



## Howard County Council

George Howard Building  
3430 Courthouse Drive  
Ellicott City, Maryland 21043-  
4392

Minutes (Approved)  
Legislative Public Hearing  
October 21, 2019, 7:06 PM  
Banneker Room

## COUNCILMEMBERS

Christiana Mercer Rigby, Chairperson  
District 3

Opel Jones, Vice Chairperson  
District 2

Liz Walsh  
District 1

Deb Jung  
District 4

David Yungmann  
District 5

**Members Present:** Christiana Mercer Rigby, Chairperson; Opel Jones, Vice Chairperson; Deb Jung, Council Member; Liz Walsh, Council Member; and David Yungmann, Council Member.

**Staff Present:** Diane Schwartz Jones, Administrator; Theo Wimberly, Deputy Administrator; Jennifer Sager, Administration; John Gwynn, Assistant County Solicitor; and Rodshae Garvey, Administrative Support.

- I. Call to Order at 7:06 PM.
- II. Pledge of Allegiance
- III. Acknowledgement of National Disability Employment Awareness Month with Natalie Dohner.
- IV. Acknowledgement of White Cane Awareness Day.

### A. Appointments

1. Council Resolution 124-2019 - A RESOLUTION confirming the appointment of Alexandra Berry to the Commission for Transitioning Students with Disabilities. (No expiration date)

A. Alexandra Berry, Commission for Transitioning Students with Disabilities was called to speak.

2. Council Resolution 125-2019 - A RESOLUTION confirming the appointment of Richard Butler to the Charter Review Commission. (No expiration date)

A. Richard Butler, Columbia was called to speak.

3. Council Resolution 126-2019 - A RESOLUTION confirming the appointment of Shanika M. Cooper to the Board of Social Services. (No expiration date)

A. Shanika Cooper, Ellicott City was called to speak

4. Council Resolution 127-2019 - A RESOLUTION confirming the appointment of Alaina Elam to the Board of Social Services. (No expiration date)

A. Alaina Elam, Columbia was called to speak.

5. Council Resolution 128-2019 - A RESOLUTION confirming the appointment of Shahriar Etemadi to the Multimodal Transportation Board. (No expiration date)

A. Shahriar Etmadi, Columbia was called to speak.

6. Council Resolution 129-2019 - A RESOLUTION confirming the appointment of Wei Guo to the Commission on Aging. (No expiration date)

A. Wei Guo, Ellicott City was called to speak.

7. Council Resolution 130-2019 - A RESOLUTION confirming the appointment of Roberta Kelly to the Cemetery Preservation Advisory Board. (No expiration date)

A. Roberta Kelly, Simpsonville was called to speak.

8. Council Resolution 131-2019 - A RESOLUTION confirming the appointment of Georgea Lee Moore to the Board of Social Services. (No expiration date)

A. Georgea Moore, Glenwood Maryland was called to speak.

V. Public Hearing

B. Financial

1. SAO3-FY2020 - AN ACT transferring \$250,000 from the General Fund, Contingency Reserve to Non-Departmental Expenses for the costs of an audit of the Howard County Public School System. (Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)

A. Jennifer Sager, Howard County Administration was called to speak.

C. General

1. Council Bill 50-2019 - AN ACT defining certain terms such as disability income, disability income housing unit, low income and low income housing unit; providing for Disability Income Housing Units as an optional method of providing moderate income housing units in certain instances; providing for certain numbers of units when Disability Income Housing Units are used; adding a unit type and size for studio units that are used as a Moderate Income Housing Unit offered for sale or rent; amending certain prohibited transfers to allow that certain types of entities that are formed to receive low income housing tax credits may use optional or alternative methods; amending the fee in lieu to clarify the basis for the computation of square footage used to determine the rate; clarifying when the fee in lieu will be paid; providing that the fee in lieu can be used for grants to the Housing Commission or local nonprofits; amending how many days the Department shall use when calculating the prevailing interest rate; providing that the Department shall establish rental rates for Disability Incoming Housing Units that shall be based on monthly income; clarifying that sales prices shall be based on certain square footage; establishing the pricing for the subsequent sale of previously occupied Moderate Income Housing Units, under certain conditions; providing for certain fines and penalties; adding certain qualifications to be eligible to purchase or rent; including employees of the Housing Commission as those who will receive certain priority; providing that purchasers who do not reside in their unit shall be subject to certain penalties; requiring that Regulations contain certain criteria; making certain technical corrections; and generally related to moderate income housing in Howard County. (Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)

A. Kelly Cemino , Department of Housing and Community Development was called to speak.

B. Pat Sylvester, Columbia was called to speak.

C. Cindy Parr, Executive Director of Arc of Howard County was called to speak.

D. Paul Revelle, Howard County Affordability Coalition was called to speak.

E. Bernard Noppinger was called to speak.

2. Council Bill 51-2019 - AN ACT prohibiting the use of pesticides on any County controlled, managed, or owned buildings and grounds unless the use complies with County policy; and generally related to pesticide/herbicide use on County property. (Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)

A. Joshua Feldmark, Director of Community Sustainability was called to speak.

B. Pat Hersey, Columbia was called to speak.

C. Howie Feaga, Howard County Farm Bureau was called to speak.

D. Meagan Braganca, Our Revolution was called to speak.

E. Emily Ranson, Clean Water Action was called to speak.

F. Alan Schneider, Howard County Citizens Association was called to speak.

G. Keith Ohlinger, Woodbine Maryland was called to speak.

H. Meg Boyd, Executive Director of Howard County Conservancy was called to speak.

I. Mark Mullinix, Dayton Maryland was called to speak.

J. Joel Huerwitz, Columbia was called to speak.

K. Samantha Dixon, Student was called to speak.

3. Council Bill 52-2019 - AN ACT to establish a Human Trafficking Prevention Coordination Council; providing for the membership of the Council; providing for the purpose and responsibilities of the Council; providing the expiration dates of the terms of the initial members of the Council; and generally relating to the Human Trafficking Prevention Coordination Council. (Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)

A. Jackie Scott, Director of Community Resources and Services was called to speak.

4. Council Bill 53-2019 - AN ACT to amending the membership and responsibilities of the Board to Promote Self-Sufficiency; and generally relating to the Board to Promote Self-Sufficiency. (Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)

5. Council Bill 54-2019 - AN ACT pursuant to Section 612 of the Howard County Charter, approving the Lease Agreement between Howard County, Maryland and Delta-Greenwood, LLC, a Maryland limited liability company, for 28,511 square feet of space at 8869 Greenwood Place, Savage, Maryland, to be used by the Department of Public Works, Bureau of Utilities; authorizing the County Executive to enter into the Agreement and to make changes to the Agreement before executing it, under certain conditions; and generally relating to a multi-year lease of certain premises by Howard County from Delta-Greenwood, LLC. (Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)

A. Mealnie Bishop, Department of Public Works Real Estate Services was called to speak.

6. Council Resolution 132-2019 - A RESOLUTION pursuant to Title 5, Subtitle 3 of the Education Article of the Annotated Code of Maryland, approving the Howard County Board of Education's Capital Budget Request for Fiscal Year 2021 and Capital Improvement Program Request for Fiscal Years 2022-2026 for the purpose of submission to the Interagency Commission on School Construction. (No expiration date)

A. Dan Hugley, active Director of Capital Planning and Construction was called to speak.

B. Bernard Noppinger, Ellicott City was called to speak.

C. Brent Loveless, President of The PTA Council was called to speak.

D. Joel Hurewitz, Columbia was called to speak.

7. Council Resolution 134-2019 – Introduced by Opel Jones - A RESOLUTION calling on those offering homes for sale in Howard County to omit references to schools and school zones in certain advertising. (No expiration date)

A. Delegate Eric Elbersol was called to speak.

B. Pat Hersey, Columbia was called to speak.

C. Bernard Noppinger, Ellicott City was called to speak.

D. Brent Loveless, PTA Council was called to speak.

E. Joel Hurewitz, Columbia was called to speak.

F. Alissa Niefeld was called to speak.

7. Council Bill 55-2019 - Introduced by David Yungmann - AN ACT establishing the temporary Commercial Solar Facility Conditional Use Interim Development Act; temporarily prohibiting certain Conditional Use petitions for proposed Conditional Use approvals for Commercial Solar Facility; finding that such petitions, if approved under the current Zoning Regulations, could lead to development incompatible with surrounding agricultural uses; finding that the potential incompatibility represents a threat to the sustainability of the agricultural industry and its impact on public health, safety and welfare; providing that the purposes of this Act are to provide the Commercial Solar Facilities Task Force with time to study the deficiencies in the Commercial Solar Facility Conditional Use, investigate alternatives and make recommendations for improvement and give the County Council time to act on the recommendations; providing that this Act shall be abrogated and of no further force and effect after a certain period; and generally relating to zoning and land use. (Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)
  
8. Council Resolution 133-2019 – Introduced by David Yungmann - A RESOLUTION creating a Task Force to study commercial solar facilities on agricultural land preservation parcels. (No expiration date)

A. Lauren Barchi, Program Director for Solar United Neighbors was called to speak

B. Eric LaMora, Phoenix Arizona was called to speak

C. Ruth White, Howard County Climate Action was called to speak.

D. James Hurt was called to speak.

E. Meagan Braganca, Ellicott City was called to speak.

F. Marni Carroll, Director of One Energy Removals was called to speak.

G. Frances Yuhas, Turning Point Energy was called to speak.

H. Khaled Helmi was called to speak

I. Therese Myers, Clarksville was called to speak.

J. Theodore Mariani, Oakdale Farm was called to speak.

K. Dan OLeary, Greater Islands Crossroads Association was called to speak.

- L. Richard Deutschmann, Columbia was called to speak.
  - M. Stu Kohn, President of HCCA was called to speak.
  - N. Mindy Burstein, Clarksville was called to speak.
  - O. Rebecca Light, Clarksville was called to speak.
  - P. Howie Feaga, Ellicott City was called to speak.
  - Q. David Murray, Maryland Solar Industry Association was called to speak.
  - R. Jim Rice, was called to speak
  - S. Stefano Ratti, Sunny Development was called to speak.
  - T. Pete Barnes was called to speak.
  - U. Marisa McCurdy, Elkridge was called to speak
  - V. Eric Stonesifer was called to speak.
  - W. Ryann Elliott, Clarksville was called to speak.
  - X. Dave Busher was called to speak.
  - Y. Ann Jones, Ellicott City was called to speak
  - Z. Keith Ohlinger, Woodbine Maryland was called to speak.
  - AA. Mark Mullinix, Dayton Maryland was called to speak.
  - BB. Theresa Stonesifer was called to speak.
  - CC. Joel Huewitz, Columbia was called to speak.
  - DD. Austin Harmon was called to speak.
- VI. Adjourned at 12:37 PM
- VII. Tabled

- A. Council Bill 42-2019 - Introduced by Christiana Mercer Rigby and Deb Jung; Co-sponsored by Opel Jones and Liz Walsh - AN ACT to alter the school facilities surcharge in accordance with Chapter 744 of the Acts of the General Assembly of 2019; and generally relating to the school facilities surcharge. (Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.)
- B. Council Resolution 98-2019 – A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2020 pursuant to the Adequate Public Facilities Act of Howard County. (No expiration date)
- C. Council Resolution 89-2019 - Introduced by: The Chairperson at the request of the County Executive at the request of Dorsey Overlook, LLLP. - AN ACT declaring that a portion of Old Maryland Route 108, containing approximately 1.087 acres, is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the County's property interest to the developer of the adjacent property, Dorsey Overlook, LLLP. (No expiration date)