

Fwd: VOTE FOR CB 52

mbks23@comcast.net

Sent: Tuesday, January 19, 2016 4:07 PM

To: CouncilMail

From: mbks23@comcast.net

To: cball@howardcountymd.gov

Sent: Friday, January 15, 2016 10:18:55 AM

Subject: VOTE FOR CB 52

Please vote to **eliminate** the Stormwater Fee as I have seen too many of my good taxpaying senior neighbors leave this State. This tax is a **burden** on seniors who did not receive an increase in social security benefits for 2016 and only a small increase over the last five years.. Property taxes plus CPRA tax, utilities, mortgage, insurance, especially health care constantly increase. Our income remains the same.

As far as PATH is concerned, there are other ways to have youth employed. I personally worked with the summer youth for Howard County Government about six years ago. Too me, PATH is about personal recognition.

This tax needs to be eliminated. I as well as many other Democrats voted for the County Executive and Governor Hogan for the reasons of eliminating some of those taxes! I am Barbara Hamilton, a retiree.

CB 52-2015

Brad Myers [bkm822000@gmail.com]

Sent: Tuesday, January 19, 2016 3:45 PM

To: CouncilMail

Dear Council,

I am writing this email in support of CB 52-2015 to repeal the rain tax. This tax imposes an unnecessary burden on business owners and citizens. Below, I will cite several examples I have come across while talking with business owners through my job as a commercial banker in this community. Before I do that however, I want to point out something that I believe is being overlooked by most of the members of this council. I have witnessed this council vote in overwhelming favor for affordable housing in Howard County in recent years. I have even written testimony in favor of a project near my house for Councilman Weinstein. I believe affordable housing is necessary for the county to move forward, and that everyone should have access to the amenities this county provides. A vote AGAINST CB 52-2015 will jeopardize the future of affordable housing projects in this county in a very drastic and permanent way. The cost of land in Howard County already proves to be the main barrier of entry for many of those looking to develop affordable housing units, but couple that with a burdensome tax on asphalt and rooftops for these projects and you have just inadvertently stalled any affordable housing projects that the county can hope to attract in the near and distant future.

Most of the other counties in Maryland have been able to deflect the burden of the EPA mandates off of their citizens, both private and business. I do not understand why one of the wealthiest counties in the country, let alone the state, cannot do the same. The effect that it has on business owners is drastic as well. If a fortune 500 company is looking to relocate to Maryland, one of the first things they are going to look at is accessibility to an educated workforce. The second thing they are going to look at is cost. If Howard County continues to place this burden on its business owners, it will deeply effect our ability to compete within our own state. Why would someone move a large plant or office to Howard County when they have to pay an additional \$50,000 a year in rain tax for a large facility when they could move to the outskirts of Anne Arundel, or Prince Georges counties and still pull from our base of citizens? This is not even taking into consideration our current business owners who have supported this community for years. The car dealerships who have massive amounts of asphalt and large buildings, the property managers and commercial developers who have hundreds of thousands of square feet of asphalt and roofing, and could face upwards of a million dollars in rain tax per year. These businesses are not just providing goods and services to our community, they are providing philanthropic dollars to our charitable organizations. These are dollars that are not easily replaced and these are organizations that help our most vulnerable citizens.

So in conclusion, I ask that you put partisan politics aside, and think of the adverse effects listed above when making your decision regarding the repeal of the rain tax. It's the right thing to do.

Thank you for your time, and your service to our community.

Sincerely,

Bradley Myers
[6001 Florey Rd](#)
[Hanover MD 21076](#)

Sent from my iPhone

Comments on Elimination of Stormwater Fee CB52-2015

haganpr@verizon.net

Sent: Tuesday, January 19, 2016 2:41 PM

To: CouncilMail

To Members of the Howard County Council:

I had hoped to be present at this evening's meeting to voice my support for CB52-2015, but a virus is keeping me away from the discussion tonight...so I am sending this note instead.

I wish to strongly support CB52-2015. It is very important to fund a project such as the Watershed Protection program from the general funds of the county, rather than from a dedicated special tax. The reason is that the bureaucrats who manage a dedicated pool of money will always find a reason to spend every dime, and then need more, to build their empire. Only when the spending has to be justified relative to the other needs of the County will the program managers find the most economical path to accomplish the program goals. For example, in the Watershed Protection Program, establishing a staff to measure the square footage of "impervious surface" of the property in the County is a waste of funds that could be applied to actually solving the runoff issue. Such a staff would not be needed if the general funds of the county were used to accomplish the program goals. Our money needs to be focused like a laser on the goal of the program....only! I am also sympathetic to the plight of the business people who, as I understand it, are being taxed a large sum of money for their buildings and parking lots. We **need** these business people...they are part of our communities! We need to be able to buy groceries, to get a cup of coffee, gas for our cars, or a haircut! We don't want to tax these neighbors out of existence!

Interestingly, I understand that the County is now talking about setting up solar cell farms in the County. What effect will this have on our runoff issues? Would such farms be taxed at the "impervious surface" rate and if so does that make their electricity economically impractical?

Finally I would like to say that there are numerous communities in the Western portion of the County that are heavily treed. The benefits of the hundreds of trees and thousands of pieces of underbrush on each of these 3 or more acre properties should be accounted for in some way by the Program Managers of the Watershed Protection Program to help meet the program goals, much like the 0.15 acre rain gardens that have been built around our schools are counted as mitigating our stormwater runoff.

Thanks for considering these comments.

Jim Hagan
12646 Golden Oak Drive
Ellicott City MD

Building Industry Testimony on CB5-2016 and CB52-2015

Joshua Greenfeld [jgreenfeld@marylandbuilders.org]

Sent: Tuesday, January 19, 2016 9:13 AM

To: Feldmark, Jessica; Ball, Calvin B; Smith, Gary; Weinstein, Jon; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; Knight, Karen; Pruum, Kimberly; Clay, Mary; CouncilMail; Calvin Yahoo [philosopherpoet2@yahoo.com]

Cc: Delorenzo, Carl; Siddiqui, Jahantab; Wilson, B Diane; Allan Kittleman [allan.kittleman@gmail.com]; Kathleen Maloney [katmaloney@verizon.net]; Bob Kaufman [bkaufman@marylandbuilders.org]; Lori Graf [LGraf@marylandbuilders.org]; Kristin Hogle [khogle@marylandbuilders.org]; Kelly Grudziecki [kgrudziecki@marylandbuilders.org]; Tom Ballentine [naiop.md.tom@verizon.net]; jamie@i-s-land.com; Annette Rosenblum [arosenblum@marylandbuilders.org]; Marcus Jackson [mjackson@marylandbuilders.org]

Attachments: MBIA Letter of Support for~1.pdf (256 KB) ; MBIA Letter of Concern For~1.pdf (251 KB)

Chairman Ball and Members of the Howard County Council,

Please find attached letters from the Maryland Building Industry Association in support of CB5-2016 (High Performance Home Tax Credits) and of concern with CB52-2015 (Watershed Protection and Restoration Fee). Please call me with any questions about these or any other development related issues. Thank you for your support of the residential home building industry in Howard County.

Best,

Josh Greenfeld, Esq.

jgreenfeld@marylandbuilders.org

Vice President of Government Affairs

Maryland Building Industry Association

11825 W. Market Place

Fulton, MD 20759

Ph: 443-515-0025



NAHB's International Builders Show - Jan. 19-21

See you in Las Vegas! [Register here.](#)

MBIA's Utilities Improvement Task Force Networking Event - Jan. 28

Mingle with utility staff & officials. [Register here.](#)

Professional Women in Building's Wine & Chocolate Tasting - Feb. 9

Eat, drink & shop at Grace's Boutique in Laurel. [Register here.](#)

Check out NAHB's Member Advantage Program at www.nahb.org/ma

January 19, 2016

Re: LETTER OF CONCERN FOR CB52 – Watershed Protection and Restoration Fee Repeal

Dear Chairman Ball and Members of the Howard County Council:

Please accept this letter representing the position of the Maryland Building Industry Association (MBIA) regarding Council Bill 52, which lowers and ultimately repeals the Watershed Protection and Restoration Fee effective July 31, 2017. While the MBIA praises County Executive Kittleman's commitment to tax and regulatory relief, the Association is concerned that replacing a dedicated fee with general fund revenues may be insufficient to comply with the County's MS4 permit obligations.

In 2012, the Maryland State Builders Association (now "MBIA") supported State legislation requiring the ten largest counties in Maryland to impose a broad based stormwater remediation fee applied equitably to all residents and businesses to cover costs associated with each county's MS4 permit. On February 19, 2013, HBAM (now "MBIA") testified before the Howard County Council in support of CB8 and CR21 to implement the County's Watershed Protection and Restoration Fee.

The MBIA has consistently supported this fee because the MBIA believes that all users should share the burden of cleaning up the Bay and its tributaries without targeting new taxes or fees at the building and development community. Further, non-compliance with the County's MS4 permit could result in catastrophic EPA and MDE compliance sanctions including but not limited to elimination of future building permits, limiting water and sewer capacity and placing new fees targeted at new building and development. Any of these consequences would cost the County tens of millions in taxes and fees while essentially shutting down the slowly rebounding building industry that supplies thousands of jobs and opportunities to Howard County families and businesses.

Howard County DPW expressed concern in the past about meeting the MS4 retrofit requirement and commented that the fee passed in 2013 may ultimately need to be increased. With financial obligations for MS4 compliance upwards of \$25 to \$30 million a year between FY17 and FY19, the MBIA is concerned the County's financial assurance plan, as required under SB863, may be insufficient to meet these obligations without a dedicated source of funding. Using County general funds for environmental compliance may hinder the County's ability to address other building industry priorities as the industry continues to rebound.

The MBIA urges the County Council to consider these concerns and questions as you deliberate on this important issue. Thank you for your diligent work to protect our environment and our businesses.

If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me.

Best regards,

Josh Greenfeld, Vice President of Government Affairs

Cc: County Executive Allan Kittleman
Councilmember Greg Fox
Councilmember Mary Kay Sigaty
Councilmember Jen Terrassa
Councilmember Jon Weinstein

Jessica Feldmark
Diane Wilson
Jahantab Siddiqui

CB 52-2015

Joyce James [joyce@heritagemaryland.com]

Sent: Tuesday, January 19, 2016 1:00 PM

To: CouncilMail

Cc: Tim Feaga [Tim@heritagemaryland.com]

Attachments: CB 52-2015 Letter to Council.pdf (686 KB)

Please see attached letter regarding CB 52-2015 from Timothy W. Feaga.

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Joyce James

Heritage Realty and Land Development

15950 North Avenue

PO Box 482

Lisbon, MD 21765

Phone: 410-489-7900

Fax: 410-489-4754

email: joyce@heritagemaryland.com

Equal Housing Opportunity



HERITAGE

REALTY

January 18, 2016

Dr. Calvin Ball, Chairperson, District 2
Mr. Jon Weinstein, Vice Chairperson, District 1
Ms. Jen Terrasa, Councilmember, District 3
Ms. Mary Kay Sigaty, Councilmember, District 4
Mr. Greg Fox, Councilmember, District 5
Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

RE: CB 52-2015

Dear Mr. Chairman and Fellow Council Members,

I write this letter in support of CB 52-2015. While I fully understand the requirements of the ms-4 permit I believe legislation as currently implemented is flawed. I'll address only two areas.

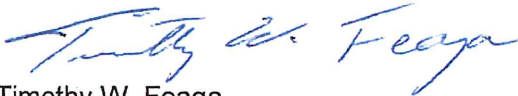
What CB 52-2015 does is allow the County to utilize the current tax rates as a basis for a proportionate source of funding revenue required to support ms-4 permit requirements. What current legislation does is tax commercial properties based upon the amount of impervious areas rather than based upon a property valuation. As I have argued in the past this formula is flawed due to factors such as geographical locations within the County that do not contribute to pollutants to the bay. Additionally my office in Lisbon for example has as much pervious land as impervious yet I am treated the same as one that is 100% asphalt paving or asphalt roof.

Allow me to be more explicit about the impact of the current tax. In my particular case my rain tax eats over 2 percent of my rent role. Additional property tax eats another 16.6 percent so a total of nearly 20 percent of my taxes go towards these two taxes alone. There are those in areas of the county who argue that the tax is simply passed on to their tenants. While far from ideal I only wish I could pass this tax along. Lisbon like other areas of the county has not recovered from the recession of 2008. Our tenant's will not contribute to this tax. While those in Columbia can achieve rental rates in excess of \$30 per square foot, I am hard pressed to achieve \$8 per foot. CB 52-2015 goes a long way in adding a fairness element to this tax.

To a much less extent I would also direct your attention to Section 20.1103 (f) (l) (i) and (ii). With the deliberation of the initial legislation I had spent extensive time with councilwoman Sigaty expressing the idea that the state assessment office's agricultural assessment should be sufficient to receive the reduced fee. My concern about involving soil conservation has proven 100 times more insightful than I even realized at the time. Their ability to process plans and properly report plans has been disastrous. Additionally just having another agency in the billing mix was a terrible idea. I will submit to you that my \$45.00 worth of revenue has cost the county 100 times that amount in man power hours working to adjust my bill. I alone have spent weeks and months attempting to have my rain tax bills corrected for agricultural properties. Regardless of what action you take on CB 52-2015, you must delete all requirements for soil conservation to be involved. Furthermore I would argue that on average properties with soil conservation plans have no greater or lesser impact on the bay. The intervention of soil conservation was nothing more than a ploy to enlarge their budget.

As always I would be most anxious to further expand upon this letter at any given opportunity. Thank you for your consideration and please vote in support of CB 52-2015.

Sincerely,

A handwritten signature in blue ink that reads "Timothy W. Feaga". The signature is written in a cursive style with a large, sweeping initial 'T'.

Timothy W. Feaga
President
Heritage Realty

CB 52

Julia McCready [jamccready@gmail.com]

Sent: Tuesday, January 19, 2016 12:01 PM

To: CouncilMail

Dear County Council members,

I am asking you to **vote against CB 52**, the Stormwater Fee Repeal Bill.

The current stormwater fee is a progressive way to address harmful runoff into the Chesapeake Bay, and is not an unnecessary burden to taxpayers. The fee supports programs such as the READY Program (created by PATH, the Alliance for the Chesapeake Bay, and the County) to address stormwater remediation and employ and develop Howard County youth.

There are many priorities this year and in the years to come that will be critical to the health and success of our county that the general fund supports, such as increasing educational opportunities, expanding transportation for seniors and other residents of the county, and ensuring the availability of affordable housing for current and future residents.

Let's keep the general fund strong by keeping the Stormwater Fee intact. Thank you for your support!

Stormwater runoff is a serious issue for the bay. Unless citizens feel the direct connection between our actions and the resulting pollution, it will be all too easy to remain complacent. Standing up for a healthy Chesapeake Bay may not be politically popular, but it is the necessary kind of leadership that we need to keep our commitment to future generations.

Thank you for your help.

Sincerely,

Julia McCready
5745 Thunder Hill Road
Columbia, MD 21045

Sent from my iPad

Do NOT eliminate Stormwater Fee

Julia Hawrylo [oychoolie@yahoo.com]

Sent: Tuesday, January 19, 2016 10:59 AM

To: CouncilMail; Weinstein, Jon

Greetings,

Almost 10 years ago, one of the reasons that my husband and I chose to move to Maryland, specifically Howard County, was because of the beauty and magnificence of Maryland's rivers and the Chesapeake Bay. We both have always worked for and supported preservation of the environment. The proposal by Mr. Kittleman and Mr. Fox to end the Watershed Protection and Restoration Fee, despite their vigorous denials, will weaken desperate efforts to prevent and remove some of the pollution that makes it's way into the bay. I have no idea where they think the money to protect the waterways will come from, and I don't trust that they will be able to find it just lying around unused in the general fund.

If we benefit from either having a roof over our head or acres of parking for our business, we should give an appropriate, proportionate amount to support efforts to offset the impact of our footprint on the environment. We live in a community, not just Howard County, not just Maryland, but the Chesapeake Watershed, over 64,000 square miles of it, and one of the world's greatest. It's about time that we all...ALL... chip in and pay our fair share to help with it's renewal and preservation. It's very unfortunate that so many people seem to have a negative reaction to the idea of what a tax, well managed, can do. It is selfishness, pure and simple, and an inability to think any farther down the road than me, myself and I. Whatever happened to thinking about our actions as how they would impact not just us, but "unto the 7th generation"? I am not as optimistic as Mr. Kittleman and Mr. Fox about things working out well regarding watershed protection; we have a very dismal record so far and a long way to go before one of our greatest resources can be declared healthy. Please don't take away the Watershed Protection and Restoration Fee.

Many thanks,

Julia Hawrylo
Ellicott City, Md
oychoolie@yahoo.com
410-696-2906

Sent from my iPad

ELIMINATE THE STORMWATER FEE

B A Hamilton [mybestkeptsecrets23@hotmail.com]

Sent: Tuesday, January 19, 2016 10:45 AM**To:** CouncilMail

Please eliminate the stormwater fee. Just a reminder to our council members, that we have a Republican County Executive and a Republican Governor because of our excessive tax increases over the last four/five years. Many Democrats as myself put them in office. This tax is a burden especially to seniors and single family homes. Our income doesn't increase at the same rate as these taxes. Please be reminded that coupled with these county taxes are increases in utilities, mortgages (mine increased by \$44), health insurance, car insurance, medicines, and food!

For groups like PATH, they need to practice humility. Many of those people who signed the petition were clueless about what they signed. There are other existing resources to create employment for 50 students instead of continuing a tax burden on seniors and others. Again do what's right and eliminate the stormwater fee.

I am Barbara Hamilton who has lived in Howard County since 1979.

TESTIMONY: Council Legislative Public Hearing January 19 2016

Jason Dubow -MDP- [jason.dubow@maryland.gov]

Sent: Tuesday, January 19, 2016 9:26 AM

To: CouncilMail

Cc: Councilman Leszcz [michael.r.leszcz@irs.gov]; Stuart Sirota -MDP- [stuart.sirota@maryland.gov]; Chuck Boyd -MDP- [chuck.boyd@maryland.gov]; Daniel Rosen -MDP- [daniel.rosen@maryland.gov]; Jason Dubow -MDP- [jason.dubow@maryland.gov]

Attachments: PRC Letter 1-19-16 re Howa~1.doc (95 KB)

Dear Howard County Council,

On behalf of the Patuxent River Commission and its Chair, The Honorable Michael Leszcz, attached is testimony for submission and consideration for today's Howard County Council legislative public hearing (January 19, 2016).

Please let me know if you have any questions.

Please note that I'm submitting this testimony as staff to the Patuxent River Commission. The testimony does not represent the opinion or position of the Maryland Department of Planning.

-Jason

Jason Dubow, 410 767-3370
Manager, Resource Conservation & Management
Maryland Department of Planning



PATUXENT RIVER COMMISSION

301 W. Preston Street, Suite 1101
Baltimore, Maryland 21201-2305
Phone: (410) 767-4500
Fax: (410) 767-4480
Internet: <http://planning.maryland.gov/OurWork/PatuxentRiverCommInfo.shtml>

Councilman Michael Leszcz, Chairman
Councilwoman Mary Kay Sigaty Vice Chairman

We, the Patuxent River Commission, envision a Patuxent River ecosystem as vital and productive in 2050 as it was in the 1950s. We therefore commit to be stewards and advocates for the Patuxent River and to lead and inspire actions to protect, enhance, and restore living resources and the natural, cultural, economic, and recreational values of the Patuxent River and its watershed.

January 19, 2016

The Honorable Calvin Ball, Chair
Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

RE: Funding for Stormwater Management and TMDL Implementation
Council Bill 52-2015 (Watershed Protection and Restoration Fee) &
Resolutions 181-2015 and 182-2015

Dear Councilman Ball:

In 2001, the Maryland legislature, Howard County, the six other counties within the Patuxent River watershed, and the City of Laurel adopted the *Patuxent River Policy Plan*, which includes goals to restore the water quality and living resources of Maryland's largest and longest river. In 2014, the seven counties and the City of Laurel recommitted to restoring the river by adopting the 2015 update to the *Patuxent River Policy Plan*.

The Maryland legislature established the Patuxent River Commission to "review the operation of units of State and local government that have responsibility for implementation of the Plan." At its January 13, 2016 meeting, the Patuxent River Commission agreed that Howard County should do everything possible to ensure it has identified sufficient financial resources to implement its MS4 permit and meet its Bay TMDL responsibilities.

The Commission urges the Council, as it deliberates the proposed legislation, to implement measures that will meet the goals of the *Policy Plan*, since they will help to improve the water quality and abundance and diversity of living resources in the Patuxent River.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael R. Leszcz".

Michael R. Leszcz, Councilman
City of Laurel
Chair, Patuxent River Commission