



Howard County Council

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

COUNCILMEMBERS

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

Minutes (approved)
Public Hearing
July 16, 2012

George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Members present: Mary Kay Sigaty, Council Chairperson, Courtney Watson, Council Vice Chairperson, Calvin Ball, Council Member, and Jen Terrasa, Council Member.

Staff Present: Stephen LeGendre, Administrator, Theo Wimberly, Legislative Assistant, and Charity Respass, Administrative Aide.

- I. Call to Order at 7:32 p.m.
- II. Pledge of Allegiance led by Council Member Ball
- III. Approve Minutes -
 - A. Legislative Work Session - July 3, 2012
 - B. Legislative Work Session - July 9, 2012
 - C. Legislative Work Session - July 12, 2012

Mary Kay Sigaty, Chairperson moved to approve Meeting Minutes, seconded by Courtney Watson, Vice Chairperson.

The motion carried as follows

AYES: Mary Kay Sigaty, Council Chairperson; Calvin Ball, Council Member; Jennifer Terrasa, Council Member; Courtney Watson, Council Vice Chairperson
ABSENT: Greg Fox, Council Member

- IV. The following legislation was introduced by the Chairperson at the request of the County Executive unless otherwise noted:

- A. Appointments

1. Council Resolution No. 87-2012 - Confirming the appointment of Caroline Harper to the Housing and Community Development Board.
 - a. Caroline Harper, Columbia MD - called to speak

2. Council Resolution No. 108-2012 - Confirming the appointment of Roger L. Barnes to the Equal Business Opportunity Commission.
 - a. Roger Barnes, 12236 Summer Sky Path, Clarksville, MD 21029 - called to speak

B. Financial

1. Council Bill No. 27-2012 - Purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$5,216,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of Capital Project No. E1027 (Longfellow Elem Addition), more particularly described in the County's 2013 Capital Budget, and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.
 - a. Jennifer Sager, Department of County Administration - called to speak on behalf of Administration

C. General

1. Council Resolution No. 110-2012 - Amending the Food Service Facilities Regulations; adding and amending certain definitions related to farmer's markets and to temporary and special food service facilities; clarifying the training requirements for certified managers; clarifying certain licensure provisions; and generally related to food service facilities regulations in Howard County.
 - a. Nancy Lewin, Health Department - called to speak on behalf of Administration
2. Council Resolution No. 111-2012 - Adopting a revised Food Service Facility Fee Schedule that includes certain farmer's market fees.
 - a. Nancy Lewin, Health Department - called to speak on behalf of Administration
3. Council Resolution No. 112-2012 - Designating Ellicott City as a Sustainable Community for approval either directly by the Department of Housing and Community Development of the State of Maryland or through the Smart Growth Subcabinet of the State of Maryland.
 - a. Steve Lafferty, Department of Planning and Zoning - called to speak on behalf of Administration
 - b. Grace Kubofcik, 4801 Carmen Drive, Ellicott City, MD 2043 - called to speak

4. Council Resolution No. 113-2012 - Pursuant to Section 4.201 of the Howard County Code, declaring that certain real property comprising approximately 13.5332 acres owned by Howard County, Maryland located at 6566 Belmont Woods Road, Elkridge, Maryland, known as the "Dobbin Property", is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; 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 sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration.
 - a. Tina Hackett, Department of Public Works - called to speak on behalf of Administration
 - b. John Byrd, Director of Recreation and Parks - called to speak for Administration
 - c. Dale Schumacher - 6581 Belmont Woods Road, Elkridge, MD 21075 - called to speak
 - d. Bernard Noppinger, 8638 North Bali Court, Ellicott City, MD - called to speak

5. Council Resolution No. 114-2012 - Pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant a permanent water main connection easement and a permanent sewer house connection easement to adjacent property owners Charles V. Lewis, Jr. and Leslie M. Ryan on property owned by the County located along Burrows Lane in Ellicott City; 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 grant said easements if he finds that the land may have a further public use and submits his finding to the County Council for its consideration.
 - a. Tina Hackett, Department of Public Works - called to speak on behalf of Administration
 - b. Charles V. Lewis, 2938 Rogers Avenue, Ellicott City, MD - called to speak

6. Council Resolution No. 115- 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.
 - a. Marsha McLaughlin, Department of Planning and Zoning - called to speak on behalf of Administration

7. Council Resolution No. 116-2012 - Adopting the Housing Unit Allocation Chart for Fiscal Year 2013 pursuant to the Adequate Public Facilities Act of Howard County.
 - a. Marsha McLaughlin - called to speak on behalf of Administration
 - b. Grace Kubofcik, 4801 Carmen Drive, Ellicott City, MD 2043 - called to speak

8. Council Resolution No. 109-2012 - Introduced by Council Member Greg Fox - Proposing to amend Section 603 "Submission and contents of the County budget" of the Howard County Charter by limiting the amount of contingency funds held in reserve to 3% of each fund in the current expense budget; 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.

- a. Bernard Noppinger, 8638 North Bali Court, Ellicott City, MD - called to speak
9. Council Resolution No. 117-2012 - Introduced by, Council Member Greg Fox - Proposing to amend Section 202 "County Council" of the Howard County Charter by adding conviction of or pleading nolo contendere to a felony as cause for forfeiture of office by a County Council member; to amend Section 302 "The County Executive" of the Howard County Charter by adding conviction of or pleading nolo contendere to a felony as cause for forfeiture of office by the County Executive; to amend Section 405 "The Office of Law" of the Howard County Charter by adding conviction of or pleading nolo contendere to a felony as a cause for forfeiture of office by the County Solicitor; 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.
 - a. Bernard Noppinger, 8638 North Bali Court, Ellicott City, MD - called to speak

V. Adjourn at 8:29 p.m.

VI. Tabled Legislation

- A. 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.
- B. Council Resolution No. 87-2012 - Confirming the appointment of Caroline Harper to the Housing and Community Development Board.
- C. Council Resolution No. 99-2012 - Introduced by: Council Member Calvin Ball - Proposing to amend Section 202 "County Council" of the Howard County Charter by changing from three to four the maximum number of terms the Council Members can serve; 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.
- D. Council Resolution No. 100-2012 - Introduced by: The Chair at the Request of the Charter Review Commission - Proposing to amend the Howard County Charter to make various technical changes; to amend Section 202 "The County Council" by removing an obsolete factor to be considered in redistricting; to amend Section 501 "The County Board of Appeals" by correcting a citation to the Annotated Code of Maryland; to amend Section 601 "Fiscal year and tax year definitions", Section 615A "Budget Stabilization", and Section 615B "Restrictions on Use of Surplus Revenues" in order to consolidate certain duplicate definitions; to amend Section 709 "Prohibitions" by correcting a typographical error; 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.
- E. Council Resolution No. 101-2012 - Introduced by: The Chair at the Request of the Charter Review Commission - Proposing to amend Section 208 "Sessions of the County Council; quorum; rules of procedure", Section 209 "Legislative Procedure", Section 210 "Recording, printing and compilation of laws", and Section 604 "Filing of proposed budget; copies" of the Howard County Charter by changing various publication and advertising requirements to provide that certain information also be made available in at least one electronic medium; proposing to amend Section 209 "Legislative procedure" of the Howard County Charter by permitting the County Council to extend the amount of time to post emergency legislation; 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.
 - F. Council Resolution No. 102-2012 - Introduced by: The Chair at the Request of the Charter Review Commission - Proposing to amend Section 209 "Legislative procedure" of the Howard County Charter by permitting the County Council to extend the amount of time to consider legislation before the Council; 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.
 - G. Council Resolution No. 103-2012 - Introduced by: The Chair at the Request of the Charter Review Commission- Proposing to amend Section 211 "The referendum" of the Howard County Charter by providing that the number of required signatures for a referendum be 5% of the qualified voters of the County calculated upon the whole number of votes cast in the County for Governor at the last preceding gubernatorial election; 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.
 - H. Council Resolution No. 104-2012 - Introduced by: The Chair at the Request of the Charter Review Commission - Proposing to amend Section 611 "Lapsed appropriations" of the Howard County Charter to permit the County to carry over grant funds from one fiscal year to the next; 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.
 - I. Council Resolution No. 105-2012 - Introduced by: The Chair at the Request of the Charter Review Commission - Proposing to amend Section 613 "Restrictions of capital projects; amendment to capital budget after adoption of budget", of the Howard County Charter to clarify the application of the section to new capital projects; requiring the County Council to establish by law procedures for amending the budget when changes to existing capital projects are approved; 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.
 - J. Council Resolution No. 106-2012 - Introduced by: The Chair at the Request of the Charter Review Commission - Proposing to repeal Section 906 "Copies of books and papers on demand" and Section 907 "Inspection of books, accounts, and papers" of the Howard County Charter and replace them with new Section 906 "Right to Inspect and Copy Public Records"; making the public access provisions of the County Charter consistent with the Maryland Public Information Act; expanding the public

right to inspect records to include all persons; permitting persons to obtain copies of public records upon payment of a reasonable fee prescribed by the County Council; 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.

- K. Council Bill No. 26-2012 - Adopting PlanHoward 2030 as the general plan for Howard County, Maryland, for the purpose of planning for land use and land conservation and multiyear development planning for transportation, public facilities, water, sewerage, parkland, housing, human services, and environmental protection; and generally relating to planning, zoning, and land use in Howard County, Maryland.

Visit the Council's website (www.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.