



# Howard County Council

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

## COUNCILMEMBERS

Jennifer Terrasa, Chairperson  
District 3  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Courtney Watson  
District 1  
Calvin Ball  
District 2  
Greg Fox  
District 5

## Agenda

December 1, 2012 – December 14, 2012

### County Council

Monday, December 3, 2012

Banneker Room

George Howard Building, 3430 Court House Drive, Ellicott City, MD

7:30 p.m.

### Legislative Session

Day #15

### Approve Journal –

November 5, 2012

### Approve Minutes –

Legislative Public Hearing – November 19, 2012

Legislative Work Session – November 26, 2012

### Introduction of Legislation

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

### Appointments

Council Resolution No. 175-2012 - Confirming the reappointment of Deborah Chapman to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 176-2012 - Confirming the reappointment of Susan Fillmore to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 177-2012 - Confirming the reappointment of Maurice Simpkins to the Housing Commission.

General

Council Resolution No. 178-2012 - Declaring that a total of approximately 18,992 square feet (.436 acres) of real property owned by Howard County and identified as Lots 9 and 36, Parcel 425, Tax Map 50 located in North Laurel, Howard County, Maryland 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 Cornerstone Homes, Inc.; 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 No. 179-2012 - Pursuant to Section 4.201 of the Howard County Code, declaring that development rights on approximately 68.1924 acres owned by Howard County, Maryland located at 6555 Belmont Woods Road, Elkridge, Maryland, are no longer needed by the County for public purposes; authorizing the County Executive to sell the development rights and, accordingly, place a preservation easement on the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; providing that the County Executive is not bound to sell the development rights or place the preservation easement if he finds that it may have a further public use and submits his finding to the County Council for its consideration; and providing for a certain effective date.

Council Resolution No. 180-2012 - Authorizing and directing the Office of Law to institute condemnation proceedings in the Circuit Court for Howard County, Maryland for the acquisition of a sewer, water and utility easement needed for a public purpose and on land believed to be owned by or assessed to Mary Howard Bruce Smith and known as Bowdoin Road.

Council Resolution No. 181-2012 - Approving the application and receipt of financing for a Neighborhood Conservation Initiative Project in Howard County, further described in the Neighborhood Conservation Initiative 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.

Final Consideration

Consent

Council Resolution No. 157-2012 - Confirming the appointment of Mary Bird to the Alcoholic Beverage Hearing Board.

Council Resolution No. 158-2012 - Confirming the appointment of Jennifer Facticeau to the Alcohol & Drug Abuse Advisory Board.

Council Resolution No. 159-2012 - Confirming the appointment of Hector J. Garcia, Jr. to the Public Transportation Board.

Council Resolution No. 160-2012 - Confirming the appointment of Phyllis Meyerson to the Adult Public Guardianship Review Board.

Council Resolution No. 161-2012 - Confirming the appointment of Andrew A. Monjan, Ph., D, M.P.H. to the Commission on Aging.

Council Resolution No. 162-2012 - Confirming the appointment of Maria Mouratidis, Psy. D. to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 163-2012 - Confirming the nomination of Maura Rossman, M.D., to be the Health Officer for Howard County; and requiring the nomination to be forwarded to the Secretary of the Maryland Department of Health and Mental Hygiene for the appointment of Maura Rossman, M.D., as the Health Officer for Howard County.

Council Resolution No. 164-2012 - Confirming the appointment of Thomas Schmidt, R.N. to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 165-2012 - Confirming the reappointment of Henry M. Alinger to the Howard County Design Advisory Panel.

Council Resolution No. 166-2012 - Confirming the reappointment of Bitu Dayhoff to the Board to Promote Self-Sufficiency.

Council Resolution No. 167-2012 - Confirming the reappointment of Andrea Ingram to the Board to Promote Self-Sufficiency.

Council Resolution No. 168-2012 - Confirming the appointment of Mitchell W. Stringer to the Pension Oversight Commission.

#### Finance

Supplementary Budget & Appropriation Ordinance No. 3-FY2013 - Transferring \$27,100 from the Grants Fund, Contingency Reserve to the Sheriff's Office for a grant to purchase a fingerprinting system and to provide training on the equipment.

Supplementary Budget & Appropriation Ordinance No. 4-FY2013 - Transferring \$585,000.00 from the Grants Fund, Contingency Reserve to the Department of Technology and Communication Services for the PEG/INet Grants from Verizon and Ellicott City Cable Companies.

#### General

Council Bill No. 34-2012 - Amending the Pay Plan for Howard County; providing pay scales for police management employees; making certain positions within the Department of Corrections executive exempt; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Council Bill No. 35-2012 - Amending the Classification Plan for Howard County to amend the classification description for the position of Correctional Program Supervisor III within the Department of Corrections; and generally relating to amendments to the Howard County Classification Plan.

Council Bill No. 36-2012 (ZRA 144) - Introduced by: The Chairperson at the request of the Marsha S. McLaughlin, Director, Department of Planning and Zoning - Creating a Community Enhancement Floating District; setting forth uses permitted as of right; excluding certain uses; allowing for certain accessory uses; requiring certain moderate income housing; requiring certain density be obtained through the density exchange option or through the neighborhood preservation density exchange option; requiring certain features or amenities as community enhancements; setting forth certain criteria and procedures for the establishment of a Community Enhancement Floating District; requiring certain plans; allowing certain modifications under certain conditions; and generally relating to the Howard County Zoning Regulations.

Council Bill No. 37-2012 - Amending *PlanHoward 2030*, the general plan for Howard County, by defining Growth Tiers, as required by the Maryland Sustainable Growth and Agricultural Preservation Act of 2012; specifying additional designated place types to correspond with the Growth Tiers; revising certain maps to reflect the additional designated place types; adding new text to describe Growth Tiers and adding new maps; and generally relating to planning, zoning and land use in Howard County.

- I. Council Bill No. 38-2012 (ZRA 140) - Introduced by, the Chairperson at the request of Kellogg CCP LLP, c/o Preston Scheffenacker Properties, Inc. - Amending the Howard County Zoning Regulations to permit the TOD District regulations to allow multi-family dwellings as a permitted use subject to certain criteria; amending the commercial use requirements concerning the building-type; allowing drive-through services subject to certain criteria; generally relating to residential and commercial uses in the TOD zoning district; and generally relating to the Zoning Regulations.
- II. Council Bill No. 39-2012 (ZRA 142) - Introduced by, the Chairperson at the request of Bith Energy, Inc. - Amending the Howard County Zoning Regulations to permit Commercial Solar Facilities as a Conditional Use in the RC and RR zoning district subject to certain criteria; and generally related to the Zoning Regulations.

Council Bill No. 40-2012 - Introduced by, Calvin Ball, Jennifer Terrasa, and Courtney Watson - Providing a hiring preference in County government for qualified individuals and veterans with disabilities; providing for policies related to the hiring preference; and generally relating to County hiring practices.

Council Bill No. 41-2012 - Amending the allocation categories used in the Housing Unit Allocation Chart, clarifying certain definitions, providing for the application of this Act, and generally relating to adequate public facilities in Howard County.

Council Resolution No. 156-2012 - Introduced by: The Chairperson at the request of COPT Development and Construction Services, LLC - Close a portion of Riverwood Drive, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Council Resolution No. 169-2012 - Introduced by: Courtney Watson - Encourage the General Assembly to provide the necessary resources to appropriate agencies to implement the use of multidisciplinary teams to address bullying, harassment, and intimidation among students

Council Resolution No. 170-2012 - Adopting the Housing Unit Allocation Chart for Fiscal Year 2013 pursuant to the Adequate Public Facilities Act of Howard County; and providing for a certain effective date.

Council Resolution No. 171-2012 - adopting the Open/Closed Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the school regions and school districts that are open for residential development; and providing for a certain effective date.

Council Resolution No. 172-2012 - Adding certain sites to the Cemeteries and Grave Sites Inventory.

Council Resolution No. 173-2012 - Pursuant to Section 4.201 of the Howard County Code declaring that .4966 acres of land known as a portion of Riverwood Drive owned by Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to terminate the property interest, vesting title to the adjacent property owner, 7200 Riverwood LLC, a subsidiary of COPT Development and Construction Services, LLC; 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 terminate the property interest if he finds that it may have a further public use and submits his finding to the County Council for its consideration.

Council Resolution No. 174-2012 - Removing a provision in Council Resolution No. 143-2006 that required certain construction on or before December 31, 2008 or the County's acceptance of a portion of Forrest Avenue would be null and void.

Tabled Legislation

Council Resolution No. 150-2011 – 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.

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County Council  
Monthly Meeting  
Monday, December 10, 2012  
C. Vernon Gray Room  
George Howard Building, 3430 Court House Drive, Ellicott City, MD  
**4:30 p.m.**

**6:00 p.m.**  
Zoning Board  
Banneker Room  
George Howard Building, 3430 Court House Drive, Ellicott City, MD

Public Hearing

Zoning Board Case No. 1098M

Veli Demirel

Approval of a Preliminary Development Plan for approx. 2 acres of land which is currently zoned R-20 and seeks the OT zoning district (10105, 10109 & 10113 Frederick Road)

Visit the Council's website (<http://cc.howardcountymd.gov>) to view legislation, send written testimony, and sign-up electronically to testify at public hearings.

Persons needing accommodations to fully participate in the meeting, please contact the Council Office, 410-313-2001, at least eight working days in advance.