

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2019 Legislative Session**

**Legislative Day No. 5**  
April 1, 2019

**HOWARD COUNTY TO WIT:**

The Administrator called the legislative session to order at **7:05** p.m.

Chairperson Christiana Mercer Rigby, Vice Chairperson Opel Jones, Council Member Deb Jung, Council Member Liz Walsh, and Council Member David Yungmann were present.

Theo Wimberly, Acting Administrator to the County Council; Craig Glendenning, County Auditor; Jeff Meyers, Legislative Analyst; Lynn Rosen, Senior Legislative Analyst, Gary Kuc, County Solicitor; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Kel Berg, Administrative Support were also present.

**APPROVE JOURNAL AND MINUTES**

The Chairperson moved to approve the Journal for Legislative Day No. 4, March 4, 2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve the journal passed.

The Chairperson moved to approve the minutes for the Monthly Meeting – March 11, 2019, the Special Meeting – March 11, 2019, the Legislative Public Hearing – March 18, 2019 and the Legislative Work Session – March 25, 2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve the minutes passed.

## **INTRODUCTION OF LEGISLATION**

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

### **Appointments**

Council Resolution 15-2019 - A RESOLUTION confirming the appointment of Antonia B. Watts to the Board of Library Trustees. *(No expiration date)*

Council Resolution 37-2019 - A RESOLUTION confirming the appointment of Steven Bolen to the Howard County Commission for Veterans and Military Families. *(No expiration date)*

Council Resolution 38-2019 - A RESOLUTION confirming the appointment of Marcellous P. Frye Jr. to the Board of Directors of the Economic Development Authority. *(No expiration date)*

Council Resolution 39-2019 - A RESOLUTION confirming the appointment of Rhonda Jones to the Commission for Women. *(No expiration date)*

Council Resolution 40-2019 - A RESOLUTION confirming the appointment of Neil Madan to the Equal Business Opportunity Commission. *(No expiration date)*

Council Resolution 41-2019 - A RESOLUTION confirming the reappointment of Heidi Burghardt to the Commission on Disabilities. *(No expiration date)*

Council Resolution 42-2019 - A RESOLUTION confirming the reappointment of Erica B. Byrne to the Howard County Local Children's Board. *(No expiration date)*

Council Resolution 43-2019 - A RESOLUTION confirming the reappointment of Abby Glassberg to the Public Works Board. *(No expiration date)*

Council Resolution 44-2019 - A RESOLUTION confirming the reappointment of Robert C. McLaughlin to the Commission on Aging. *(No expiration date)*

### **Financial**

SAO1-FY19 - AN ACT transferring \$1,678,700 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses related to snow removal and road repairs. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

Council Resolution 45-2019 - A RESOLUTION approving a Financial Assurance Plan for Howard County's National Pollutant Discharge Elimination System, Municipal Separate Storm Sewer System permit programs, in accordance with Section 4-202.1 of the Environment Article of the

Annotated Code of Maryland; and requiring certain copies be sent to the Maryland Department of the Environment. *(No expiration date)*

Council Resolution 46-2019 - A RESOLUTION amending the Howard County Health Department Operating Budget, as reflected in Council Resolution No. 54-2018 and amended in Council Resolution No. 16-2019, to account for additional funding received from the State of Maryland; and generally relating to the Health Department Operating Budget for Fiscal Year 2019. *(No expiration date)*

Council Resolution 47-2019 - A RESOLUTION endorsing and authorizing the Howard County Executive to file an application with the Maryland Transit Administration of the Maryland Department of Transportation for certain grants under the Federal Transit Act; indicating certain endorsement by the County Executive; and requiring certain copies be sent to the Maryland Department of Transportation. *(No expiration date)*

Council Resolution 48-2019 - A RESOLUTION adopting Howard County's Annual Action Plan for housing and community services to qualify for the receipt of federal Community Development Block Grant and Home Investment Partnership Program funds. *(No expiration date)*

### **General**

Council Bill 12-2019 - AN ACT repealing the Fire and Rescue Services Board; removing certain references to the Fire and Rescue Services Board; and generally relating to Boards and Commissions in Howard County. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

Council Bill 13-2019 - AN ACT adopting the International Building Code, 2018, the International Residential Code, 2018, the International Mechanical Code, 2018, and the International Energy Conservation Code, 2018; providing that such codes collectively comprise the Howard County Building Code; regulating the design, construction, alteration, improvement, or modification of a building, structure, or other related equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; making certain technical corrections; and generally relating to the regulation of building and construction in Howard County. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

Council Bill 14-2019 - Introduced by: Christiana Mercer Rigby and Opel Jones Co-sponsored by: Deb Jung and Liz Walsh - AN ACT to require certain buildings and occupancies to have diaper-changing amenities accessible to certain occupants under certain conditions; and generally relating to the Howard County Building Code. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

Council Bill 15-2019 - AN ACT adopting certain national codes as the Howard County Property Maintenance Code for Rental Housing; adopting local amendments; making certain technical

corrections; and generally relating to the Howard County Property Maintenance Code for Rental Housing. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

Council Bill 16-2019 - AN ACT adopting the 2018 International Plumbing Code and the National Fuel Gas Code (NFPA 54-2018), as the Plumbing and Gasfitting Code for Howard County in order to protect the public health and safety by setting forth criteria for the design and installation of plumbing and gasfitting systems; adopting local amendments to the Plumbing and Gasfitting code; making certain technical corrections; and generally relating to the Plumbing and Gasfitting Code for Howard County. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

Council Bill 17-2019 – Introduced by: Liz Walsh - AN ACT altering the number of consecutive years a project or phase of a project must be retested each time the County Council adopts new annual housing unit allocations and school capacity charts under the school capacity test of the Adequate Public Facilities Act of Howard County; and generally relating to the testing of residential subdivisions and site development plans for adequate public school facilities. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

Council Resolution 49-2019 - A RESOLUTION approving and authorizing the execution of a Development Rights and Responsibilities Agreement by Chase Land, LLC, a Maryland Limited Liability Company, Annapolis Junction Holdings, LP, a Maryland Limited Partnership, and Howard County in accordance with Title 16, Subtitle 17 of the Howard County Code; authorizing the Executive to make changes to the Agreement, under certain conditions; authorizing the County Executive to execute the Agreement; and generally relating to the Agreement. *(No expiration date)*

Council Resolution 50-2019 – A RESOLUTION acknowledging receipt of the annual report of the Howard County Retirement Plan and the Police and Fire Employees’ Retirement Plan submitted by the Pension Oversight Commission. *(No expiration date)*

Council Resolution 51-2019 – Introduced by: David Yungmann - A RESOLUTION proposing to amend County Charter Section 302 “The County Executive” to provide that certain appointments are subject to confirmation by the County Council; and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and Article XI-A of the Maryland Constitution. *(No expiration date)*

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### **FINAL CONSIDERATION**

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

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

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

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### **Consent Agenda**

Council Resolution 20-2019 - A RESOLUTION confirming the appointment of Fayth Bowie to the Howard County Local Children's Board. *(No expiration date)*

Council Resolution 21-2019 - A RESOLUTION confirming the reappointment of Harry Evans, III to the Alcoholic Beverage Hearing Board. *(No expiration date)*

Council Resolution 22-2019 - A RESOLUTION confirming the appointment of Farida Guzdar to the Commission for Women. *(No expiration date)*

Council Resolution 23-2019 - A RESOLUTION confirming the appointment of Maxine F. Kellman-Allen, DVM, PhD, PMP, to the Commission for Women. *(No expiration date)*

Council Resolution 25-2019 - A RESOLUTION confirming the appointment of Nicolas Orechwa to the Howard County Animal Matters Hearing Board. *(No expiration date)*

Council Resolution 26-2019 - A RESOLUTION confirming the appointment of Phyllis S. Zolotorow to the Commission for Women. *(No expiration date)*

Council Resolution 27-2019 - A RESOLUTION confirming the appointment of Suzanne R. Geckle to the Citizens' Election Fund Commission. *(No expiration date)*

Council Resolution 28-2019 – Introduced by: David Yungmann - A RESOLUTION appointing David P. Loeffler to the Citizens' Election Fund Commission. *(No expiration date)*

Council Resolution 29-2019 - A RESOLUTION confirming the appointment of Dr. Lillian Norris-Holmes to the Citizens' Election Fund Commission. *(No expiration date)*

Council Resolution 30-2019 – Introduced by Christiana Mercer Rigby - A RESOLUTION confirming the appointment of Mary Marker to the Citizens' Election Fund Commission. *(No expiration date)*

Council Resolution 32-2019 – Introduced by Liz Walsh - A RESOLUTION appointing Ginna Rodriguez-Panqueva to the Citizens' Election Fund Commission. *(No expiration date)*

Council Resolution 33-2019 – Introduction by Deb Jung - A RESOLUTION appointing Wendy Slaughter to the Citizens' Election Fund Commission. *(No expiration date)*

The Chairperson moved to approve Council Resolutions 20-, 21-, 22-, 23-, 25-, 26-, 27-, 28-, 29-, 30-, 32- and 33-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 20-, 21-, 22-, 23-, 25-, 26-, 27-, 28-, 29-, 30-, 32- and 33-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolutions 20-, 21-, 22-, 23-, 25-, 26-, 27-, 28-, 29-, 30-, 32- and 33-2019 passed.

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The Chairperson moved to remove Council Resolution 12-2019 from the table. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to remove Council Resolution 12-2019 from the table was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to remove Council Resolution 12-2019 from the table passed.

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### **Appointments**

Council Resolution 12-2019 - A RESOLUTION confirming the appointment of Leslie P. Salgado-Tamayo to the Human Rights Commission. (*No expiration date*)

The Chairperson moved to approve Council Resolution 12-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 12-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 12-2019 passed.

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Council Resolution 24-2019 - A RESOLUTION confirming the appointment of Faith Ngundi to the Human Rights Commission. (*No expiration date*)

The Chairperson moved to table Council Resolution 24-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to table Council Resolution 24-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to table Council Resolution 24-2019 passed.

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Council Resolution 31-2019 – Introduced by Opel Jones - A RESOLUTION appointing Douglas R. Miller to the Citizens' Election Fund Commission. *(No expiration date)*

Council Member Jones moved to table Council Resolution 31-2019. The motion was seconded by Ms. Mercer Rigby.

The roll call vote called by the Administrator on the motion to table Council Resolution 31-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to table Council Resolution 31-2019 passed.

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### **Financial**

Council Bill 8-2019 - Introduced by the Chairperson at the request of the County Executive and Christiana Mercer Rigby, Opel Jones, Deb Jung and Liz Walsh - AN ACT repealing the mobile home site rental tax; and generally relating to mobile home developments. *(Expires 5/13/19; 6/17/19 if extended; or 7/22/19 if extended twice.)*

The Chairperson moved to approve Council Bill 8-2019. The motion was seconded by Mr. Jones.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Jones.

### **Amendment No. 1**

*(This amendment ensures that certain provisions related to receipts will apply even after the mobile home site rental tax is repealed.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 8-2019 as amended was: Yea: Council Members Jones, Jung, Mercer Rigby and Walsh. Nay: Council Member Yungmann.

The motion to approve Council Bill 8-2019 as amended passed.

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Council Bill 9-2019 - AN ACT authorizing the County to establish charges to recover costs generated by providing emergency medical services; defining certain terms; requiring a certain reimbursement; providing for certain waivers; providing that out-of-pocket payments for emergency medical services shall not be required from certain individuals; requiring the County Council to adopt by Resolution a Rate schedule; authorizing the County Executive to adopt certain regulations; and generally relating to the Emergency Medical Services Insurance Reimbursement Program. (*Expires 5/13/19; 6/17/19 if extended; or 7/22/19 if extended twice.*)

The Chairperson moved to approve Council Bill 9-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 9-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 9-2019 passed.

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Council Resolution 34-2019 - A RESOLUTION supplementing the Historic Sites Inventory for Howard County. (*No expiration date*)

The Chairperson moved to approve Council Resolution 34-2019. The motion was seconded by Mr. Jones.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Jones.



**Amendment No. 1**

*(This amendment adds the following properties to the Historic Sites Inventory:*

- 1. MHT # 1150, Hobbs-Eyler Farm, 1818 Daisy Road, Woodbine; and*
- 2. MHT #1171, Highlands, 4480 Doncaster Road, Ellicott City.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was:  
Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 34-2019 as amended was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 34-2019 as amended passed.

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Council Resolution 35-2019 - A RESOLUTION adding certain sites to the Cemeteries and Grave Sites Inventory. *(No expiration date)*

The Chairperson moved to approve Council Resolution 35-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 35-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 35-2019 passed.

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Council Resolution 36-2019 - Introduced by Deb Jung and Christiana Mercer Rigby and Co-sponsored by Liz Walsh - A Resolution expressing the County Council's continuing support for CB8-2017, which authorized the Howard County Office of Law to institute any civil action or other proceedings related to the implementation of the Next Generation Air Transportation System at Baltimore Washington International Thurgood Marshall Airport; and the Council's support for the related efforts of the DC Metroplex BWI Community Roundtable. *(No expiration date)*

The Chairperson moved to approve Council Resolution 36-2019. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve Council Resolution 36-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 36-2019 passed.

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Council Bill 10-2019 - AN ACT expanding and clarifying upon the purpose of Storm Drainage provisions in the Howard County Code; defining certain terms; allowing the authority to enter into certain buildings, structures or premises in order to take certain actions when there exists a possible impediment to the passage of water during rain events; clarifying that the failure of a property owner to complete certain corrective action is a violation of the Howard County Code; and generally relating to Storm Drainage. (*Expires 5/13/19; 6/17/19 if extended; or 7/22/19 if extended twice.*)

The Chairperson moved to approve Council Bill 10-2019. The motion was seconded by Mr. Jones.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Jones.

**Amendment No. 1**

*(This amendment declares that the Act is an emergency.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 10-2019 as amended was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 10-2019 as amended passed.

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Council Bill 11-2019 - Introduced by Christiana Mercer Rigby and Liz Walsh and Cosponsored by Deb Jung - AN ACT amending the Howard County Code by altering the minimum buffer of existing forest or wooded area between a road and a new development that is required for any new developments located along scenic roads; requiring a certain buffer to be wide enough to maintain a road's visual character with a certain minimum width from the road right-of-way; altering the

requirements for new developments on Scenic Roads; and generally relating to Scenic Roads.  
(Expires 5/13/19; 6/17/19 if extended; or 7/22/19 if extended twice.)

The Chairperson moved to approve Council Bill 11-2019. The motion was seconded by Ms. Walsh.

The Chairperson moved to approve Amendment 1. The motion was seconded by Ms. Walsh.

**Amendment No. 1**

*(Creates a buffer requirement for new major subdivisions.)*

Council Member Yungmann moved to table Council Bill 11-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to table Council Bill 11-2019 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to table Council Bill 11-2019 failed.

Council Member Jones moved to approve Amendment 1 to Amendment 1. The motion was seconded by Mr. Yungmann.

**Amendment No. 1 to Amendment 1**

*(This amendment changes the minimum buffer distance for new major subdivisions.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 1 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 1 to Amendment 1 failed.

Council Member Yungmann moved to approve Amendment 2 to Amendment 1. The motion was seconded by Mr. Jones.

**Amendment No. 2 to Amendment 1**

*(This amendment alters the buffer requirements depending on whether there is landscaping so that the buffer would be 35 feet with landscaping or 75 feet without landscaping.)*

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Amendment 1 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 2 to Amendment 1 failed.

Council Member Walsh moved to approve Amendment 3 to Amendment 1. The motion was seconded by Ms. Jung.

**Amendment No. 3 to Amendment 1**

*(This amendment requires buffers for new major subdivisions to be enhanced with conservation landscaping.)*

The roll call vote called by the Administrator on the motion to approve Amendment 3 to Amendment 1 was: Yea: Council Members Jung, Mercer Rigby, Walsh and Yungmann. Nay: Council Member Jones.

The motion to approve Amendment 3 to Amendment 1 passed.

Council Member Yungmann moved to approve Amendment 4 to Amendment 1. The motion was seconded by Mr. Jones.

**Amendment No. 4 to Amendment 1**

*(This amendment removes the requirement to have certain species in the buffer.)*

The roll call vote called by the Administrator on the motion to approve Amendment 4 to Amendment 1 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 4 to Amendment 1 failed.

The roll call vote called by the Administrator on the motion to approve Amendment 1 as amended was: Yea: Council Members Jung, Mercer Rigby and Walsh. Nay: Council Members Jones and Yungmann.

The motion to approve Amendment 1 as amended passed.

The Chairperson moved to approve Amendment 2. The motion was seconded by Ms. Walsh.

**Amendment No. 2**

*(Creates a new approval process for certain developments along scenic roads.)*

Council Member Jones moved to find Amendment 2 substantive.

The roll call vote called by the Administrator on the motion to move Amendment 2 as substantive was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to move Amendment 2 as substantive failed.

Council Member Jones moved to approve Amendment 1 to Amendment 2. The motion was seconded by Mr. Yungmann.

**Amendment No. 1 to Amendment 2**

*(This amendment grandfathers a development for which a preliminary equivalent sketch plan was submitted before February 21, 2019.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 2 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 1 to Amendment 2 failed.

Council Member Yungmann moved to approve Amendment 3 to Amendment 2. The motion was seconded by Mr. Jones.

**Amendment No. 3 to Amendment 2**

*(This amendment reduces the ambit of the new approval process for certain developments that are within a quarter of a mile of the road.)*

The roll call vote called by the Administrator on the motion to approve Amendment 3 to Amendment 2 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 3 to Amendment 2 failed.

Council Member Yungmann moved to approve Amendment 5 to Amendment 2. The motion was seconded by Mr. Jones.

**Amendment No. 5 to Amendment 2**

*(This amendment alters the criteria to be used in evaluating the Initial Plan relating to all new vehicular access onto a scenic road that requires documentation that access cannot be practicably located along a non-scenic road, provided that the non-scenic road is the same or greater level of road classification.)*

The roll call vote called by the Administrator on the motion to approve Amendment 5 to Amendment 2 was: Yea: Council Members Jones, Jung and Yungmann. Nay: Council Members Mercer Rigby and Walsh.

The motion to approve Amendment 5 to Amendment 2 passed.

Council Member Yungmann moved to approve Amendment 6 to Amendment 2. The motion was seconded by Ms. Mercer Rigby.

**Amendment No. 6 to Amendment 2**

*(This amendment removes traffic-safety considerations from certain criteria used by the Planning Board to evaluate an Initial Plan.)*

The roll call vote called by the Administrator on the motion to approve Amendment 6 to Amendment 2 was: Yea: Council Members Jones, Jung and Yungmann. Nay: Council Members Mercer Rigby and Walsh.

The motion to approve Amendment 6 to Amendment 2 passed.

Council Member Jones moved to approve Amendment 7 to Amendment 2. The motion was seconded by Ms. Mercer Rigby.

**Amendment No. 7 to Amendment 2**

*(This amendment changes the minimum buffer distance that the Planning Board may allow.)*

The roll call vote called by the Administrator on the motion to approve Amendment 7 to Amendment 2 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 7 to Amendment 2 failed.

Council Member Yungmann moved to approve Amendment 8 to Amendment 2. The motion was seconded by Mr. Jones.

**Amendment No. 8 to Amendment 2**

*(This amendment alters the approval process for certain developments along scenic roads by requiring the Department of Planning and Zoning to evaluate the proposed initial plan and consider the project's design compatibility with that of the scenic road's characteristics and authorizes the Department of Planning and Zoning to reduce the size of certain buffers.)*

The roll call vote called by the Administrator on the motion to approve Amendment 8 to Amendment 2 was: Yea: Council Member Jones. Nay: Council Members Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 8 to Amendment 2 failed.

Council Member Yungmann moved to approve Amendment 9 to Amendment 2. The motion was seconded by Ms. Mercer Rigby.

**Amendment No. 9 to Amendment 2**

*(This amendment alters the approval process for certain developments along scenic roads by requiring the Design Advisory Panel to evaluate the proposed initial plan at a public meeting and consider the project's design compatibility with that of the scenic road characteristics and authorizes the Department of Planning and Zoning to reduce certain buffers.)*

The roll call vote called by the Administrator on the motion to approve Amendment 9 to Amendment 2 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 9 to Amendment 2 failed.

Council Member Yungmann moved to approve Amendment 10 to Amendment 2. The motion was seconded by Mr. Jones.

**Amendment No. 10 to Amendment 2**

*(This amendment alters the approval process for certain developments along scenic roads by requiring the Planning Board to evaluate the proposed initial plan at a public meeting and consider the project's design compatibility with that of the scenic road characteristics and authorizes the Department of Planning and Zoning to reduce the size of certain buffers.)*

The roll call vote called by the Administrator on the motion to approve Amendment 10 to Amendment 2 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 10 to Amendment 2 failed.

Council Member Walsh moved to approve Amendment 11 to Amendment 2. The motion was seconded by Ms. Jung.

**Amendment No. 11 to Amendment 2**

*(This amendment requires the visual assessment in the initial plan for a major subdivision to include the setbacks and lot layouts of the surrounding area. This amendment also authorizes access along a scenic road only to the extent vehicular access cannot be practicably located along a non-scenic road under certain circumstances. This amendment also authorizes the Planning Board to reduce an existing non-wooded buffer under certain circumstances.)*

The roll call vote called by the Administrator on the motion to approve Amendment 11 to Amendment 2 was: Yea: Council Members Jung, Mercer Rigby and Walsh. Nay: Council Members Jones and Yungmann.

The motion to approve Amendment 11 to Amendment 2 passed.

Council Member Yungmann moved to approve Amendment 12 to Amendment 2. The motion was seconded by Ms. Mercer Rigby.



**Amendment No. 12 to Amendment 2**

*(This amendment prohibits the delay of construction of certain road improvements for no more than 12 months under specified circumstances.)*

The roll call vote called by the Administrator on the motion to approve Amendment 12 to Amendment 2 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 12 to Amendment 2 passed.

The Chairperson moved to amend Amendment 2 from the dais to change on page 1, line 14 the word "hearing" to "meeting". The motion was seconded by Mr. Yungmann.

The roll call vote called by the Administrator on the motion to amend Amendment 2 from the dais to change on page 1, line 14 the word "hearing" to "meeting" was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to amend Amendment 2 from the dais to change on page 1, line 14 the word "hearing" to "meeting" passed.

The roll call vote called by the Administrator on the motion to approve Amendment 2 as amended was: Yea: Council Members Jung, Mercer Rigby and Walsh. Nay: Council Members Jones and Yungmann.

The motion to approve Amendment 2 as amended passed.

The Chairperson moved to approve Amendment 3. The motion was seconded by Ms. Walsh.

**Amendment No. 3**

*(Amends the title of the bill and makes a technical change.)*

The roll call vote called by the Administrator on the motion to approve Amendment 3 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 3 passed.

Council Member Yungmann moved to approve Amendment 6. The motion was seconded by Ms. Mercer Rigby.

**Amendment No. 6**

*(Exempts a development in a Rural Residential or a Rural Conservation District from vehicular ingress and egress provisions of the bill.)*

Council Member Walsh moved to approve Amendment 1 to Amendment 6. The motion was seconded by Mr. Yungmann.

**Amendment No. 1 to Amendment 6**

*(This amendment exempts a development outside the planned service area from vehicular ingress and egress provisions of the bill.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 6 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 6 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 6 as amended was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 6 as amended passed.

Council Member Yungmann moved to approve Amendment 10. The motion was seconded by Mr. Jones.

**Amendment No. 10**

*(Requires the Department of Planning and Zoning to report a scenic road inventory to the County Council within one year of the effective date of the bill.)*

The roll call vote called by the Administrator on the motion to approve Amendment 10 was: Yea: Council Members Jones and Yungmann. Nay: Council Members Jung, Mercer Rigby and Walsh.

The motion to approve Amendment 10 failed.

The roll call vote called by the Administrator on the motion to approve Council Bill 11-2019 as amended was: Yea: Council Members Jung, Mercer Rigby and Walsh. Nay: Council Member Yungmann. Abstain: Council Member Jones.

The motion to approve Council Bill 11-2019 as amended passed.

Adjourned: **8:39** p.m.

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**Tabled**

Council Resolution 24-2019 - A RESOLUTION confirming the appointment of Faith Ngundi to the Human Rights Commission. (tabled 4/1/19) *(No expiration date)*

Council Resolution 31-2019 – Introduced by Opel Jones - A RESOLUTION appointing Douglas R. Miller to the Citizens' Election Fund Commission. (tabled 4/1/19) *(No expiration date)*