the preceding year, and its recommendations for
7 legislation and funding.]] THE OFFICE AND THE COMMISSION ON AGING SHALL PROVIDE
8 COMMENTS TO THE DEPARTMENT OF COMMUNITY RESOURCES AND SERVICES ON THE
9 PRECEDING YEAR'S ACTIVITIES OF THE OFFICE AND THE COMMISSION AND ANY
10 RECOMMENDATIONS FOR PROGRAMS, LEGISLATION, OR FUNDING INITIATIVES. THE
11 DEPARTMENT SHALL INCORPORATE THOSE COMMENTS INTO THE DEPARTMENT'S ANNUAL
12 REPORT SUBMITTED TO THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL.

13 ([[13]]11) Initiate and carry out any appropriate action, where relevant, to implement the above
14 objectives, or other related objectives, as they become necessary and are deemed
15 appropriate.

16 ([[14]]12) The Office shall be the principal County agency responsible for the development of
17 services to [[the aged]] OLDER ADULTS and the medium through which organizations
18 exchange information, coordinate programs and engage in joint endeavors.

19 ([[15]]13) *Other duties and responsibilities* . The Office shall perform such other functions as
20 may be prescribed by directive of the County Executive or by law.

21 (e) *Guardianship Responsibilities*. The Administrator may serve as guardian of persons pursuant
22 to section 13-707 of the [[estates and trusts article]] ESTATES AND TRUSTS ARTICLE of the
23 Annotated Code of Maryland.

24
25 **Section 12.501. Commission on Aging.**

26 (a) *General Provisions*. General provisions applicable to this Commission are set forth in subtitle
27 3, "Boards and Commissions," of title 6, "County Executive and the Executive Branch," of the
28 Howard County Code.

29 (b) *Number of Members* . There is a Howard County Commission on Aging composed of no more
30 than 15 members.

31 (c) *Qualifications of Members*:

1 (1) All members shall be residents of Howard County.

2 (2) A majority of members of the Commission shall be at least [[55]]50 years old.

3 (3) Members shall be selected because of their interest in [[the problems of the aging]]ISSUES
4 IMPACTING OLDER ADULTS AND OLDER ADULTS LIVING WITH DISABILITIES and shall be
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6 (d) *Executive Secretary.* The Administrator on Aging and Independence, or the Administrator's
7 designee, shall serve as Executive Secretary of the Commission and shall attend all meetings of
8 the Commission.

9 (e) *Duties of the Commission on Aging:*

10 (1) The Commission shall make such surveys concerning [[the problems of the aging]] ISSUES
11 AFFECTING OLDER ADULTS as it may determine, or as directed by the Executive or the
12 County Council, and promote in every manner possible the welfare and betterment of the
13 [[aged people]]OLDER ADULTS of the County.

14 (2) The Commission shall [[act as the advisory body]]PROVIDE ADVICE to the Office on Aging
15 and Independence and shall [[review and]] make recommendations concerning [[all new
16 programs]] PROGRAMS, RESOURCES, AND SERVICES TO BE PROVIDED TO OLDER ADULTS IN
17 HOWARD COUNTY [[proposed by the Administrator on aging prior to their
18 implementation]].

19 [[(3) The Commission shall review the proposed budget of the Office on Aging and
20 Independence and make such recommendations as it deems appropriate to the
21 Administrator on aging and the County Executive, prior to its submission to the County
22 Council.]]

23 ([[4]]3) Other matters. At the directive of the County Executive or by resolution of the County
24 Council, the Commission on Aging shall review and make recommendations on any matter
25 related to older [[residents of]]ADULTS IN the County.

26
27 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that
28 *this Act shall become effective 61 days after its enactment.*

Introduced November 2, 2020
Public Hearing November 16, 2020
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 15

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By order Diane Schwarz Jones
Diane Schwarz Jones, Administrator

This Bill was read the third time on _____, 2020 and Passed _____, Passed with amendments _____, Failed _____.

By order _____
Diane Schwarz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2020 at ___ a.m./p.m.

By order _____
Diane Schwarz Jones, Administrator

Approved/Vetoed by the County Executive _____, 2020

Calvin Ball, County Executive

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Amendment 1 to Council Bill No. 60-2020

**BY: The Chairperson at the request
of the County Executive**

**Legislative Day 17
Date: December 7, 2020**

Amendment No. 1


(This amendment removes a word in order to correct grammar.)

- 1 On page 2, in line 14, strike “the”.

ADOPTED December 7, 2020
FAILED
SIGNATURE Diane Stewart Jones

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on December 10, 2020.


Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

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of the County Executive**

**Legislative Day 17
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- 1 On page 2, in line 14, strike “the”.

Office of the County Auditor
Auditor's Analysis

Council Bill No. 60-2020

Introduced: November 2, 2020

Auditor: Lisa Geerman

Fiscal Impact:

There is no anticipated fiscal impact related to the changes proposed in this legislation.

Purpose:

This bill amends and updates the duties of the Office on Aging and Independence and the Commission on Aging as set forth in Title 12, Subtitle 5, of the Howard County Code. These changes are proposed in order to update duties and terminology relating to the Older Howard Countians Act.

Other Comments:

According to the Administration, the Commission will continue to be able to fully operate in their role as they have been after these changes take place.

The Administration will prepare an amendment to correct a grammatical error our Office found in the proposed bill.



HOWARD COUNTY DEPARTMENT OF COMMUNITY RESOURCES AND SERVICES
9830 Patuxent Woods Drive ■ Columbia, Maryland 21046 ■ 410-313-6400 voice/relay

Jacqueline R. Scott, Director
communityresources@howardcountymd.gov

FAX 410-313-6424

November 16, 2020

Howard County Council
3430 Court House Drive
Ellicott City, Maryland 21043

Re: CB60-2020

Dear Council Members:

Thank you for considering CB60-2020.

CB60 seeks to update several outdated provisions relating to the Office on Aging and Independence and the Commission on Aging. Specifically, the amendments fall in two broad categories. The first set seek to update the terminology used to refer to the older adult community, the Office on Aging, and the Department of Community Resources and Services. The second seeks to bring into alignment the duties of the Commission on Aging and Independence with other like Boards and Commissions.

The amendments seeking to update the terminology are based upon research, best practices and established standards in the field of Aging. The use of terms like "aged" and "elderly" reflect an outdated approach and view of the expanding and evolving field of Human Aging. The amendments will allow us to use more inclusive terms such as "older adults" and reduce any perceived barriers by referring to those who reside in Howard County as "residents" as opposed to "citizens".

The second set of amendments reflected in CB60-2020 seek to update the language describing the activities and duties of the Commission to accurately reflect its' role and function. The current language is decades old and reflects the original creation of the Commission which preceded the creation of the Office on Aging. While the Commission may have been originally established as the singular body on behalf of older adults in the county based on the needs at the time, the language was not modified once the Office on Aging was created. Nor was it modified over the years as the capacity of the Office [and Department] grew over time, and as it established itself as the Area Agency on Aging on behalf of the Maryland Department of Aging. Instead, the commission's role simply evolved into functioning more like other county commissions. Specially, into a role that included providing advice and making recommendations to the Office Administrator, Director, and County Executive. The propose amendments seek to update and clarify the language and to accurately reflect those roles.

The amendments do not change the current practices or activities of the commission, nor to they affect the current working relationship and partnership with the Office or Department. We do not anticipate any budget implications resulting from the passage of CB60-2020.

Thank you for your time and consideration.

Sincerely,

Jacqueline R. Scott, J.D., M.L.

Director

Department of Community Resources and Services

The Department of Community Resources and Services provides vital human services through its offices of ADA Coordination, Aging and Independence, Children and Families, Community Partnerships, Consumer Protection, Human Trafficking Prevention, Local Children's Board, and Veterans and Military Families.

Sayers, Margery

From: Angie Boyter <angie.boyter@gmail.com>
Sent: Monday, November 16, 2020 10:17 AM
To: CouncilMail
Subject: Testimony on CB60-2020
Attachments: Testimony on CB60, COA.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I will be testifying on CB60-2020, which changes the responsibilities of the Commission on Aging. A copy of my testimony is attached and is also found below.

Testimony on CB60-2020

Despite some serious reservations, I think it makes sense to pass this bill. I believe strongly in the Howard County goals of openness and transparency, and I equally strongly dislike hypocrisy, a token commitment with no substance. If county regulations define a role for a commission, that role should be carried out.

I have been on the Commission on Aging for 5 years, and I can tell you that in my term (and according to other members of the COA, long before my term), rarely if ever have the responsibilities to give advice on the budget or new programs been carried out. The COA generally finds out about new programs when they are announced to the public. The same is true of the budget. We found out about this bill, CB60, after it had been submitted to the county council.

Except for a few boards like the Planning Board or the Board of Appeals, county boards and commissions have no decision-making authority but normally are supposed to provide advice to a department. I don't have to tell you how rich our county is in people with expertise they are willing to share for the good of our citizens. I am just a consumer representative on the COA, but we have professionals in geriatric nursing, nursing home administration, senior financial matters, real estate, and other relevant fields. Their advice is worth hearing, even if the department does not always want to take it completely.

The OAI staff wants good advice and over the next few months will be exploring with the COA how we can contribute input that helps them achieve their goals. I am optimistic about that initiative.

So it probably makes sense to pass this bill. No matter how the COA responsibilities are ultimately defined, however, I hope you will do your best to make sure they will be carried out.

If the county changes its definition of the role of the Commission on Aging, I recommend you also look at all of the 40-plus boards and commissions to ensure they are providing useful service to their county departments. From what I hear from others on both permanent and temporary boards, the COA experience is the norm. These boards consume resources that can be used elsewhere. If any boards and commissions are just placemarkers to "show we care", we should free up the human and financial resources and eliminate them.

Angie Boyter

3914 MacAlpine Road

Ellicott City MD 21042

angie@boyter.net

410 465-1444, 443 478-0327

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angie@boyter.net

410 465-1444, 443 478-0327

Sayers, Margery

From: Lori Lilly <llilly@howardecoworks.org>
Sent: Monday, November 16, 2020 11:02 AM
To: CouncilMail
Subject: Support for CB61

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good morning Councilmembers,

I am scheduled to testify this evening but am not sure that I will be able to make it. I would like to testify in favor of CB61 to amend PlanHoward 2030 to include The Ellicott City Watershed Master Plan. I served on the Master Planning Committee from 2019-2020 as well as participated in many of the public meetings and opportunities for stakeholder involvement throughout the years of developing the document. I am confident that the process was clear and transparent and that the Master Plan contains a comprehensive vision and approach for Ellicott City. The details provided for the streetscapes, integration with the hydrologic and hydraulic modeling for flood mitigation, and emphasis on community character and identity are fundamental aspects of the plan that will provide a clear framework into the future. Incorporation of the Master Plan into the General Plan is essential to ensure that the plan is followed and monitored as well as for accountability to the public and stakeholders. Thank you for all that you do to help keep the residents and business in Ellicott City safe. I am hopeful that Ellicott City can be a model of resiliency and that the community and government can continue to take positive steps toward that end.

Sincerely,

Lori Lilly
1124 Taylor Park Rd.
Sykesville, MD 210784

--
Lori Lilly, CEP, CBLP
Executive Director, Howard EcoWorks
443-518-7666 (o)
443-936-8805 (c)
Check out the new EcoWorks promotional video! https://youtu.be/brN_QSVaf1A
<http://www.howardecoworks.org/>



Sayers, Margery

From: Woodruff, Elizabeth <Elizabeth.Woodruff@ssa.gov>
Sent: Monday, November 16, 2020 8:40 AM
To: CouncilMail
Cc: Bolinger, Kate; Gowan, Amy
Subject: Support for the Proposed EC Master Plan- CB61-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Councilpersons-

I would like to express my support for the Ellicott City Master Plan as proposed in tonight's hearing. The plan has been a labor of love for a significant number of community stakeholders over a number of years. This document will inform future decisions regarding design choices as the Safe and Sound plan is implemented. The plan protects the historic charm of the town while at the same time creating a cohesive look and feel to the residential and business areas. The plan supports new branding, defined entrances to the area, cohesive streetscapes, better wayfinding, and more significant incorporation of the river as a feature of the town.

There have been a significant number of community outreach events and ample comment periods. It is essential that this plan be approved to allow for the fastest possible implementation of the Safe and Sound plan and to ensure the historic character of the town is protected. The plan is a north star for us to follow as we move towards creating a safer and more resilient town.

Thanks,
Beth Woodruff
District 1
Ellicott City, MD

Sayers, Margery

From: Matthew H. Fleming <matthew.hitchcock.fleming@gmail.com>
Sent: Sunday, November 15, 2020 4:33 PM
To: CouncilMail; Walsh, Elizabeth
Cc: Dvorak, Nicole; Ball, Calvin; Gowan, Amy; Hernandez, Shaina
Subject: Support for Council Bill 61-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Council Chair Jung, Vice Chair Walsh, and Councilmembers Jones, Rigby, and Yungmann,

My name is Matt Fleming. I've been an Ellicott City resident since 2006. I've also been a member of the board of the Ellicott City Partnership since 2016 (indeed, I am its immediate past president--though I'm writing in my capacity as a resident). I want to congratulate County Executive Dr. Calvin Ball and the Howard County Government, County Council, and design team for a truly excellent Ellicott City Watershed Master Plan. I strongly support the plan, and am very excited to see it implemented. Accordingly, I am writing to strongly encourage passage of Council Bill 61-2020 ("AN ACT amending PlanHoward 2030, the general plan for Howard County, to include The Ellicott City Watershed Master Plan"). Thank you.

Sincerely,

Matthew H. Fleming, Ph.D.



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Amanda Hof, have been duly authorized by
(name of individual)

Visit Howard County to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB61-2020 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.

(Please circle one.)

Printed Name: Amanda Hof

Signature: Amanda Hof

Date: 11/14/2020

Organization: Visit Howard County

Organization Address: 8267 Main Street, Ellicott City, 21043

8267 Main Street, Ellicott City, 21043

Number of Members: 1

Name of Chair/President: Barbara Nicklas

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 2 hours prior to the start of the Public Hearing.

Sayers, Margery

From: kathy Younkin <kyounkin@comcast.net>
Sent: Saturday, November 14, 2020 12:31 PM
To: CouncilMail
Subject: Affidavit of Authorization - for Nov 16

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am submitting the Authorization form for Testimony on Nov 16 2020.

Kathy Younkin
Patapsco Heritage Greenway



**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Kathy Younkin, have been duly authorized by
Patapsco Heritage Greenway
to deliver testimony to the
County Council regarding Council Bill 81-2020, SUPPORT to express the organization's
position in support of said legislation.
(Please only check one.)

Printed Name: Kathy Younkin
Signature: [Handwritten Signature]
Date: November 14, 2020
Organization: Patapsco Heritage Greenway
Organization Address: PO Box 76, Silver Spring, MD 20910

Number of Members: 13
Name of Chair/President: Steve Wash

This form may be reproduced electronically via email at www.howardcountymd.com no later than five days after the Public Hearing or Affidavit is posted on the right of the Public Hearing Action meeting.

Sayers, Margery

From: Ed Lilley <ecrfpres@aol.com>
Sent: Thursday, November 12, 2020 10:58 AM
To: CouncilMail
Subject: Regarding CB61-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Regarding CB61-2020

I am writing to express my support for the Ellicott City Watershed Master Plan.

Much time and effort has gone into this with widespread input from professionals, residents and business owners.

It is a “timed”, flexible plan designed to address some immediate needs and other long term efforts over the next 20 years.

The Plan is a guide to the evolving future of the Historic District and can serve as an important aid in that process.

W. Edward Lilley
410-303-2959



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Dr. Tara H. Simpson, have been duly authorized by
(name of individual)

Preservation Howard County to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB61-2020 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: S. Allan Shad, PHC Secretary

Signature: 

Date: November 16, 2020

Organization: Preservation Howard County

Organization Address: P. O. Box 406, Simpsonville, MD 21150

P. O. Box 406, Simpsonville, MD 21150

Number of Members: _____

Name of Chair/President: Dr. Tara H. Simpson

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 2 hours prior to the start of the Public Hearing.