

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2013 Legislative Session

Legislative Day No. 14

12/02/2013

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:35** 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.

Sheila Tolliver, Administrator to the County Council; Jennifer Sager, Legislative Coordinator; Meredith Beach, Legal Analyst; and Ali Shirazie, County Auditor were also present.

ELECTION OF COUNCIL OFFICERS

Ms. Terrasa nominated Dr. Ball for Council Chairperson. 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. Dr. Ball was elected Chairperson.

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

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

Ms. Watson nominated Ms. Terrasa for Vice-Chairperson of the Zoning Board. 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. Ms. Terrasa was elected Vice-Chairperson of the Zoning Board.

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

Chairperson of the Board of License Commissioners.

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

COUNCIL APPOINTMENTS

The Chairperson announced the following County Council appointments, effective December 2013 to December 2014:

Maryland Association of Counties Legislative Committee – Jennifer Terrasa
Alternate – Mary Kay Sigaty.

APPROVE JOURNAL AND MINUTES

The Chairperson moved to approve the Journal for Legislative Day No. 13, November 4, 2013, the minutes of the legislative public hearing on November 18, 2013, and the closed minutes from the closed meeting on November 4, 2013. The motion was seconded by Ms. Watson.

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 and minutes passed.

The Chairperson moved to approve the minutes for the Monthly Meeting – November 12, 2013 [Mr. Fox was absent]. The motion was seconded by Ms. Watson.

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

The motion to approve the minutes passed.

The Chairperson moved to approve the open minutes from the closed meeting on November 4, 2013. The motion was seconded by Ms. Watson.

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.

APPROVE INTRODUCTION

The Chairperson moved to allow the introduction of a resolution, CR171-2013 that was not prefiled. The motion was seconded by Ms. Watson.

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 introduction 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 158-2013 – A RESOLUTION confirming the appointment of Vananzo H. Eaton to the Pension Oversight Commission.

Council Resolution 159-2013 – A RESOLUTION confirming the appointment of Deborah Ellinghaus to the Board of Health.

Council Resolution 160-2013 – A RESOLUTION confirming the appointment of Toshie Kabuto to the Pension Oversight Commission.

Council Resolution 161-2013 – A RESOLUTION confirming the appointment of Sheryl H. Lewis, M.P.H. to the Board of Health.

Council Resolution 162-2013 – A RESOLUTION confirming the appointment of Danilsa M. Marciniak to the Board of Social Services.

Council Resolution 163-2013 – A RESOLUTION confirming the appointment of Paul G. Nagy, Ph.D., to the Board of Health.

Council Resolution 164-2013 – A RESOLUTION confirming the appointment of Eric N. Shatzer to the Board of Electrical Examiners.

Council Resolution 165-2013 – A RESOLUTION confirming the reappointment of Angela M. Cash to the Equal Business Opportunity Commission.

Council Resolution 166-2013 – A RESOLUTION confirming the reappointment of David Wasser to the Board of Directors of the Howard County Mental Health Authority.

General

Council Bill No. 55-2013 - AN ACT repealing certain temporary use provisions that are inconsistent with the Howard County Zoning Regulations; making certain technical corrections; and generally relating to the Howard County Zoning Regulations.

Council Resolution No 167-2013 - 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 an addition to the front of Deep Run Elementary School.

Council Resolution No 168-2013 - 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 proposed athletic field and fence at Troy Park.the Howard County Code, granting a variance for government uses from the structure and use setback for a proposed athletic field and fence at Troy Park.

Council Resolution No 169-2013 - A RESOLUTION declaring that a total of approximately 1.59 acres of real property owned by Howard County and identified as Open Space Lot 399 is no longer needed for a public purpose; 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 Taylor Properties Community Association; 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.

Council Resolution No 170-2013 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of a Sewer Easement comprising approximately 0.0893 acres is no longer needed by Howard County, Maryland for public purposes; authorizing the County Executive to terminate the property interest, vesting title to the underlying property owner, RHEES Hanover, LLC; and 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 abandon the easement if he finds that the easement may have a further public use.

Council Resolution No. 171-2013 – by Courtney Watson and Jennifer Terrasa – A RESOLUTION supporting the Howard County Historical Society’s involvement in the National Park Service’s

National Underground Railroad Network to Freedom program.

FINAL CONSIDERATION

Consent

Council Resolution No. 132-2013 - Confirming the appointment of Rizwan Siddiqi to the Environmental Sustainability Board. (Tabled 11-4-13)

Council Resolution 139-2013 - Confirming the appointment of Mary K. Affeldt to the Alcohol & Drug Abuse Advisory Board.

Council Resolution 140-2013 - Confirming the appointment of Phillips S. Engelke to the Planning Board.

Council Resolution 141-2013 - Confirming the appointment of Charles C. Feaga to the Alcoholic Beverage Hearing Board.

Council Resolution 142-2013 - Confirming the appointment of Treena S. Greene to the Commission for Women.

Council Resolution No. 144-2013 - Confirming the appointment of Michelle Henry to the Adult Public Guardianship Review Board.

Council Resolution No. 145-2013 - Confirming the appointment of Tristan L. Mack to the Howard County Commission for Veterans and Military Families.

Council Resolution No. 148-2013 - Confirming the appointment of Wanda L. Riddle to the Howard County Commission for Veterans and Military Families.

Council Resolution No. 151-2013 - Confirming the appointment of Charley C. Sung to the Public Ethics Commission.

Council Resolution No. 153-2013 - Introduced By, The Chairperson - Appointing Steven Hunt to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2018.

Council Resolution No. 154-2013 - Confirming the reappointment of Lori A. Fuchs to the Commission for Women.

Council Resolution No. 155-2013 - Confirming the reappointment of G. Scott Harding to the Board of Electrical Examiners.

Council Resolution No. 156-2013 - Confirming the reappointment of Jaykant Parekh to the Equal Business Opportunity Commission.

Council Resolution No. 171-2013 – by Courtney Watson and Jennifer Terrasa – A RESOLUTION supporting the Howard County Historical Society’s involvement in the National Park Service’s National Underground Railroad Network to Freedom program.

The Chairperson moved to approve Council Resolutions 132, 139, 140, 141, 142, 144, 145, 148, 151, 153, 154, 155, 156, and 171-2013. The motion was seconded by Ms. Watson.

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 Council Resolutions 132, 139, 140, 141, 142, 144, 145, 148, 151, 153, 154, 155, 156, and 171-2013 passed.

Other Appointments

Council Resolution No. 146-2013 – A RESOLUTION confirming the appointment of Richard Meckel to the Howard County Commission for Veterans and Military Families.

The Chairperson moved to withdraw Council Resolution 146-2013. The motion was seconded by Ms. Watson.

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

The motion to withdraw Council Resolution 146-2013 passed.

Council Resolution No. 147-2013 – A RESOLUTION confirming the appointment of William A. Moss to the Adult Public Guardianship Review Board.

The Chairperson moved to table Council Resolution 147-2013. The motion was seconded by Ms. Watson.

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

The motion to table Council Resolution 147-2013 passed.

Council Resolution No. 143-2013 – A RESOLUTION confirming the appointment of Mary K. Hargadon-Zester to the Alcohol & Drug Abuse Advisory Board.

The Chairperson moved to approve Council Resolution 143-2013. The motion was seconded by Ms. Watson.

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

Amendment No. 1

(This amendment changes the end date of the appointment in order to correct staggering.)

On page 1, in line 13, strike “2018” and substitute “2017”.

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 Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve Council Resolution 143-2013 as amended was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Watson.

The motion to approve Council Resolution 143-2013 as amended passed.

Council Resolution No. 149-2013 – A RESOLUTION confirming the appointment of Rebecca Roberts to the Alcohol & Drug Abuse Advisory Board.

The Chairperson moved to approve Council Resolution 149-2013. The motion was seconded by Ms. Watson.

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

Amendment No. 1

(This amendment changes the end date of the appointment in order to correct staggering.)

On page 1, in line 13, strike “2015” and substitute “2017”.

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 Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve Council Resolution 149-2013 as amended was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Watson.

The motion to approve Council Resolution 149-2013 as amended passed.

Council Resolution No. 152-2013 - Introduced By, The Chairperson – A RESOLUTION appointing Genevieve E. Walker-Lightfoot to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2017.

The Chairperson moved to approve Council Resolution 152-2013. The motion was seconded by Ms. Watson.

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

Amendment No. 1

(This amendment clarifies the term of the appointment.)

On page 1, in line 17, strike “from” through “2013,” and substitute “from January 1, 2014,”.

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 Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve Council Resolution 152-2013 as amended was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Watson.

The motion to approve Council Resolution 152-2013 as amended passed.

General

Council Bill No. 52-2013 - AN ACT pursuant to Section 1.111(e) of the Howard County Code and Section 612 of the Howard County Charter, approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3080, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3080, Council 67, AFL-CIO that will be effective through the end of Fiscal Year 2015 and that includes payment of certain compensation in Fiscal Year 2015; and providing for the application of this Act.

The Chairperson moved to approve Council Bill 52-2013. The motion was seconded by Ms. Watson.

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 Council Bill 52-2013 passed.

Council Bill No. 53-2013 - AN ACT amending the Pay Plan for Howard County to provide pay scales for certain employees in the Department of Corrections to be effective January 1, 2014; and generally relating to the Pay Plan for Howard County.

The Chairperson moved to approve Council Bill 53-2013. The motion was seconded by Ms. Watson.

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

Amendment No. 1

(This amendment corrects an amount.)

In the Pay Plan, attached to the Bill as introduced, in the CM Schedule, Effective 1/1/2014, in the row entitled “CM2” in the column entitled “Maximum Base Pay”, strike “43.0723” and substitute “43.07”.

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 Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve Council Bill 53-2013 as amended was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Watson.

The motion to approve Council Bill 53-2013 as amended passed.

Council Bill No. 54-2013 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Developer Agreement and Right of Entry for a Major Public Water System between Howard County, Waverly Woods Development Corporation, and Waverly Woods Owner’s Association, Inc., for the construction and acquisition of the Waverly Woods 12-inch Water Main Extension; and authorizing the County Executive to take certain actions in connection with the Agreement.

The Chairperson moved to approve Council Bill 54-2013. The motion was seconded by Ms. Watson.

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 Council Bill 54-2013 passed.

Council Resolution No 157-2013 - A RESOLUTION approving the application and receipt of financing for a Community Legacy Project in Howard County, further described in the Community Legacy Application, to be financed either directly by the Maryland Department of Housing and Community Development or through other departments or agencies of the State of

Maryland and authorizing certain actions necessary to carry out the intent of this Resolution.

The Chairperson moved to approve Council Resolution 157-2013. The motion was seconded by Ms. Watson.

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 Council Resolution 157-2013 passed.

Adjourned **8:01**p.m.

Tabled

Council Resolution No. 150-2011 - Introduced by Greg Fox - Proposing to add a section to Article VIII. "Centralized Purchasing" of the Howard County Charter to limit the exercise of the power of eminent domain so that the power is used only for public purposes and not for private economic development, 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 XIA of the Maryland Constitution. (tabled 10-4-11)

Council Resolution No. 94-2013 - Confirming the appointment of Brian Daugherty to the Howard County Local Children's Board. (tabled 10-7-13)

Council Resolution No. 117-2013 - declaring that a total of approximately 0.841 acres of real property owned by Howard County and identified as a portion of the right-of-way of Dorsey Run Road is no longer needed for a public purpose; 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 Coastal Sunbelt Produce; 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. (tabled 10-7-13)