

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2021 Legislative Session**

**Legislative Day No. 16**

October 4, 2021

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **07:04** p.m. through Virtual *via Webex*.

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

Michelle Harrod, Administrator to the County Council; Craig Glendenning, County Auditor; Owen Clark, Legislative Audit Manager; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; Jeff Meyers, Senior Administrative Analyst; Margery Sayers, Executive Assistant and Brenda Smith, Administrative Support were also present.

**APPROVE JOURNALS AND MINUTES**

The Chairperson moved to approve the Journal for Legislative Day No. 15, September 8, 2021. The motion was seconded by Dr. Jones.

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

The motion to approve the journal passed.

The Chairperson moved to approve the minutes for the Monthly Meeting – September 13, 2021, 2020; the Joint Meeting with the Board of Education – September 20, 2021, the Legislative Public Hearing – September 20, 2021 and the Legislative Work Session – September 27, 2021. The motion was seconded by Dr. Jones.

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

The motion to approve the minutes passed.

## **LATE FILING**

Dr. Jones moved to approve amending the agenda to allow for the introduction of Legislation which was not prefiled, (CB81-2021). The motion was seconded by Council Member Rigby.

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

The motion to approve amending the agenda to allow for the introduction of Legislation which was not prefiled (CB81-2021), failed.

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## **INTRODUCTION**

### **Appointments**

Council Resolution 149-2021 - A RESOLUTION confirming the appointment of Elizabeth Benevides to the Commission on Disabilities. (*No expiration date*)

Council Resolution 150-2021 - A RESOLUTION confirming the appointment of Cassandra Buffington-Bates to the Commission for Transitioning Students with Disabilities. (*No expiration date*)

Council Resolution 151-2021 - A RESOLUTION confirming the appointment of Ihuoma G. Emenuga, MD, MPH, MBA, to the Commission for Transitioning Students with Disabilities. (*No expiration date*)

Council Resolution 152-2021 - A RESOLUTION confirming the appointment of Sherine Hargrove to the Commission for Women. (*No expiration date*)

### **Re-Appointments**

Council Resolution 153-2021 - A RESOLUTION confirming the reappointment of Jennifer Broderick to the Board to Promote Self-Sufficiency. (*No expiration date*)

### **Financial**

Council Bill 68-2021 - AN ORDINANCE authorizing the issuance, sale and delivery of up to \$150,000,000 consolidated public improvement bonds and up to \$50,000,000 metropolitan district

bonds, pursuant to various bond enabling laws; providing that such bonds shall be general obligations of the County; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, and other matters, details, forms, documents or procedures and to determine the method of sale of such bonds; providing for the disbursement of the proceeds of such bonds and for the levying of taxes to pay debt service on such bonds; and providing for and determining various matters in connection therewith. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 69-2021 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 23.974 acres of agricultural land located on west side of Jennings Chapel Road, Brookeville, Howard County, Maryland, from C. Alan Sharp or any other owner thereof for a maximum purchase price of \$842,000 or, if less, not more than \$35,120 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 70-2021 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 127.71 acres of agricultural land located on west side of Jennings Chapel Road, Brookeville, Howard County, Maryland, currently owned by the Jean R. Dickey Inter Vivos Trust, under contract to be owned by AFS Farm LLC and Sharp's Wild Horse Meadow LLC, or any other owner thereof for a maximum purchase price of \$4,827,500 or, if less, not more than \$37,800 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Resolution 154-2021 - 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 2023 and Capital Improvement Program Request for Fiscal Years 2024-2028 for the purpose of submission to the Interagency Commission on School Construction. (No expiration date)

## General

Council Bill 71-2021 - AN ACT adopting the International Building Code, 2021, the International Residential Code, 2021, the International Mechanical Code, 2021, and the International Energy Conservation Code, 2021; 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 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 72-2021 - AN ACT adopting the 2021 International Plumbing Code and the National Fuel Gas Code (NFPA 54-2021), 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 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 73-2021 - 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 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 74-2021 - AN ACT changing references to electrical licenses to be registrations in accordance with State Law; correcting certain cross references; making certain technical corrections; providing for the application of this Act; and generally relating to licensing provisions for electricians in Howard County. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 75-2021 - AN ACT adopting the National Fire Protection Association 1, Fire Code, 2021 Edition as the Howard County Fire Prevention Code, which sets certain fire safety requirements for structures in order to protect life and property; making certain local amendments to the Fire Code which shall include, among other things, the incorporation of certain duties and responsibilities in plan review and inspection; revising and reorganizing certain provisions governing open fires; addressing unit number assignments in certain multi-family residential buildings; requiring certain notice of special events that do not require police permits; amending certain provisions related to the contractor portal; clarifying road widths for fire access roads that access solar facilities; and generally relating to fire safety requirements and fire prevention in Howard County. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Resolution 155-2021 - A RESOLUTION supplementing and amending the Historic Sites Inventory for Howard County by adding the Treakle Farm and the Duvall Family Farm to the Inventory and by amending address information related to properties already on the Inventory.

Council Bill 76-2021 – Introduced by Deb Jung - AN ACT deleting a certain exception for a contract for supplies and services awarded without competition from a requirement that a County contract for procurement of contractual services require a contractor or any subcontractor to comply with certain wage requirements; and generally relating to the compliance of a contractor or subcontractor with wage requirements. (No expiration date)

Council Bill 77-2021 Introduced by Deb Jung and Christiana Rigby - AN ACT to provide for a hearing examiner to hear certain matters in the jurisdiction of the Zoning Board; specifying the powers and duties of, and the procedures to be used by, the hearing examiner, including the requirement to issue a certain report; specifying the contents of the report; specifying the duties of the Zoning Board with respect to the actions of the hearing examiner; clarifying when certain mediation occurs; providing for the rights of the parties, including the right to file exceptions, in matters heard by the hearing examiner; and generally relating to Piecemeal map amendments and development plan approvals. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 78-2021 – Introduced by Liz Walsh - AN ACT adding new definitions to the Forest Conservation ordinance; establishing a “look-back” provision for the disturbance of certain trees; reducing the diameter threshold to 24 inches for forest retention; and generally relating to forest conservation in the County. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 79-2021 – Introduced by Liz Walsh - AN ACT providing for enhanced enforcement measures and penalties for violations of the Forest Conservation Act of Howard County; and generally relating to forest conservation in the County. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

Council Bill 80-2021 – Introduced by Liz Walsh - AN ACT prohibiting the physical harassment of Department of Public Works employees; prohibiting a person from addressing certain words or statements to certain employees or persons; authorizing a certain temporary ban of an individual from certain property under certain circumstances; and generally relating to the regulation of conduct on County property managed by the Department of Public Works and on park property managed by the Department of Recreation and Parks. (Expires 12/13/21; 01/17/22 if extended; or 02/21/22 if extended twice.)

## **FINAL CONSIDERATION**

### **Appointments**

The Chair asked if there were no objections to reading appointments together. After hearing no objections, the Administrator read all of the appointment resolutions except for CR 123-2021; CR 124-2021; CR 128-2021; CR 130-2021; CR 133-2021; and CR 135-2021 together for a single combined roll call vote.

Council Resolution 125-2021 - A RESOLUTION confirming the appointment of Julianne Danna to the Historic Preservation Commission. *(No expiration date)*

Council Resolution 126-2021 - A RESOLUTION confirming the appointment of Theresa Forgét, SPHR, SHRM-SCP, to the Board to Promote Self-Sufficiency. *(No expiration date)*

Council Resolution 127-2021 - A RESOLUTION confirming the appointment of Ellen Flynn Giles to the Historic Preservation Commission. *(No expiration date)*

Council Resolution 129-2021 - A RESOLUTION confirming the appointment of Aida M. Lebbos, J.D., CCEP, to the Commission for Transitioning Students with Disabilities. *(No expiration date)*

Council Resolution 131-2021 - A RESOLUTION confirming the appointment of Alesia Richter to the Commission for Transitioning Students with Disabilities. *(No expiration date)*

Council Resolution 132-2021 - A RESOLUTION confirming the appointment of Dustin Thacker to the Historic Preservation Commission. *(No expiration date)*

Council Resolution 136-2021 - A RESOLUTION confirming the appointment of Kellie Rowden-Racette, to the Commission for Transitioning Students with Disabilities. *(No expiration date)*

Council Resolution 137-2021 - A RESOLUTION confirming the appointment of Sierra Sewchand to the Martin Luther King, Jr. Holiday Commission. *(No expiration date)*

### **Re-Appointments**

Council Resolution 134-2021 - A RESOLUTION confirming the reappointment of Elizabeth Homan to the Housing Commission. *(No expiration date)*

Council Resolution 138-2021 - A RESOLUTION confirming the reappointment of Mary Weeks as a member of the Cable Advisory Committee. *(No expiration date)*

Council Resolution 139-2021 - A RESOLUTION confirming the reappointment of Erica Zoren to the Historic Preservation Commission. (*No expiration date*)

The Chairperson moved to approve Council Resolutions 125-2021, 126-2021, 127-2021, 129-2021, 131-2021, 132-2021, 136-2021, 137-2021, and Council Resolutions 134-2021, 138-2021 and 139-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 125-2021, 126-2021, 127-2021, 129-2021, 131-2021, 132-2021, 136-2021, 137-2021, and CR134-2021 and CR 138-2021 and CR139-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolutions 125-2021, 126-2021, 127-2021, 129-2021, 131-2021, 132-2021, 136-2021, 137-2021, and CR134-2021 and CR139-2021 passed.

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Council Resolution 123-2021 - A RESOLUTION confirming the appointment of Adeniyi Michael Adekoya to the Commission on Disabilities. (*No expiration date*) (did not appear at September Public Hearing)

The Chairperson moved to table Council Resolution 123-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to table Council Resolution 123-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Resolution 123-2021 passed.

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Council Resolution 128-2021 - A RESOLUTION confirming the appointment of Brandon Kostinsky to the Historic Preservation Commission. (*No expiration date*) Administration request withdraw of resolution.

The Chairperson moved to withdraw Council Resolution 128-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to withdraw Council Resolution 128-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to withdraw Council Resolution 128-2021 passed.

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Council Resolution 124-2021 - A RESOLUTION confirming the appointment of James Cecil to the Planning Board. *(No expiration date)*

The Chairperson moved to approve Council Resolution 124-2021. The motion was seconded by Dr. Jones.

Dr. Jones called the question to stop discussion on Amendment 1 to Council Resolution 124-2021. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to call the question to stop the discussion on Amendment 1 to Council Resolution 124-2021 was: Yea: Council Members Jones, Rigby and Yungmann. Nay: Council Member Jung and Chairperson Walsh.

The motion to call the question to stop discussion on Amendment 1 passed.

The Chairperson moved to approve Amendment 1 to Council Resolution 124-2021. The motion was seconded by Dr. Jones.

**Amendment No. 1**

*(This amendment corrects the year that the term expires.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Resolution 124-2021 was: Yea: Council Members Jones, Jung, 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 124-2021 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh; Nay: Council Member Yungmann.

The motion to approve Council Resolution 124-2021 as amended passed.

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Council Resolution 130-2021 - A RESOLUTION confirming the appointment of Sekou “Koe” Murphy to the Housing and Community Development Board. *(No expiration date)*

The Chairperson moved to approve Council Resolution 130-2021. The motion was seconded by Dr. Jones.



The Chairperson moved to approve Amendment 1 to Council Resolution 130-2021. The motion was seconded by Dr. Jones.

**Amendment No. 1**

*(This amendment inserts the expiration of the appointee's term.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Resolution 130-2021 as amended was: Yea: Council Members Jones, Jung, 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 130-2021 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 130-2021 as amended passed.

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Council Resolution 133-2021 - A RESOLUTION confirming the reappointment of Edward Coleman to the Planning Board. *(No expiration date)*

The Chairperson moved to approve Council Resolution 133-2021. The motion was seconded by Dr. Jones.

The Chairperson moved to approve Amendment 1 to Council Resolution 133-2021. The motion was seconded by Dr. Jones.

**Amendment No. 1**

*(This amendment corrects the year that the term expires.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Resolution 133-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Council Resolution 133-2021 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 133-2021 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 133-2021 as amended passed.

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Council Resolution 135-2021 - A RESOLUTION confirming the reappointment of Erica Roberts to the Planning Board. *(No expiration date)*

The Chairperson moved to approve Council Resolution 135-2021. The motion was seconded by Dr. Jones.

The Chairperson moved to approve Amendment 1 to Council Resolution 135-2021. The motion was seconded by Dr. Jones.

**Amendment No. 1**

*(This amendment corrects the month that the term expires.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Resolution 135-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Council Resolution 135-2021 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 135-2021 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 135-2021 as amended passed.

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**Financial**

SAO1-FY2022 - AN ACT transferring \$476,969 from the General Fund, Contingency Reserve to the Department of Police, Office of the State's Attorney and Sherriff's Office for the Body Worn Camera Program. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

The Chairperson moved to approve SAO1-FY2022. The motion was seconded by Dr. Jones.

The Chairperson moved to approve Amendment 1 to SAO1-FY2022. The motion was seconded by Council Member Jung.

**Amendment No. 1**

*(This Amendment requires the recipient agencies to submit progress reports to the Council.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to SAO1-FY2022 was: Yea: Council Members Jung, Rigby, Walsh and Yungmann. Nay: Council Member Jones.

The motion to approve Amendment 1 to SAO1-FY2022 passed.

The roll call vote called by the Administrator on the motion to approve SAO1-FY2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve SAO1-FY2022 as amended passed.

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SAO2-FY2022 - AN ACT transferring \$273,540 from the Grant Fund, Contingency Reserve to the Department of Finance to reflect increased grant funding received from the State Department of Commerce for a grant that aids businesses who set up online sales and telework opportunities. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

The Chairperson moved to approve SAO2-FY2022. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve SAO2-FY2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve SAO2-2022 passed.

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Council Bill 59-2021 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Agreement between Howard County, Maryland and Hurricane Electric, LLC for certain internet services used by the County, 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. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

The Chairperson moved to approve Council Bill 59-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 59-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 59-2021 passed.

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Council Resolution 140-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and SunEast Friendship Solar LLC and MHGH&S, LLC for the generation of electricity on property located at 13300 Frederick Road, West Friendship. *(No expiration date)*

The Chairperson moved to approve Council Resolution 140-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 140-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 140-2021 passed.

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Council Resolution 141-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and SunEast Friendship Solar LLC and MHGH&S, LLC for the generation of electricity on property located at 13300 Frederick Road, West Friendship. *(No expiration date)*

The Chairperson moved to table Council Resolution 141-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to table Council Resolution 141-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Resolution 141-2021 passed.

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Council Resolution 142-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Terrapin Branch Solar, LLC, and 2800 Nixon's Farm Lane, LLC, for the generation of electricity on property owned by 2800 Nixon's Farm Lane, LLC located at 2800 Nixon's Farm Lane, West Friendship, Maryland. *(No expiration date)*

The Chairperson moved to table Council Resolution 142-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to table Council Resolution 142-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Resolution 142-2021 passed.

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Council Resolution 143-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Community Power Group, LLC and Jack Coogan Fyock Jr. for the generation of electricity on property located on Ten Oaks Road, Glenelg, Maryland. *(No expiration date)*

The Chairperson moved to table Council Resolution 143-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to table Council Resolution 143-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Resolution 143-2021 passed.

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Council Resolution 144-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Roslyn Rise Four, LLC for property located at 10351 Twin Rivers Road, which will comprise a mixed-income, rental housing development to be known as one-half of Roslyn Rise Apartments, and finding that the Development meets the requirements of certain Special Affordable Housing Opportunities pursuant to the Adequate Public Facilities Act and may proceed subject to all other provisions of the Act despite being located in an area that is closed for development due to the projected enrollment in the school capacity chart. *(No expiration date)*

The Chairperson moved to approve Council Resolution 144-2021. The motion was seconded by Dr. Jones.

The Chairperson moved to approve Amendment 1 to Council Resolution 144-2021. The motion was seconded by Council Member Jung.

**Amendment No. 1**

*(This amendment is necessary to reflect the updated state financing amounts noted in the loan decision letter dated 9/13/21 from the Maryland Department of Housing and Community Development, Community Development Administration.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Resolution 144-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Council Resolution 144-2021 passed.

The Chairperson moved to DIVIDE the resolution (as amended) so as to consider separately the question of approval of the PILOT Agreement and the APFO Waiver contained in Council Resolution 144-2021 [Nondebatable and Majority Vote]. The motion was seconded by Council Member Jung.

The roll call vote called by the Administrator on the motion to DIVIDE the resolution (as amended) so as to consider separately the question of approval of the PILOT Agreement and the APFO Waiver contained in Council Resolution 144-2021 was: Yea: Council Members Jung, Walsh and Yungmann. Nay: Council Member Jones and Rigby.

The motion to DIVIDE the resolution (as amended) so as to consider separately the question of approval of the PILOT Agreement and the APFO Waiver in Council Resolution 144-2021 passed.

The Chairperson moved to approve the PILOT Agreement in Council Resolution 144-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve the PILOT Agreement in Council Resolution 144-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve PILOT Agreement in Council Resolution 144-2021 passed.

The Chairperson moved to approve the APFO WAIVER in Council Resolution 144-2-21. The motion was seconded by Dr. Jones.

Council Member Jung moved to table Council Resolution 144-2-21. The motion was seconded by the Chairperson.

The roll call vote called by the Administrator on the motion to table Council Resolution 144-2021 as amended was: Yea: Council Members Jones, Jung, Walsh and Yungmann. Nay: Council Member Rigby.

The motion to table Council Resolution 144-2021 as amended passed.

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Council Resolution 145-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Roslyn Rise Nine, LLC for property located at 10401 Twin Rivers Road, which will comprise a mixed-income, rental housing development to be known as one-half of Roslyn Rise Apartments, and finding that the

Development meets the requirements of certain Special Affordable Housing Opportunities pursuant to the Adequate Public Facilities Act and may proceed subject to all other provisions of the Act despite being located in an area that is closed for development due to the projected enrollment in the school capacity chart. *(No expiration date)*

The Chairperson moved to table Council Resolution 145-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to table Council Resolution 145-2021 was: Yea: Council Members Jones, Jung, Walsh and Yungmann. Nay: Council Member Rigby.

The motion to table Council Resolution 145-2021 passed.

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Council Bill 60-2021 - AN ACT amending the authority to impose civil citations for violations of animal control provisions; amending certain appeal procedures; providing that Title 24, Civil Penalty, provisions apply to violations of animal control provisions; and declaring that this Act is an Emergency Bill necessary to meet a public emergency affecting life, health or property. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

The Chairperson moved to approve Council Bill 60-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 60-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 60-2021 passed.

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Council Bill 61-2021 - AN ACT amending the Pay Plan for Howard County to amend the classification and paygrade for the position of Workforce Development Administrator; and generally relating to the Pay Plan for Howard County. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

The Chairperson moved to approve Council Bill 61-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 61-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 61-2021 passed.

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Council Bill 62-2021 - AN ACT amending a certain position that is appointed by the Chief Administrative Officer; and generally relating to the listing of position classifications in the Howard County Code. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

The Chairperson moved to approve Council Bill 62-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 62-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 62-2021 passed.

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Council Bill 63-2021 - AN ACT confirming and ratifying the authority of boards and commissions to hold their meetings in person, by telephone, video conferencing, or other electronic means, or any combination thereof; and generally relating to board and commission meetings. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

The Chairperson moved to approve Council Bill 63-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 63-2021 was: Yea: Council Members Jones, Jung, Rigby. Nay: Council Members Walsh and Yungmann.

The motion to approve Council Bill 63-2021 passed.

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Council Bill 64-2021 - AN ACT prohibiting the cutting or clearing of certain specimen trees; providing that a property owner may proceed under certain conditions and upon the submission and approval of certain applications; providing for the contents of certain applications; providing for the criteria to use in the review of certain applications; providing for certain exemptions; requiring certain compliance; providing certain penalties for noncompliance; requiring surety for forest retention; defining certain terms; and generally related to forest conservation and the preservation of natural cover in Howard County. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

Council Member Rigby moved to table Council Bill 64-2021. The motion was seconded by Council Member Walsh.

The roll call vote called by the Administrator on the motion to table Council Bill 64-2021 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Bill 64-2021 passed.

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Council Resolution 146-2021 - A RESOLUTION endorsing the Howard County Executive's intent to apply for membership with the Government Alliance on Race and Equity (GARE). (*No expiration date*)

The Chairperson moved to approve Council Resolution 146-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 146-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 146-2021 passed.

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Council Resolution 147-2021 - A RESOLUTION declaring that a total of approximately 0.1431 acres of real property owned by Howard County and identified as a portion of Roxbury Road 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 property to the owner of the adjacent property upon the payment of certain consideration; 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. (*No expiration date*)

The Chairperson moved to approve Council Resolution 147-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 147-2021 was: Yea: Council Members Jones, Jung, Walsh and Yungmann. Abstain: Council Member Rigby.

The motion to approve Council Resolution 147-2021 passed.

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Council Resolution 148-2021 - A RESOLUTION declaring that it is in the interest of public health, safety, and welfare of the citizens of Howard County to accept the dedication of a Right of Way for Rose Lane as shown on the plat titled "Nordau Subdivision" and recorded among the Land Records of Howard County at Plat Book 3, Page 51. (*No expiration date*)

The Chairperson moved to approve Council Resolution 148-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 148-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 148-2021 passed.

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Council Bill 65-2021 – Introduced by: Deb Jung - AN ACT requiring the posting of an information sign on certain parcels of land that are affected by a petition for a Zoning Regulation Amendment; specifying the content of the sign; prohibiting the Department of Planning and Zoning from submitting its Technical Staff Report under certain circumstances; adding a penalty for a violation of a certain provision of law; and generally relating to Zoning Regulation Text Amendment petitions. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

Council Member Jung moved to approve Council Bill 65-2021. The motion was seconded by the Chairperson.

Council Member Jung moved to approve Amendment 1 to Council Bill 65-2021. The motion was seconded by the Chairperson.

**Amendment No. 1**

*(This amendment clarifies a petitioner’s ownership status, specifies the location of an information sign that is required to be posted by certain petitioners, and requires the posting of all zoning regulation text amendments to a dedicated web page.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Bill 65-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Council Bill 65-2021 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 65-2021 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 65-2021 as amended passed.

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Council Bill 66-2021 – Introduced by Liz Walsh - AN ACT removing exemptions from the Forest Conservation Plan requirements for certain Planned Unit Developments and Planned Business Parks; and generally relating to forest conservation in the County. *(Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.)*

The Chairperson moved to table Council Bill 66-2021. The motion was seconded by Christiana Rigby.

The roll call vote called by the Administrator on the motion to table Council Bill 66-2021 was:  
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Bill 66-2021 passed.

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Council Bill 67-2021 – Introduced by Christiana Rigby and Opel Jones - AN ACT altering the date by which a store must remit the fees collected for disposable bags to the Director of Finance; and generally relating to disposable bag fees in the County. (*Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.*)

Dr. Jones moved to approve Council Bill 67-2021. The motion was seconded by Christiana Rigby.

The roll call vote called by the Administrator on the motion to approve Council Bill 67-2021 was:  
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 67-2021 passed.

Adjourned: **09:07 p.m.**

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### **Tabled**

Council Bill 64-2021 - AN ACT prohibiting the cutting or clearing of certain specimen trees; providing that a property owner may proceed under certain conditions and upon the submission and approval of certain applications; providing for the contents of certain applications; providing for the criteria to use in the review of certain applications; providing for certain exemptions; requiring certain compliance; providing certain penalties for noncompliance; requiring surety for forest retention; defining certain terms; and generally related to forest conservation and the preservation of natural cover in Howard County. (*Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.*)

Council Bill 66-2021 – Introduced by Liz Walsh - AN ACT removing exemptions from the Forest Conservation Plan requirements for certain Planned Unit Developments and Planned Business Parks; and generally relating to forest conservation in the County. (*Expires 11/17/21; 12/22/21 if extended; or 1/26/22 if extended twice.*)

Council Resolution 123-2021 - A RESOLUTION confirming the appointment of Adeniyi Michael Adekoya to the Commission on Disabilities. (*No expiration date*) (did not appear at September Public Hearing)

Council Resolution 140-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and SunEast Friendship Solar LLC and MHGH&S, LLC for the generation of electricity on property located at 13300 Frederick Road, West Friendship. *(No expiration date)*

Council Resolution 141-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and SunEast Friendship ANEM Solar LLC and MHGH&S, LLC for the generation of electricity on property located at 13300 Frederick Road in West Friendship, Maryland. *(No expiration date)*

Council Resolution 142-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Terrapin Branch Solar, LLC, and 2800 Nixon's Farm Lane, LLC, for the generation of electricity on property owned by 2800 Nixon's Farm Lane, LLC located at 2800 Nixon's Farm Lane, West Friendship, Maryland. *(No expiration date)*

Council Resolution 143-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Community Power Group, LLC and Jack Coogan Fyock Jr. for the generation of electricity on property located on Ten Oaks Road, Glenelg, Maryland. *(No expiration date)*

Council Resolution 144-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Roslyn Rise Four, LLC for property located at 10351 Twin Rivers Road, which will comprise a mixed-income, rental housing development to be known as one-half of Roslyn Rise Apartments, and finding that the Development meets the requirements of certain Special Affordable Housing Opportunities pursuant to the Adequate Public Facilities Act and may proceed subject to all other provisions of the Act despite being located in an area that is closed for development due to the projected enrollment in the school capacity chart. *(No expiration date)*

Council Resolution 145-2021 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Roslyn Rise Nine, LLC for property located at 10401 Twin Rivers Road, which will comprise a mixed-income, rental housing development to be known as one-half of Roslyn Rise Apartments, and finding that the Development meets the requirements of certain Special Affordable Housing Opportunities pursuant to the Adequate Public Facilities Act and may proceed subject to all other provisions of the Act despite being located in an area that is closed for development due to the projected enrollment in the school capacity chart. *(No expiration date)*

**Withdrawn**  
**Re-Appointment**

Council Resolution 128-2021 - A RESOLUTION confirming the appointment of Brandon Kostinsky to the Historic Preservation Commission. *(No expiration date)* Administration request withdraw of resolution.

**Failed**

Council Bill 81-2021 – Introduced by Opel Jones and Christiana Rigby - AN ACT establishing a local minimum wage for employees working in Howard County; and generally relating to Howard County minimum wage requirements.