



Howard County Council

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

COUNCILMEMBERS

Christiana Mercer Rigby, Chairperson
District 3

Opel Jones, Vice Chairperson
District 2

Deb Jung
District 4

Liz Walsh
District 1

David Yungmann
District 5

County Council Legislative Public Hearing
Monday November 18, 2019
Banneker Room
7:00pm

Minutes (Approved)

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

Staff Present: Theodore Wimberly, Acting Administrator to the County Council; Jeff Meyers, Legislative Analyst; Gary Kuc, County Solicitor; Jennifer Sager, Legislative Coordinator; and Sjori Thompson, Administrative Support were also present.

- I. Call to Order at 7:03pm
- II. Certificate of Recognition and Honorary Resolution
 - a. Certificate of Recognition for the Howard County Public School System Art Students
 - b. Honorary Resolution recognizing Hunger and Homeless Awareness Week
- III. Pledge of Allegiance by the Den 1 of Pack 617, Den 5 of 794 and Pack 757
- IV. Public Hearing

Students Called Out of Order:

- a. Azariah Seblu was called to speak
- b. Tomas Germanas was called to speak
- c. Sanika Devare was called to speak
- d. Joel Pollack was called to speak
- e. Grace Edmonson was called to speak
- f. Daksh Bahl was called to speak
- g. Define Demirekler was called to speak
- h. Chloe Shader and Bella Saunders was called to speak
- i. Mackenzie Strozyk was called to speak
- j. Samuel Seliger was called to speak

- k. Iris Zhan was called to speak
- l. Colin McCurdy was called to speak
- m. Wesley Horner was called to speak
- n. William Plunkett was called to speak
- o. Annette Horner was called to speak

A. Appointments

1. Council Resolution 135-2019 - A RESOLUTION confirming the reappointment of Charles L. Fuller to the Public Ethics Commission. (No expiration date)

i. Charles Fuller was called to speak

2. Council Resolution 136-2019 - A RESOLUTION confirming the appointment of Brook Hubbard to the Local Behavioral Health Advisory Board. (No expiration date)

ii. Brook Hubbard was called to speak

3. Council Resolution 137-2019 - A RESOLUTION confirming the appointment of Kelly Kesler to the Howard County Commission for Veterans and Military Families. (No expiration date)

iii. Kelly Kesler was called to speak

4. Council Resolution 138-2019 - A RESOLUTION confirming the appointment of Keith McGuire to the Howard County Commission for Veterans and Military Families. (No expiration date)

iv. Keith McGuire was called to speak

5. Council Resolution 139-2019 - A RESOLUTION confirming the appointment of Paul Rivers to the Howard County Commission for Veterans and Military Families. (No expiration date)

v. Paul Rivers was called to speak

6. Council Resolution 140-2019 - A RESOLUTION confirming the appointment of Michael Griggs to the Howard County Commission for Veterans and Military Families. (No expiration date)

vi. Michael Griggs was called to speak

7. Council Resolution 141-2019 – Introduced by the Chairperson - A RESOLUTION appointing Gene Thomas Ryan to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2025. (No expiration date)

B. General

1. Council Bill 56-2019 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a Third Amendment for the lease of space; and authorizing the County Executive to take certain actions in connection with the Agreement. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

- a. Jim Irvin, Director of Public Works was called to speak
- b. Joel Hurewitz was called to speak

2. Council Bill 57-2019 - AN ACT amending the definition tobacco product to be consistent with State law; related to the distribution of tobacco products, prohibiting the distribution of tobacco products, including electronic smoking devices, to individuals under the age of 21 years; amending the enforcement provisions for unlawful distribution of tobacco products to an individual under the age of 21 years; providing for certain exceptions for individuals in the active military in accordance with State law; amending what constitutes acceptable proof of age; and generally related to the placement and distribution of tobacco products in Howard County. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

a. Maura Rossman, Howard County Health Department, Health Officer was called to speak

3. Council 58-2019 - AN ACT amending the Classification Plan for Howard County to add a description for the position of Office of Emergency Management Administrator; and generally relating to amendments to the Howard County Classification Plan. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

4. Council 59-2019 - AN ACT amending the Pay Plan for Howard County to add certain positions into the list of Executive Exempt positions; and generally relating to the Pay Plan for Howard County. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

5. Council Bill 60-2019 - AN ACT specifying the appointing authority for the Administrator of the Office of Emergency Management; and generally relating to executive exempt provisions in the Howard County Code. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

a. Wanda Hutchinson, Human Resources Administrator was called to speak on the previous three items

6. Council Bill 61-2019 - AN ACT amending the criteria for granting waivers from the requirements of the Howard County Subdivision and Land Development Regulations; requiring survey bearings and distances on plans to delineate wetlands and required wetland and stream

buffers; prohibiting the impact on certain steep slopes established by the prior development of the property; requiring that the Office of Community Sustainability and the Department of Public Works review certain requests for necessary disturbances; establishing criteria for alternative compliance from the provisions of the Subdivision and Land Development Regulations; providing that the Office of Transportation will also review requests to eliminate sidewalk requirements; and generally relating to alternative compliance, waiver and variances of the Subdivision and Land Development Regulations. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

- a. Amy Gowan, Howard County Department of Planning and Zoning was called to speak
- b. Emily Ransom, Clean Water Action was called to speak
- c. Lisa Markovitz, The People's Voice was called to speak
- d. Jason Van Kirk was called to speak
- e. Stephanie Tuite was called to speak
- f. Mark Levy, H&H Rock Companies was called to speak
- g. Angelica Bailey, Maryland Building Industry Association was called to speak
- h. Brent Loveless was called to speak
- i. Leila Mahlin was called to speak
- j. Jamie Fraser was called to speak
- k. Alan Schneider was called to speak

7. Council Resolution 143-2019 - A RESOLUTION approving the 2019 Interim Amendment to the Howard County Master Plan for Water and Sewerage, consisting of text, tables, and maps incorporating various revisions based on and including: 1. Changes to capital projects related to the capital budget, the ten-year capital improvement program, or completed engineering studies; 2. The entry of properties into the County's Metropolitan District; 3. Changes in service area priorities for individual property parcels, subdivisions and developer projects based upon the review of capital and developer project progress; and 4. Changes to the water and sewer Planned Service Area. (No expiration date)

- a. Don Campbell, Chief of Water and Sewer Planning Division was called to speak

8. Council Resolution 144-2019 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that portions of parcels of land owned by Howard County totaling approximately 2.63 acres are no longer needed by the County for public purposes; authorizing the County Executive to convey fee simple title to such portions of the parcels to the adjacent property owner, the State of Maryland as part of the widening of Maryland Route 32 from Linden Church Road to Interstate-70; 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 convey such property if he finds that the land may have a further public use. (No expiration date)

a. Jim Irvin, Director of Public Works was called to speak

9. Council Resolution 145-2019 - Introduced by The Chairperson at the request of the County Executive at the request of the Board of Education of Howard County - A RESOLUTION pursuant to Sections 16.301 of the Howard County Code, granting variances for government uses from the use setbacks and height requirements for the 13th high school and ancillary roads, parking, sports fields, fences, and bleachers to be constructed on Property located along Mission Road in Jessup, Howard County, Maryland. (No expiration date)

a. Dan Lubeley, Acting Director of Capitol Planning and Construction was called to speak

b. Brent Loveless, PTACHC was called to speak

10. Council Bill 63-2019 Introduced by Liz Walsh, Deb Jung and Christiana Mercer Rigby - AN ACT amending the Howard County Code by altering the requirements for a certain buffer between a road and a new major subdivision that is located along a Scenic Road; altering a certain approval process for a major subdivision that abuts or adjoins a scenic road; and generally relating to Scenic Roads. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

a. Stu Kohn, HCCA was called to speak

b. Stephanie Tuite was called to speak

c. Angelica Bailey, Maryland Building Industry Association was called to speak

d. Joel Hurewitz was called to speak

e. Alan Schneider was called to speak

f. Jamie Fraser was called to speak

11. Council Bill 65-2019 (ZRA 189) – Introduced by David Yungmann - AN ACT amending the Howard County Zoning Regulations to authorize the hearing authority to reduce the setback for buildings and parking uses associated with Commercial Athletic Facilities to no less than 25 feet if the petition includes detailed plans for screening that presents an attractive and effective visual barrier for neighboring properties; and generally relating to Commercial Athletic Facilities Conditional Uses. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

a. Hiruy Hadgu, HCCA was called to speak

12. Council Bill 66-2019 – Introduced by the Chairperson - AN ACT to legalize the 2019 Edition of the Howard County Code, as approved by Gary W. Kuc, County Solicitor, and published by Municipal Code Corporation; to provide for the Code's periodic supplement; and to declare that the Code shall be the evidence of the public local laws of Howard County; and to

make technical, non-substantive corrections to the Code. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

a. Joel Hurewitz was called to speak

13. Council Resolution 142-2019 - A RESOLUTION increasing Forest Conservation fees-in-lieu. (No expiration date)

14. Council Bill 62-2019 - Introduced by he Chairperson at the request of the County Executive and Cosponsored by Opel Jones, Deb Jung, Christiana Mercer Rigby, and Liz Walsh - AN ACT repealing and reenacting the Forest Conservation Act of Howard County; providing the purpose of the Act; defining certain terms to be used throughout the Act; requiring a Forest Conservation Plan for any person, or unit of local government, developing land 40,000 square feet or greater, subject to certain exceptions; requiring a Declaration of Intent for certain exemptions; setting forth the requirements of a Forest Conservation Plan; providing for the review process of a Forest Conservation Plan; requiring a Forest Conservation Manual to be prepared and adopted; requiring that the Manual include specific standards and guidelines; setting forth certain Forest Retention Priorities; requiring certain reforestation requirements and providing that reforestation shall be based on certain calculations; requiring certain afforestation and providing that afforestation shall be based on certain calculations; setting forth certain afforestation and reforestation location priorities and preferred methods; requiring certain site design; requiring certain financial security for afforestation and reforestation; authorizing a fee-in-lieu of afforestation and reforestation under certain conditions; providing for Forest Conservation Fund to keep the fee-in-lieu of afforestation and reforestation and providing for the use of monies contained in the fund; providing for certain enforcement and penalties; requiring mitigation by the County when land is developed in violation of the Act; providing for certain appeals; allowing for the grant of variances of the provisions of the Act, under certain circumstances; allowing the abandonment of Forest Conservation Easements under certain conditions; providing for the opportunity to create a Forest Mitigation Bank under certain conditions; and generally related to forest conservation in Howard County. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

a. Josh Feldmark, Administrator of Office of Community Sustainability was called to speak

b. Emily Ransom, Clean Water Action was called to speak

c. Lisa Markovitz, The People's Voice was called to speak

d. Stephanie Tuite was called to speak

e. Elly Cowan, Smart Growth Alliance of Howard County was called to speak

f. Benjamin Alexandro, Maryland League of Conservation Voters was called to speak

g. Hiruy Hadgu was called to speak

h. Alan Schneider was called to speak

i. Susan Garber, HCCA was called to speak

- j. Carolyn Parsa, Sierra Club Howard County was called to speak
- k. Mark Southerland was called to speak
- l. Robin Eilenberg, Chesapeake Bay Foundation was called to speak
- m. Kurt Schwarz, Howard County Bird Club was called to speak
- n. Meagan Braganca was called to speak
- o. Bruce Harvey was called to speak
- p. Jason Van Kirk was called to speak
- q. Mark Levy was called to speak
- r. Angelica Bailey, Maryland Building Industry Association was called to speak
- s. Cathy Hudson was called to speak
- t. Kathy Howell was called to speak
- u. Tom Ballentine, NAIOP Maryland was called to speak
- v. Joel Hurewitz was called to speak
- w. Brent Loveless was called to speak
- x. Mark Thompson was called to speak
- y. Leila Mahlin was called to speak
- z. Jamie Fraser was called to speak
- aa. Kim Drake was called to speak

13. Council Bill 64-2019 - Introduced by: Opel Jones and Christiana Mercer Rigby - AN ACT to require a specified fee on certain disposable bags; providing for the collection of the fee and the administration of the subtitle; specifying the duties of certain stores; creating a Disposable Plastics Reduction Fund; providing for the administration and uses of the Fund; providing for penalties for certain violations; requiring certain studies and reports; and generally relating to disposable bags in the County. (Expires 1/13/20; 2/17/20 if extended; or 3/23/20 if extended twice.)

- a. Pat Hersey, Less Plastic Please was called to speak
- b. Alisa Neifeld-Batiz was called to speak
- c. Paul Baicich was called to speak
- d. Sue Hughen was called to speak
- e. Liz Feighner was called to speak
- f. Meagan Braganca was called to speak
- g. Sarah Price was called to speak
- h. Bernard Noppinger was called to speak
- i. Meg Boyd was called to speak
- j. Carolyn Parsa, Sierra Club Howard County was called to speak
- k. Kathy Howell was called to speak
- l. Joel Hurewitz was called to speak
- m. Alan Schneider was called to speak
- n. Kim Drake was called to speak

IV. Tabled

A. 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)

B. 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)

Meeting adjourned at 11:58pm

