

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2016 Legislative Session**

**Legislative Day No. 19**

December 5, 2016

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:07** p.m.

Chairperson Calvin Ball, Vice Chairperson Jon Weinstein, Council Member Mary Kay Sigaty, Council Member Greg Fox, and Council Member Jennifer Terrasa were present.

Jessica Feldmark, Administrator to the County Council; Craig Glendenning, County Auditor; Edward Shulder, Deputy County Auditor; Jeff Meyers, Legislative Analyst; Gary Kuc, County Solicitor; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Kel Habicht, Administrative Support were also present.

**ELECTION OF COUNCIL OFFICERS**

Dr. Ball nominated Mr. Weinstein for Council Chairperson. The motion was seconded by Ms. Sigaty. The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein. Mr. Weinstein was elected Chairperson.

Mr. Weinstein nominated Dr. Ball for Council Vice Chairperson. The motion was seconded by Ms. Sigaty. The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein. Dr. Ball was elected Vice Chairperson.

Dr. Ball nominated Ms. Terrasa for Chairperson of the Zoning Board. The motion was seconded by Mr. Weinstein. The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein. Ms. Terrasa was elected Chairperson of the Zoning Board.

Ms. Terrasa nominated Ms. Sigaty for Vice Chairperson of the Zoning Board. The motion was seconded by Mr. Weinstein. The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein. Ms. Sigaty was elected Vice Chairperson of the Zoning Board.

Mr. Fox nominated Ms. Sigaty for Chairperson of the Board of License Commissioners. The motion was seconded by Dr. Ball. The roll call vote called by the Administrator on the motion

was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein. Ms. Sigaty was elected Chairperson of the Board of License Commissioners.

Ms. Sigaty nominated Mr. Fox for Vice Chairperson of the Board of License Commissioners. The motion was seconded by Mr. Weinstein. The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein. Mr. Fox was elected Vice Chairperson of the Board of License Commissioners.

### **COUNCIL APPOINTMENTS**

The Chairperson announced the following County Council appointments, effective December 2016 to December 2017:

Maryland Association of Counties Legislative Committee – Calvin Ball  
Alternate – Jennifer Terrasa

National Association of Counties liaison – Greg Fox  
Alternate – Jon Weinstein

Patuxent River Commission – Mary Kay Sigaty

---

The Chairperson moved to suspend the rules to approve the proposed calendar for December 2016 and calendar year 2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to suspend the rules to approve the proposed calendar for December 2016 and calendar year 2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to suspend the rules to approve the proposed calendar for December 2016 and calendar year 2017 passed.

---

### **APPROVE JOURNAL AND MINUTES**

The Chairperson moved to approve the Journals for Legislative Day No. 17, November 7, 2016 and Legislative Day No. 18, November 9, 2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve the Journals passed.

The Chairperson moved to approve the minutes for the Quarterly Meeting with the Board of Education – October 26, 2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, and Terrasa. Abstain: Council Member Weinstein.

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes for the Monthly Meeting – November 14, 2016 and the Legislative Public Hearing – November 21, 2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve the minutes passed.

---

The Chairperson moved to suspend the rules to allow for introduction of a bill that was not prefiled. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to suspend the rules to allow for introduction of a bill that was not prefiled was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to suspend the rules to allow for introduction of a bill that was not prefiled passed.

---

## **INTRODUCTION OF LEGISLATION**

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

Council Bill 81-2016 – Introduced by: Jon Weinstein; AN ACT amending certain fees, as previously set by Council Bill 58-2016, Resolution 65-2016, Resolution 111-2012, and Resolution 63-2016, for a limited time and related to properties damaged by the severe flooding event in historic Ellicott City and elsewhere in Howard County addressed by the Executive Order 2016-05 issued on July 30, 2016; and making this Act an Emergency Bill.

---

## **FINAL CONSIDERATION**

The Chairperson moved to allow the reading of short titles for bills and resolutions for final approval. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to allow the reading of short titles for bills and resolutions for final approval passed.

---

## **Consent Agenda**

Council Resolution 173-2016 – A RESOLUTION confirming the reappointment of Nathaniel Alston, Jr. to the Equal Business Opportunity Commission.

Council Resolution 174-2016 – A RESOLUTION confirming the reappointment of Roger L. Barnes to the Equal Business Opportunity Commission.

Council Resolution 175-2016 – A RESOLUTION confirming the reappointment of Cynthia Coburn to the Commission on Disability Issues.

Council Resolution 176-2016 – A RESOLUTION confirming the reappointment of Arthur C. Gold to the Commission on Disability Issues.

Council Resolution 177-2016 – A RESOLUTION confirming the reappointment of Margaret Kim to the Equal Business Opportunity Commission.

Council Resolution 178-2016 – A RESOLUTION confirming the reappointment of Lanlan Xu to the Commission for Women.

The Chairperson moved to approve Council Resolutions 173, 174, 175, 176, 177 and 178-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 173, 174, 175, 176, 177 and 178-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolutions 173, 174, 175, 176, 177 and 178-2016 passed.

---

### Appointments

Council Resolution 163-2016 – A RESOLUTION confirming the appointment of Robert F. Ford, Jr. to the Human Rights Commission.

The Chairperson moved to approve Council Resolution 163-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 163-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 163-2016 passed.

---

Council Resolution 164-2016 – A RESOLUTION confirming the appointment of Edward Glawe to the Cemetery Preservation Advisory Board.

The Chairperson moved to approve Council Resolution 164-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 164-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 164-2016 passed.

---

Council Resolution 165-2016 – A RESOLUTION confirming the appointment of Elizabeth S. Homan to the Housing Commission.

The Chairperson moved to approve Council Resolution 165-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 165-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 165-2016 passed.

---

Council Resolution 166-2016 – A RESOLUTION confirming the appointment of Weiwei Jia to the Howard County Design Advisory Panel.

The Chairperson moved to approve Council Resolution 166-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 166-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 166-2016 passed.

---

Council Resolution 167-2016 – A RESOLUTION confirming the appointment of Jack Kavanagh to the Local Government Justice Reinvestment Commission.

The Chairperson moved to approve Council Resolution 167-2016. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment adds a signatory line for the County Executive.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 167-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 167-2016 as amended passed.

---

Council Resolution 168-2016 – A RESOLUTION confirming the appointment of Fred S. Marino to the Howard County Design Advisory Panel.

The Chairperson moved to approve Council Resolution 168-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 168-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 168-2016 passed.

---

Council Resolution 169-2016 – A RESOLUTION confirming the appointment of Neveen H. McLeod to the Commission for Women.

The Chairperson moved to approve Council Resolution 169-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 169-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 169-2016 passed.

---

Council Resolution 170-2016 – A RESOLUTION confirming the appointment of Naveed S. Mian to the Howard County Local Children’s Board.

The Chairperson moved to approve Council Resolution 170-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 170-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 170-2016 passed.

---

Council Resolution 171-2016 – A RESOLUTION confirming the appointment of John F. Tenerowicz to the Board to Promote Self-Sufficiency.

The Chairperson moved to table Council Resolution 171-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Resolution 171-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution 171-2016 passed.

---

Council Resolution 172-2016 – A RESOLUTION confirming the appointment of Kui Zhao to the Human Rights Commission.

The Chairperson moved to approve Council Resolution 172-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 172-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 172-2016 passed.

---

### **General**

Council Resolution 179-2016 – Introduced by Calvin Ball and Jennifer Terrasa; A RESOLUTION calling on the Maryland State Department of Education to contract for a performance audit of the Howard County Public School System and specifying the issues requested to be studied.

Council Member Terrasa moved to approve Council Resolution 179-2016. The motion was seconded by Dr. Ball.

Council Member Terrasa moved to approve Amendment 1. The motion was seconded by Dr. Ball.

### **Amendment No. 1**

*(This amendment adds to the list of issues to be studied as part of a performance audit of the Howard County Public School System.)*



The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Ball, Fox, Terrasa and Weinstein. Nay: Council Member Sigaty.

The motion to approve Amendment 1 passed.

Council Member Terrasa moved to table Council Resolution 179-2016 as amended. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Resolution 179-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution 179-2016 as amended passed.

---

TAO2-FY2017 – Introduced by the Chairperson at the request of the Board of Education; AN ACT transferring of a total of \$1,700,000 between capital projects in the Board of Education capital budget for Fiscal Year 2017.

The Chairperson moved to approve TAO2-FY2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve TAO2-FY2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve TAO2-FY2017 passed.

---

Council Resolution 180-2016 – Introduced by Calvin Ball; A RESOLUTION calling on the Human Rights Commission to study the recruitment, hiring, retention, and promotion practices of certain units of the Howard County government, the Howard County Sheriff, and the Howard County Public School System, submit a report and make recommendations; and generally relating to discriminatory practices in Howard County.

Council Member Ball moved to approve Council Resolution 180-2016. The motion was seconded by Mr. Weinstein.

Council Member Ball moved to approve Amendment 1. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*(This amendment clarifies that discriminatory practices are not presupposed.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

Council Member Fox moved to table Council Resolution 180-2016 as amended. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Resolution 180-2016 as amended was: Yea: Council Member Fox. Nay: Council Members Ball, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution 180-2016 as amended failed.

Council Member Fox moved to approve Amendment 2. The motion was seconded by Mr. Weinstein.

**Amendment No. 2**

*(This amendment clarifies the purposes for the study, adds to the matters that should be studied, adds to the areas for which recommendations are sought, requires the Commission to meet with certain officers, and changes the dates for specified reports.)*

Council Member Ball moved to approve Amendment 1 to Amendment 2. The motion was seconded by Mr. Weinstein.

**Amendment No. 1 to Amendment 2**

*(This amendment retains most of the Whereas clauses in the Resolution as introduced and modifies several phases for clarity.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 2 was: Yea: Council Members Ball, Sigaty, Terrasa and Weinstein. Nay: Council Member Fox.

The motion to approve Amendment 1 to Amendment 2 passed.

Council Member Fox moved to approve Amendment 2 to Amendment 2. The motion was seconded by Mr. Weinstein.

**Amendment No. 2 to Amendment 2**

*(On page 2, immediately following line 4, insert:  
“Strike beginning with line 12 on page 1 down through and including line 4 on page 2 in their entirety.”.)*

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Amendment 2 was: Yea: Council Member Fox. Nay: Council Members Ball, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 2 to Amendment 2 failed.

Council Member Sigaty moved to approve Amendment 3 to Amendment 2. The motion was seconded by Mr. Weinstein.

**Amendment No. 3 to Amendment 2**

*(On Page 1 in line 4, after “Sheriff,” insert “Howard County Library System, Howard Community College,”*

*On page 2, in line 20, after “(4)” insert*

*“to study the recruitment, hiring, retention, and promotion practices of the Howard County Library System;*

*(5) to study the recruitment, hiring, retention, and promotion practices of the Howard Community College;*

*(6)”*

*On page 2, in line 30, after “Office,” insert “Howard County Library System, Howard Community College,”*

*On page 3, in line 16, insert “On page 4, in line 10, after Sheriff,” insert “Howard County Library System, Howard Community College,”)*

Council Member Fox moved to find Amendment 3 to Amendment 2 substantive.

The motion to move Amendment 3 to Amendment 2 as substantive failed for lack of a second.

The roll call vote called by the Administrator on the motion to approve Amendment 3 to Amendment 2 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 3 to Amendment 2 passed.

Council Member Fox moved to approve Amendment 4 to Amendment 2.

**Amendment No. 4 to Amendment 2**

*(After "WHEREAS" clause in schools insert: "Whereas the Howard County's personnel officer who's in charge of overseeing the recruitment and hiring of new employees and the retention of current employees, the Howard County's Administrator of the Offices of Human Resources and the Howard County Attorney in charge of handling human resource issues and the Howard County's Fire Chief are black".)*

The motion to approve Amendment 4 to Amendment 2 failed for lack of a second.

Council Member Fox moved to approve Amendment 5 to Amendment 2.

**Amendment No. 5 to Amendment 2**

*(After "WHEREAS" insert "under the current administration key leadership positions have increased the diversity both in the areas of Asian Americans and blacks)."*

The motion to approve Amendment 5 to Amendment 2 failed for lack of a second.

Council Member Fox moved to find Amendment 2 as amended substantive.

The motion to move Amendment 2 as amended as substantive failed for lack of a second.

The roll call vote called by the Administrator on the motion to approve Amendment 2 as amended was: Yea: Council Members Ball, Sigaty, Terrasa and Weinstein. Nay: Council Member Fox.

The motion to approve Amendment 2 as amended passed.

Council Member Sigaty moved to allow the introduction of Amendment 3. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to allow the introduction of Amendment 3 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve the introduction of Amendment 3 passed.

Council Member Sigaty moved to approve Amendment 3. The motion was seconded by Mr. Weinstein.

**Amendment No. 3**

*(On Page 1 in line 1, after "WHEREAS" insert "the presence of".)*

The roll call vote called by the Administrator on the motion to approve Amendment 3 was:  
Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 3 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 180-2016 as amended was: Yea: Council Members Ball, Sigaty, Terrasa and Weinstein. Nay: Council Member Fox.

The motion to approve Council Resolution 180-2016 as amended passed.

---

Council Resolution 181-2016 – Introduced by Calvin Ball; A RESOLUTION calling on the Equal Business Opportunity Commission to make certain studies related to the County’s Equal Business Opportunity Program and purchasing practices, to study polices and experiences of other jurisdictions with respect to contracting and purchasing and the use of businesses owned by women, minorities, and individuals with disabilities; to recommend to the County Council measures to improve the County’s purchasing policies and practices; and generally relating to fostering equal business opportunities for businesses owned by women, minorities, and individuals with disabilities in Howard County.

Council Member Ball moved to approve Council Resolution 181-2016. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 181-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 181-2016 passed.

---

Council Bill 70-2016 – Introduced by Mary Kay Sigaty; AN ACT establishing a special, non-lapsing Reserve Fund for Permanent Public Improvements; specifying the components, purposes, and uses of the Fund; providing a limit on the size of annual payments to the Fund; and generally relating to financing public improvements in the County.

The Chairperson moved to approve Council Bill 70-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 70-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 70-2016 passed.

---

Council Bill 71-2016 (ZRA 167) – Introduced by the Chairperson at the request of Elisa Kamens; AN ACT amending the Howard County Zoning Regulations Conditional Use section to clarify that indoor noises at Pet Day Care Facilities Conditional Uses must not be detectible at the lot lines; and generally relating to Pet Day Care Facilities Conditional Uses.

The Chairperson moved to table Council Bill 71-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Bill 71-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill 71-2016 passed.

---

Council Bill 72-2016 (ZRA 168) – Introduced by the Chairperson at the request of Demirel Plaza, Inc.; AN ACT amending the Howard County Zoning Regulations Office Transition (OT) section to add several new uses to be allowed as a matter of right; amending the Conditional Use section to allow Child Day Care Centers and Nursery Schools, Day Treatment and Care Facilities and Pet Day Care Facilities as Conditional Uses in the Office Transition (OT) district; and generally relating to the Office Transition (OT) section.

The Chairperson moved to approve Council Bill 72-2016. The motion was seconded by Dr. Ball.

Council Member Ball moved to approve Amendment 1. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*(This amendment proposes to do the following:*

- 1. Change the OT Purpose statement;*
- 2. Remove the site abutment requirement; and*
- 3. Add limited Commercial Athletic Facilities, Service Agencies, and limited Specialty Stores as permitted uses).*

Council Member Sigaty moved to approve Amendment 1 to Amendment 1. The motion was seconded by Mr. Weinstein.

**Amendment No. 1 to Amendment 1**

*(This amendment removes the proposed Conditional Uses from the OT district and makes them permitted uses).*

Ms. Sigaty moved to table Council Bill 72-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Bill 72-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill 72-2016 passed.

---

Council Bill 73-2016 – AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money an additional aggregate principal amount of up to \$1,700,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of various capital projects, more particularly described in the County’s 2017 Capital Budget, and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve Council Bill 72-2016. The motion was seconded by Dr. Ball.

The Chairperson moved to withdraw approval of Council Bill 72-2016. The motion passed by unanimous consent.

The Chairperson moved to approve Council Bill 73-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 73-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 73-2016 passed.

---

Council Bill 74-2016 – AN ACT amending the age of eligibility for the property tax credit for senior citizens; making certain technical corrections; and generally related to the real property tax credit for senior citizens.

The Chairperson moved to approve Council Bill 74-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 74-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 74-2016 passed.

---

Council Bill 75-2016 AN ACT establishing a tax credit against the County tax imposed on real property that is owned by individuals who are at least 65 years of age and have lived in the same dwelling for the preceding 40 years or who are at least 65 years of age and a retired member of the Armed Forces of the United States, under certain conditions; establishing the amount, terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; and generally relating to real property tax credits.

The Chairperson moved to approve Council Bill 75-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 75-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 75-2016 passed.



---

Council Bill 76-2016 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 29.62 acres of agricultural land located at 3844 Jennings Chapel Road, Woodbine, Howard County, Maryland, from the John J. and Beatrice H. Iglehart Living Trust or any other owner thereof for a maximum purchase price of \$797,400.00 or, if less, not more than \$26,921.00 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve Council Bill 76-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 76-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 76-2016 passed.

---

Council Bill 77-2016 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 166.82 acres of agricultural land located at 15325 Leondina Drive, Glenwood, Howard County, Maryland, from Cattail Meadows, LLC or any other owner thereof for a maximum purchase price of \$6,584,100.00 or, if less, not more than \$39,468.00 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve Council Bill 77-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 77-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 77-2016 passed.

---

Council Bill 78-2016 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 109.07 acres of agricultural land located at 755 East Watersville Road, Mt. Airy, Howard County, Maryland, from the Stanley Matthew Pickett Revocable Trust or any other owner thereof for a maximum purchase price of \$3,404,600.00 or, if less, not more than \$31,214.40 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve Council Bill 78-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 78-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 78-2016 passed.

---

Council Bill 79-2016 – Introduced by Jon Weinstein and Calvin Ball; AN Act requiring that the Howard County Design Manual Volume I (Storm Drainage) be used for a specified purpose; mandating a specified figure for rainfall for certain 100 year storms; requiring certain periodic reviews; providing that this Act shall apply to a specified area at a specified time; generally relating to stormwater management in Howard County; and making this Act an emergency measure.

The Chairperson moved to approve Council Bill 79-2016. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment provides a more accurate map of the boundary of the Tiber Branch Watershed, clarifies that the map is illustrative, includes reference to rainfall data from NRCS and other government scientific agencies, and provides that the change to § 18.903 will sunset after the Design Manual is updated.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 79-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 79-2016 as amended passed.

---

Council Resolution 182-2016 – A RESOLUTION pursuant to Sections 16.301 and 16.200(a) of the Howard County Code, granting a variance for government uses from certain height requirements for the construction of a compost facility at the Alpha Ridge Landfill located at 2350 Marriottsville Road.

The Chairperson moved to approve Council Resolution 182-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 182-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 182-2016 passed.

---

Council Bill 80-2016 - Introduced by: Jon Weinstein and Calvin Ball; AN Act amending the Howard County Code to prohibit the issuance of waivers or variances to floodplain, wetland, stream, or steep slope regulations for properties located in the Tiber Branch Watershed; and generally relating to waivers or variances; and making this Act an emergency measure.

The Chairperson moved to approve Council Bill 80-2016. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment would add infrastructure to the reconstruction exemption and specifies additional exemptions).*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was:  
Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 80-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 80-2016 as amended passed.

---

Council Bill 66-2016 – Introduced by: Calvin Ball and Co-sponsored by Jon Weinstein; AN ACT establishing a tax credit against the County property tax imposed on residential real property that has suffered flood damage or sewage damage caused by flood conditions under certain circumstances; establishing the amount, terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; and generally relating to property tax credits. (tabled 11/07/16)

Council Member Ball moved to remove Council Bill 66-2016 from the table. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to remove Council Bill 66-2016 from the table was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Bill 66-2016 from the table passed.

Council Member Ball moved to approve Council Bill 66-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment removes the geographic restriction as a qualification.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was:  
Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

The Chairperson moved to approve Amendment 2. The motion was seconded by Dr. Ball.

**Amendment No.   2**

*(This amendment strikes references to “redevelop”, allows the credit for additional tax years, specifies when an application may be submitted, requires a certain report, changes the cap for the total of all credits that may be allowed, and makes clarifying changes .)*

Council Member Fox moved to approve Amendment 1 to Amendment 2. The motion was seconded by Mr. Weinstein.

**Amendment No.   1   to Amendment 2**

*(This amendment adds a requirement for preliminary analysis, clarifies some language, and requires the Department of Finance to set the application deadline for the 2nd year of the credit before the end of calendar year 2017 so that a full report on the credit can be given to the Council in January of 2018.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 2 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 to Amendment 2 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 2 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 2 as amended passed.

Council Member Fox moved to approve Amendment 4. The motion was seconded by Mr. Weinstein.

**Amendment No.   4**

*This amendment sets out the State enabling authority and provides for proportional allocation of credits whenever the annual cap is met.)*

The roll call vote called by the Administrator on the motion to approve Amendment 4 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 4 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 66-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 66-2016 as amended passed.

---

The Chairperson moved to remove Council Resolution 128-2016, Council Resolution 134-2016 and Council Resolution 148-2016 from the table. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion to remove Council Resolution 128-2016, Council Resolution 134-2016 and Council Resolution 148-2016 from the table was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Weinstein.

The motion to remove Council Resolution 128-2016, Council Resolution 134-2016 and Council Resolution 148-2016 from the table passed.

---

Council Resolution 128-2016 – A RESOLUTION confirming the appointment of Caroline Harper to the Martin Luther King, Jr. Holiday Commission. (tabled 11/07/16)

The Chairperson moved to approve Council Resolution 128-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 128-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 128-2016 passed.

---

Council Resolution 134-2016 – A RESOLUTION confirming the appointment of Rev. Rodney T. Morton to the Martin Luther King, Jr. Holiday Commission. (tabled 11/07/16)

The Chairperson moved to approve Council Resolution 134-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 134-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 134-2016 passed.

---

Council Resolution 148-2016 – A RESOLUTION confirming the appointment of Mary Manzoni to the Commission for Transitioning Students with Disabilities. (tabled 11/07/16)

The Chairperson moved to approve Council Resolution 148-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 148-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 148-2016 passed.

Adjourned **9:23** p.m.

---

**Tabled**

Council Resolution 104-2016 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive’s sale of certain real property known as the “Flier Building” owned by Howard County, Maryland, containing approximately 2.159 acres, and located at 10750 Little Patuxent Parkway, 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 sell the property if he finds that it may have a further public use. (tabled 7/29/16)

Council Bill 65-2016 – Introduced by: Jon Weinstein; AN ACT temporarily prohibiting issuance of certain permits for certain development within a specified area of Howard County; finding that development in the Tiber-Hudson Watershed may be a contributing factor to flooding in Historic Ellicott City and thus may be a threat to the public health, safety and welfare; requesting the Department of Planning Zoning and other County agencies to study and report certain matters and make recommendations regarding such matters; providing that the purposes of this Act are to provide the Department of Planning and Zoning and other County agencies with time to study whether development in the specified area needs to be further restricted or modified and to make recommendations for improvement, and to give the County Council time to act on the recommendations; defining certain terms; providing certain exemptions from the Act; establishing certain processes on the development review and permitting processes; providing that this Act shall be abrogated and of no further force and effect after a certain period; and generally relating to land use, permitting activities, storm water management, drainage and flood mitigation. (tabled 10/05/16)

Council Bill 71-2016 (ZRA 167) – Introduced by the Chairperson at the request of Elisa Kamens; AN ACT amending the Howard County Zoning Regulations Conditional Use section to clarify that indoor noises at Pet Day Care Facilities Conditional Uses must not be detectible at the lot lines; and generally relating to Pet Day Care Facilities Conditional Uses. (tabled 12/05/16)

Council Bill 72-2016 (ZRA 168) – Introduced by the Chairperson at the request of Demirel Plaza, Inc.; AN ACT amending the Howard County Zoning Regulations Office Transition (OT) section to add several new uses to be allowed as a matter of right; amending the Conditional Use section to allow Child Day Care Centers and Nursery Schools, Day Treatment and Care Facilities and Pet Day Care Facilities as Conditional Uses in the Office Transition (OT) district; and generally relating to the Office Transition (OT) section. (tabled 12/05/16)

Council Resolution 171-2016 – A RESOLUTION confirming the appointment of John F. Tenerowicz to the Board to Promote Self-Sufficiency. (tabled 12/05/16)

Council Resolution 179-2016 – Introduced by Calvin Ball and Jennifer Terrasa; A RESOLUTION calling on the Maryland State Department of Education to contract for a performance audit of the Howard County Public School System and specifying the issues requested to be studied. (tabled 12/05/16)