

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2013 Legislative Session

Legislative Day No. 5

03/28/2013

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:58** p.m.

Jennifer Terrasa, Chairperson; Mary Kay Sigaty, Vice Chairperson; Calvin Ball, Council Member; Greg Fox, Council Member; and Courtney Watson, Council Member, were present.

Stephen LeGendre, Administrator to the County Council; Margaret Ann Nolan, County Solicitor; James Vannoy, Assistant County Attorney; and Jennifer Sager, Legislative Coordinator were also present.

APPROVE JOURNAL

The Chairperson moved to approve the journals for Legislative Day No. 3, March 4, 2013 and Legislative Day No. 4, March 18, 2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve the journal passed.

APPROVE MINUTES

The Chairperson moved to approve the minutes for the **Presentations** and Legislative Public Hearing – March 18, 2013 and for the Legislative Work Session – March 18, 2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes for the Legislative Public Hearing – March 18, 2013 and for the Legislative Work Session – March 18, 2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes for the Quarterly Meeting with the Board of Education – March 19, 2013. The motion was seconded by Ms. Sigaty.

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

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes for the Legislative Work Session – March 21, 2013. The motion was seconded by Ms. Sigaty.

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

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 31-2013 - 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.

Council Resolution 32-2013 - A RESOLUTION confirming the appointment of Ann H. Jones to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board.

Council Resolution 33-2013 - A RESOLUTION confirming the appointment of Vivian M. Lawyer to the Personnel Board.

Council Resolution 34-2013 - A RESOLUTION confirming the reappointment of Ricky Bauer to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board.

Council Resolution 35-2013 - A RESOLUTION confirming the reappointment of Howard Feaga to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board.

Council Resolution 36-2013 - A RESOLUTION confirming the reappointment of Joshua D. Sullivan to the Human Rights Commission.

Financial

SAO8-FY2013 - AN ACT transferring \$18,908 from the Grants Fund, Contingency Reserve to the Office of Transportation to reflect increased funding for the Work on Wheels grant program.

SAO9-FY2013 - AN ACT transferring \$770,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal.

General

Council Bill 12-2013 - AN ACT amending the Howard County Employees' Retirement Plan pursuant to the Heroes Earnings Assistance and Relief Tax Act of 2008; amending certain definitions; amending certain death benefits, disability benefits, and differential wage provisions for pension plan participants with military service; and generally relating to the Howard County Employees' Retirement Plan.

Council Bill 13-2013 - AN ACT amending the Howard County Police and Fire Employees' Retirement Plan pursuant to the Heroes Earnings Assistance and Relief Tax Act of 2008; amending certain definitions; amending certain death benefits, disability benefits, and differential wage provisions for pension plan participants with military service; and generally relating to the Howard County Police and Fire Employees' Retirement Plan.

Council Bill 14-2013 - AN ACT amending the Howard County Employees' Retirement Plan to define the term "spouse"; making certain technical corrections; and generally relating to the Howard County Employees' Retirement Plan.

Council Bill 15-2013 - AN ACT amending the Howard County Police and Fire Employees' Retirement Plan to define the term "spouse"; making certain technical corrections; and generally relating to the Howard County Police and Fire Employees' Retirement Plan.

Council Resolution 28-2013 - A RESOLUTION to close a portion of Sterling Drive, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Council Resolution 29-2013 - A RESOLUTION to close a portion of Linden Church road, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Council Resolution 37-2013 - A RESOLUTION declaring that a total of approximately 6.149 acres of real property owned by Howard County and identified as (1) a portion of the road bed of Sterling Drive and (2) a certain open space parcel are 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 property to the homeowners association serving the adjacent property, Emerson Development HOA, LLC; and providing that the County Executive is not bound to convey the property if he finds that the land may have a further public use and submits his finding to the County Council for its consideration.

Council Resolution 38-2013 - A RESOLUTION pursuant to Sections 16.301 and 16.200(a) of the Howard County Code, granting a variance for government uses from the structure and use setback for a fence on property located along Stephens Road and located in the Planned Employment Center Zoning District.

Council Resolution 39-2013 - 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.

Council Resolution 40-2013 - A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on May 23, 2013.

Council Resolution 41-2013 - A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on July 25, 2013.

FINAL CONSIDERATION

Consent

Council Bill 8-2013 - AN ACT establishing a Watershed Protection and Restoration fund as a dedicated, non-lapsing, enterprise fund; specifying the purposes of the fund and allowing certain revenue to be deposited into the fund; allowing the fund to be used for certain purposes; establishing a Watershed Protection and Restoration Fee; establishing the method, frequency and enforcement of the collection of the Fee; setting forth certain provisions specific to particular types of properties; creating a certain credit and reimbursement program to adjust the amount of the Fee that certain properties will pay; allowing for certain adjustments; allowing for a certain Assistance Program; allowing certain appeals; authorizing the adoption of certain regulations; defining certain terms; amending certain definitions; providing for certain enforcement; and generally relating to the Watershed Protection and Restoration Program in Howard County.

Council Resolution 21-2013 - A RESOLUTION approving schedules for various charges related to the Watershed Protection and Restoration Fee including the impervious unit rate and the amounts for certain credit, reimbursement and assistance programs.

Adjourned: 9:59 p.m.

Tabled

Council Resolution 24-2013 - A RESOLUTION confirming the appointment of Ryan C. Frederic to the Howard County Board of Directors of the Revenue Authority.

Council Resolution 25-2013 - A RESOLUTION confirming the reappointment of Kristen Perry to the Public Ethics Commission.

Council Resolution 26-2013 - A RESOLUTION confirming the appointment of Katie Weyrauch to the Environmental Sustainability Board.

Council Resolution 27-2013 - A RESOLUTION confirming the reappointment of Dr. Byung H. Ahn to the Commission on Disability Issues.

Council Bill 11-2013 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year agreement between Howard County, Maryland and Grant Capital Management, Inc., a Maryland corporation, where Grant Capital will finance the acquisition of certain equipment including, without limitation, Fire Department apparatus, furniture, library books and computers through a Tax-Exempt Master Equipment Lease-Purchase Agreement.