

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2022 Legislative Session**

**Legislative Day No. 4**

February 7, 2022

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:04** p.m.

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

Michelle Harrod, Council Administrator; Craig Glendenning, County Auditor; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; Maureen Arthurs, Director of Government Affairs; Jeff Meyers, Senior Legislative Analyst; Charity Respass and Brenda Smith, Administrative Support were also present.

**HONORARY RESOLUTIONS**

Honorary Resolution was presented to Mrs. Doris Ligon in recognition for her contributions to Howard County by establishing the African Art Museum of Maryland.

Honorary Resolution was presented in honor of Mr. Melvin Garrett and Mrs. Elizabeth Garrett, original owners of the Log Cabin Restaurant, in recognition for their contributions to Howard County by establishing one of the first African American owned restaurant in Howard County. The Resolution is presented to their niece, Ms. Cotton.

**APPROVE JOURNALS AND MINUTES**

The Chairperson moved to approve the Journals for Legislative Day No. 1, January 5, 2022 (Legislative Session), The motion was seconded by Ms. Rigby.

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 journals passed.

The Chairperson moved to approve the Journals for Legislative Day No. 3, (Emergency Legislative Session), on January 26, 2022. The motion was seconded by Ms. Rigby.

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 journals passed.

The Chairperson moved to approve the minutes for (Board of Education/State Delegation Meeting) on January 4, 2022, (Legislative Public Hearing) on January 18, 2022, (Legislative Public Hearing continuation) on January 19, 2022, (Legislative Work Session) on January 24, 2022, and on (Conversation with Delta Sigma Theta Sorority) January 24, 2022. The motion was seconded by Ms. Rigby.

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

The motion to approve the minutes passed.

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## **INTRODUCTION OF LEGISLATION**

### **Introduction**

### **Appointments**

Council Resolution 18-2022 - A RESOLUTION confirming the appointment of Marian Vessels to the Recreation and Parks Board. *(No expiration)*

Council Resolution 19-2022 – Introduced by the Chairperson - A RESOLUTION appointing David Coaxum to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2025. *(No expiration)*

### **Reappointments**

Council Resolution 20-2022 – Introduced by the Chairperson - A RESOLUTION reappointing Jean Xu to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2026. *(No expiration)*

Council Resolution 21-2022 - A RESOLUTION confirming the reappointment of Dr. Flavia Delmastro to the Howard County Animal Matters Hearing Board. *(No expiration)*

Council Resolution 22-2022 - A RESOLUTION confirming the reappointment of Xi Steven Chen to the Alcoholic Beverage Hearing Board. *(No expiration)*

### **Financial**

SAO3-FY2022 - AN ACT transferring \$6,560,000 from the General Fund, Contingency Reserve to the Department of Housing and Community Development in order to move priority affordable housing communities forward and to further affordable housing initiatives. *(Expires 4/18/22; 5/23/22 if extended; or 6/27/22 if extended twice.)*

### **General**

Council Bill 12-2022 - AN ACT to amend who may delegate duties to the Human Resources Administrator; to clarify who the Chief Administrative Officer may delegate regarding the administration of the County's risk management programs; and generally relating to functions of the Department of County Administration. *(Expires 4/18/22; 5/23/22 if extended; or 6/27/22 if extended twice.)*

Council Bill 13-2022 - AN ACT requiring the removal of certain public notification signs and posters relating to the Department of Planning and Zoning, Hearing Examiner, Board of Appeals, Zoning Board, and various boards and commissions, which are placed during the zoning and development review processes within a certain time period after the conclusion of the meeting or hearing; and establishing certain fees when the Department removes signs and posters; and generally relating to public notice of projects in the zoning and development review processes. *(Expires 4/18/22; 5/23/22 if extended; or 6/27/22 if extended twice.)*

Council Bill 14-2022 – Introduced by Christiana Rigby - AN ACT to add requirements to a forest conservation plan; and generally relating to forest conservation in the County. *(Expires 4/18/22; 5/23/22 if extended; or 6/27/22 if extended twice.)*

Council Bill 15-2022 – Introduced by Liz Walsh and David Yungmann - AN ACT altering the appointment process for members of the Planning Board; altering the qualifications of the members of the Planning Board; and generally relating to planning and zoning. *(Expires 4/18/22; 5/23/22 if extended; or 6/27/22 if extended twice.)*

### **FINAL CONSIDERATION**

#### **Appointments**

After hearing no objections, the Administrator read Council Resolutions 1-, 2-, 3-, 4-2022 together for a single combined roll call vote.

Council Resolution 1-2022 - A RESOLUTION confirming the appointment of Ralph O. Frith to the Citizens' Election Fund Commission. *(No expiration)*

Council Resolution 2-2022 - A RESOLUTION confirming the appointment of Stephanie Lyon to the Commission on Aging. *(No expiration)*

Council Resolution 3-2022 - A RESOLUTION confirming the appointment of George Stephens to the Commission on Disabilities. *(No expiration)*

Council Resolution 4-2022 – Introduced by David Yungmann - A RESOLUTION appointing Keith Ohlinger to the Citizens’ Election Fund Commission of Howard County, Maryland, to fill a term ending on May 1, 2025. *(No expiration)*

### **Reappointments**

Council Resolution 5-2022 - A RESOLUTION confirming the reappointment of Jessica Epps to the Commission for Women. *(No expiration)*

Council Resolution 6-2022 - A RESOLUTION confirming the reappointment of Nafrettifi Griffin to the Howard County Commission for Veterans and Military Families. *(No expiration)*

Council Resolution 7-2022 - A RESOLUTION confirming the reappointment of Cynthia Gula to the Equal Business Opportunity Commission. *(No expiration)*

Council Resolution 8-2022 - A RESOLUTION confirming the reappointment of Greg Jolissant to the Howard County Commission for Veterans and Military Families. *(No expiration)*

Council Resolution 9-2022 - A RESOLUTION confirming the reappointment of Robert Lowell to the Howard County Commission for Veterans and Military Families. *(No expiration)*

Council Resolution 10-2022 - A RESOLUTION confirming the reappointment of Robert McLaughlin to the Plumbing Advisory Board. *(No expiration)*

Council Resolution 11-2022 - A RESOLUTION confirming the reappointment of Jessica Nichols to the Commission for Women. *(No expiration)*

Council Resolution 12-2022 - A RESOLUTION confirming the reappointment of Jason Peay to the Equal Business Opportunity Commission. *(No expiration)*

Council Resolution 13-2022 - A RESOLUTION confirming the reappointment of Marian Vessels to the Commission on Disabilities. *(No expiration)*

Council Resolution 14-2022 - A RESOLUTION confirming the reappointment of Terry Winegar to the Plumbing Advisory Board. *(No expiration)*

The Chairperson moved to approve Council Resolutions 1-, 2-, 3-, 4-, 5-, 6-, 7-, 8-, 9-, 10-, 11-,12, 13-, and 14-2022. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 1-, 2-, 3-, 4-, 5-, 6-, 7-, 8-, 9-, 10-, 11-, 12-, 13-, and 14-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 1-, 2-, 3-, 4-, 5-, 6-, 7-, 8-, 9-, 10-, 11-, 12-, 13- and 14-2022 passed.

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### **Financial**

Council Resolution 15-2022 - A RESOLUTION amending a schedule of fees for utility construction permits and generally relating to fees charged by the Department of Public Works. *(No expiration)*

The Chairperson moved to approve Council Resolution 15-2022. The motion was seconded by Ms. Rigby.

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

### **Amendment No. 1**

*(This Amendment clarifies that the \$1 annual fee for communications facilities is for a solely above ground facility whose underground cable is provided by a utility that paid the \$25,000/year fee. This amendment also corrects formatting.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 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 15-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 15-2022 as amended passed.

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### **General**

Council Bill 1-2022 - AN ACT amending the Pay Plan for Howard County to revise the pay scales for Recreational Licensed Child Care providers and contingent employees; and generally relating to the Pay Plan for Howard County. *(Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.)*

The Chairperson moved to approve Council Bill 1-2022. The motion was seconded by Ms. Rigby.

The Chairperson moved to approve Amendment 1 to Council Bill 1-2022. The motion was seconded by Ms. Rigby.

**Amendment No. 1**

*(This Amendment provides that the minimum rate of pay for contingent employees within the "professional" category shall be "minimum wage" instead of a set dollar amount.)*

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

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 1-2022 as amended was: Yea: Council Members Jones, Jung, Rigby and Walsh. Nay: Council Member Yungmann.

The motion to approve Council Bill 1-2022 as amended passed.

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Council Bill 2-2022 - AN ACT prohibiting discrimination based on citizen or immigration status in the areas of employment, law enforcement practices, public accommodations, and financing; clarifying prohibited discrimination based on citizenship or immigration status in the area of housing; and generally related to Human Rights provisions of the County Code. *(Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.)*

The Chairperson moved to approve Council Bill 2-2022. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to approve Council Bill 2-2022 was: Yea: Council Members Jones, Jung, Rigby and Walsh. Nay: Council Member Yungmann.

The motion to approve Council Bill 2-2022 passed.

Council Resolution 16-2022 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of land containing a total of 1,669 square feet or 0.0383 acres owned by Howard County, Maryland located on Main Street in Ellicott City is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title to 8308 Main Street, LLC while retaining easement interests; 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 convey the Property if he finds that the County may have a use for the property. *(No expiration)*

Council Member Walsh moved to table Council Bill 16-2022. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to table Council Bill 16-2022 was: Yea: Council Members Jung, Rigby and Walsh. Nay: Council Members Jones and Yungmann.

The motion to table Council Bill 16-2022 passed

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Council Resolution 17-2022 - A RESOLUTION adopting a comprehensive revision to the Howard County Design Manual Volume III (Roads and Bridges) that includes content changes; renaming the Howard County Design Manual Volume III to be “Complete Streets and Bridges”; amending the Howard County Design Manual Volume IV (Standard Specifications and Details for Construction) to include updated sections and details reflecting Complete Streets concepts and policy in Howard County; repealing current Howard County Design Manual Volume III (Roads and Bridges); and generally related to Volume III and IV of the Design Manual. *(No expiration)*

The Chairperson moved to approve Council Resolution 17-2022. The motion was seconded by Ms. Rigby.

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

**Amendment No. 1**

*(This Amendment corrects the diagram for Neighborhood Street without parking to reflect a 6-foot wide bike lane, instead of a 5-foot wide bike lane.)*

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

The motion to approve Amendment 1 passed.

Council Member Rigby moved to approve Amendment 2. The motion was seconded by Ms. Walsh.

**Amendment No. 2**

*(This Amendment clarifies the purposes and need for the Resolution.)*

The roll call vote called by the Administrator on the motion to approve Amendment 2 was: Yea: Council Members Jones, Jung, Rigby and Walsh. Nay: Council Member Yungmann.

The motion to approve Amendment 2 passed.

Council Member Rigby moved to approve Amendment 3. The motion was seconded by Ms. Walsh.

**Amendment No. 3**

*(This Amendment requires certain studies in Transit Oriented Developments and Main Streets in Ellicott City and Elkridge.)*

Council Member Rigby moved to approve Amendment 1 to Amendment 3. The motion was seconded by Ms. Walsh.

**Amendment No. 1 to Amendment No. 3**

*(This amendment clarifies the definition of Transit Oriented Developments for which certain studies are required.)*

Council Member Rigby moved to approve Amendment 1 to Amendment 3. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 3 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 3 to Council Resolution 17-2022 passed.

Council Member Walsh moved to approve Amendment 2 to Amendment 3. The motion was seconded by Mr. Yungmann.



**Amendment No. 2 to Amendment No. 3**

*(This amendment would add Route 40 to the list of areas that would require a transportation study.)*

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Amendment 3 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 2 to Amendment 3 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 3 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 3 as amended to Council Resolution 17-2022 passed.

Council Member Rigby moved to approve Amendment 4. The motion was seconded by Ms. Walsh.

**Amendment No. 4**

*(This Amendment alters specified target and design speed for certain Neighborhood Connector roads.)*

The roll call vote called by the Administrator on the motion to approve Amendment 4 was: Yea: Council Members Jones, Rigby and Walsh. Nay: Council Members Jung and Yungmann.

The motion to approve Amendment 4 to CR17-2022 passed.

Council Member Walsh moved to approve Amendment 5. The motion was not seconded.

**Amendment No. 5**

Introduced by Liz Walsh

*{This Amendment changes the default background growth rate to 3%.}*

The motion to approve Amendment 5 failed for lack of a second and was not introduced.

The roll call vote called by the Administrator on the motion to approve Council Resolution 17-2022 as amended was: Yea: Council Members Jones, Jung and Walsh. Nay: Council Member Yungmann.

The motion to approve Council Resolution 17-2022 as amended passed.

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Council Bill 3-2022 – Introduced by The Chairperson at the request of the Compensation Review Commission - AN ACT to set the annual compensation of the members of the Howard County Council for the term beginning in December 2022. (*Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.*)

The Chairperson moved to approve Council Bill 3-2022. The motion was seconded by Ms. Jung.

The Chairperson moved to late file Amendment 1 to Council Bill 3-2022. The motion failed for lack of a second.

**Amendment No. 1**

*(This Amendment eliminates increases in years 2, 3, and 4 of the Council's next term.)*

The roll call vote called by the Administrator on the motion to approve Council Bill 3-2022 was: Yea: Council Members Jung, Rigby, Walsh and Yungmann. Nay: Chairperson Jones.

The motion to approve Council Bill 3-2022 passed.

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Council Bill 4-2022 - Introduced by The Chairperson at the request of the Compensation Review Commission - AN ACT to set the annual compensation of the Howard County Executive for the term beginning in December 2022. (*Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.*)

The Chairperson moved to approve Council Bill 4-2022. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to approve Council Bill 4-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 4-2022 passed.

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Council Bill 5-2022 - Introduced by The Chairperson at the request of the Compensation Review Commission - AN ACT to set the compensation for members of the Howard County Zoning Board. (*Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.*)

The Chairperson moved to approve Council Bill 5-2022. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to approve Council Bill 5-2022 was: Yea: Council Members Jones, Jung, Walsh and Yungmann. Nay: Council Member Rigby.

The motion to approve Council Bill 5-2022 passed.

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Council Bill 6-2022 – Introduced by David Yungmann - AN ACT repealing a certain provision of law relating to the determination of whether an election is contested for the distribution of a public contribution from the Citizens' Election Fund; confirming that a certified candidate may receive a matching public contribution for any qualifying contributions that were collected prior to the effective date of this Act; making a technical correction in order to remove an ambiguity in the Citizens' Election Fund law to facilitate orderly administration of the program; and generally relating to the Citizens' Election Fund. (*Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.*)

Council Member Yungmann moved to withdraw Council Bill 6-2022. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to withdraw Council Bill 6-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to withdraw Council Bill 6-2022 passed.

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Council Bill 7-2022 (ZRA199) – Introduced by Liz Walsh - AN ACT amending the Howard County Zoning Regulations to require that Moderate Income Housing Units (MIHUs) be developed in the Planned Golf Course Community (PGCC) zoning district; and generally relating to Moderate Income Housing Units. (*Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.*)

Council Member Walsh moved to table Council Bill 7-2022. The motion was seconded by Chairperson Jones.

The roll call vote called by the Administrator on the motion to table Council Bill 7-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Bill 7-2022 passed.

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Council Bill 8-2022 – Introduced by Liz Walsh - AN ACT amending the Howard County Code to require that Moderate Income Housing Units (MIHUs) be developed in the Planned Golf Course Community (PGCC) zoning district; and generally relating to Moderate Income Housing Units. (*Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.*)

Council Member Walsh moved to table Council Bill 8-2022. The motion was seconded by Chairperson Jones.

The roll call vote called by the Administrator on the motion to table Council Bill 8-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Bill 8-2022 passed.

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Council Bill 9-2022 – Introduced by Deb Jung - AN ACT to alter a duty of the Department of Planning and Zoning related to the Adequate Public Facilities Ordinance; requiring certain developers to meet with the School System about school capacity solutions; and generally relating to the Adequate Public Facilities Ordinance. *(Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.)*

Council Member Jung moved to table Council Bill 9-2022. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to table Council Bill 9- 2022 was: Yea: Council Members Jones, Jung, Rigby and Walsh and Yungmann.

The motion to table Council Bill 9-2022 passed

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Council Bill 10-2022 – Introduced by Liz Walsh - AN ACT requiring certain employers to recall certain employees who have been laid-off after the imposition of the COVID-19 state of emergency; specifying the procedures by which the recall would operate; establishing certain procedures for filing, investigating, and adjudicating a complaint; prohibiting retaliation against employees for filing a certain complaint or participating in certain proceedings; declaring that this Act is an Emergency Bill necessary to meet a public emergency affecting life, health or property; providing for a certain termination date; and generally relating to a right of recall for Covid-19 laid-off employees. *(Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.)*

Council Member Walsh moved to approve Council Bill 10-2022. The motion was seconded by Ms. Rigby.

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

**Amendment No. 1**

*(This Amendment moves the provision out of the portion of the Code enforced by the Office of Human Rights and Equity and clarifies that enforcement shall be based on the expertise needed to investigate complaints and administer the Subtitle.)*

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

The motion to approve Amendment 1 passed.

The Chairperson moved to approve Amendment 2. The motion was seconded by Ms. Jung.

**Amendment No. 2**

*(This amendment limits the application of the bill to a laid-off employee for 30 months after the date of separation.)*

The Chairperson moved to approve Amendment 1 to Amendment 2. The motion was seconded by Ms. Jung.

**Amendment No. 1 to Amendment No. 2**

*Introduced by Opel Jones  
(This amendment provides for the termination of the Act on December 31, 2022.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 2 was: Yea: Council Members Jones, Jung and Yungmann. Nay: Ms. Rigby and Ms. Walsh.

The motion to approve Amendment 1 to Amendment 2 as amended passed.

Council Member Walsh moved to withdraw Amendment 2 to Amendment 2. The motion was seconded by Ms. Rigby.

**Amendment No. 2 to Amendment No. 2**

*(This amendment provides for the termination of the Act on March 30, 2023.)*

The motion to withdraw Amendment 2 to Amendment 2 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 2 as amended was: Yea: Council Members Jones, Jung and Yungmann. Nay: Ms. Rigby and Ms. Walsh.

The motion to approve Amendment 2 as amended passed.

Council Member Walsh moved to approve Amendment 3. The motion was seconded by Ms. Rigby.

**Amendment No. 3**

*(This amendment requires an employer to offer a laid-off employee an offer of employment for which they are qualified two-times.)*

Council Member Walsh moved to approve Amendment 3. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to approve Amendment 3 was: Yea: Council Members, Rigby and Walsh. Nay: Council Member Jones, Jung and Yungmann.

The motion to approve Amendment 3 failed.

Council Member Yungmann moved to approve Amendment 4. The motion was seconded by Ms. Jung.

**Amendment No. 4**

*introduced by David Yungmann  
(This amendment alters the definition of Hotel Employer.)*

The roll call vote called by the Administrator on the motion to approve Amendment 4 to Council Bill 10-2022 was: Yea: Council Member Yungmann. Nay: Council Members Jones, Jung, Rigby and Walsh.

The motion to approve Amendment 4 failed.

Council Member Yungmann moved to approve Amendment 5. The motion was seconded by Ms. Jung.

**Amendment No. 5**

*Introduced by David Yungmann  
(This amendment clarifies that the right-of-recall applies to laid-off employees who have a length of service of one*

*year; and performed thirty hours of monthly work in the three months prior to their most recent separation.)*

Council Member Jung moved to withdraw Amendment 1 to Amendment 5. The motion was seconded by Ms. Yungmann.

**Amendment No. 1 to Amendment No. 5**

*Introduced by Deb Jung  
From the floor*

Council Member Jung moved to approve Amendment 2 to Amendment 5. The motion was seconded by Ms. Yungmann.

**Amendment No. 2 to Amendment No. 5**

*(This Amendment alters the kinds of laid-off employees who would be covered.)*

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Amendment 5 was: Yea: Council Members Jung, Rigby and Yungmann. Nay: Chairperson Jones, and Council Member Walsh.

The motion to approve Amendment 2 to Amendment 5 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 5 as amended was: Yea: Council Members Jung and Yungmann. Nay: Chairperson Jones, Council Members Rigby and Walsh.

The motion to approve Amendment 5 as amended failed.

Council Member Yungmann moved to approve Amendment 6. The motion was seconded by Ms. Jung.

**Amendment No. 6**

*(This amendment alters the implementation of the bill)*

The roll call vote called by the Administrator on the motion to approve Amendment 6 to was: Nay: Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 6 failed.

Council Member Yungmann moved to approve Amendment 7. The motion was seconded by Ms. Jung.

**Amendment No. 7**

*introduced by David Yungmann  
(This amendment alters the implementation of the bill and  
adds a provision to prevent an employee's termination  
prior to the effective date of the Act)*

The Chairperson moved to approve Amendment 1 to Amendment 7. The motion was seconded by Ms. Rigby.

**Amendment No. 1 to Amendment No. 7**

*(This amendment adds a provision to prevent the  
termination of a contract for services entered prior to the  
effective date of the Act)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 7 was: Yea: Council Members Jones, Jung and Rigby. Nay: Ms. Walsh.

The motion to approve Amendment 1 to Amendment 7 passed.

The Council Member Walsh moved to approve Amendment 3 to Amendment 7. The motion was seconded by Ms. Rigby.

**Amendment No. 3 to Amendment No. 7**

*(This amendment alters the number of times a laid-off employee must be contacted.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 7 was: Yea: Council Members Rigby and Ms. Walsh. Nay: Council Members Jones, Jung, and Yungmann.

The motion to approve Amendment 3 to Amendment 7 failed.

The roll call vote called by the Administrator on the motion to approve Amendment 7 as amended was: Yea: Council Members Jones, Jung and Yungmann. Nay: Council Members Rigby and Walsh.

The motion to approve Amendment 7 as amended passed



Council Member Yungmann moved to approve Amendment 8. The motion was seconded by Ms. Jung.

**Amendment No. 8**

*Introduced by David Yungmann  
(This amendment alters the definitions of "commercial property employer", "event center employee and "hotel employer".)*

The roll call vote called by the Administrator on the motion to approve Amendment 8 was: Yea: Council Members Jones, Jung and Yungmann. Nay: Council Members Rigby and Walsh.

The motion to approve Amendment 8 passed.

Council Member Yungmann moved to approve Amendment 9. The motion failed for lack of a second.

**Amendment No. 9**

*(This amendment removes the definition of "person".)*

The roll call vote called by the Administrator on the motion to approve Council Bill 10-2022 as amended was: Yea: Council Members Jones, Jung, Rigby and Walsh. Nay: Mr. Yungmann.

The motion to approve Council Bill 10-2022 as amended passed.

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Council Bill 83-2021 - AN ACT to establish a Police Accountability Board; setting forth the qualifications for members and method of appointment; setting forth the process for selection of the board chairperson; providing for a process to receive certain complaints alleging police misconduct; setting forth the duties of the Board; defining certain terms; providing for the requirement to submit financial disclosure statements; providing for the staggering of initial appointments to the Board; providing for the application of this Act; and generally relating to police accountability in Howard County. (tabled 12/6/2021) (*Expires 1/10/22; 02/14/22 if extended; or 03/21/22 if extended twice.*)

The Chairperson moved to remove from the table Council Bill 83-2021. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to remove from the table Council Bill 83-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to remove from the table Council Bill 83-2021 passed.

The Chairperson moved to extend the life of Council Bill 83-2021. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to extend the life of Council Bill 83-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to extend the life of Council Bill 83-2021 passed.

The Chairperson moved to approve Council Bill 83-2021. The motion was seconded by Ms. Rigby.

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

**Amendment No. 1**

*[This amendment changes membership as follows:  
1. It changes the number of members to be 7; 2. It provides that 5 members shall be reside in each Councilmanic District and 2 members shall be "at-large";  
3. it removes the ex-officio members; and  
4. ft requires that the membership of the board also reflect the gender identity or expression of the County.]*

Council Member Jung moved to approve Amendment 1 to Amendment 1. The motion was seconded by Ms. Rigby.

**Amendment No. 1 to Amendment 1**

*(This Amendment adds sexual orientation and socio-economic diversity as characteristic that must be reflected by the membership of the Board.)*

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

The motion to approve Amendment 1 to Amendment 1 passed.

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

The motion to approve Amendment 1 as amended passed.

The Chairperson moved to approve Amendment 2. The motion was seconded by Ms. Jung.

**Amendment No. 2**

*[This amendment clarifies that the process to designate the Board Chairperson is set out in State law. Unlike the process set out in 3.609 of the Howard County Code that allows the Board membership to select officers, State law specifically says that the Chairperson shall be appointed by the governing body.]*

The roll call vote called by the Administrator on the motion to approve Amendment 2 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 2 passed.

The Chairperson moved to approve Amendment 3. The motion was seconded by Ms. Jung.

**Amendment No. 3**

*[This amendment requires that members are subject to a background check and will be required to sign a Nondisclosure Agreement. This amendment also makes a technical correction to clarify that the Chairperson will also be a member of the board.]*

Council Member Jung moved to approve Amendment 1 to Amendment 3. The motion failed for lack of a second.

**Amendment No. 1 to Amendment 3**

*(This Amendment removes the proposed requirement that members sign confidentiality or nondisclosure agreements.)*

Council Member Rigby moved to approve Amendment 3 to Amendment 3. The motion was seconded by Chairperson Jones.

**Amendment No. 3 to Amendment 3**

*(This Amendment provides that that the confidentiality agreements and nondisclosure agreements required under Amendment 3 only pertain to specific information.)*

The roll call vote called by the Administrator on the motion to approve Amendment 3 to Amendment 3 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 3 to Amendment 3 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 3 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 3 as amended to Council Bill 83-2021 passed.

The Chairperson moved to approve Amendment 4. The motion was seconded by Ms. Jung.

**Amendment No. 4**

*This amendment adds a requirement that the Board meet regularly with community youth representatives.)*

The roll call vote called by the Administrator on the motion to approve Amendment 4 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 4 passed.

The Chairperson moved to approve Amendment 5. The motion was seconded by Ms. Jung.

**Amendment No. 5**

*(This amendment makes a technical correction to insert a cross reference to the electronic reporting requirement of Section 22.1000 of the County Code.)*

The roll call vote called by the Administrator on the motion to approve Amendment 5 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 5 passed.

The Chairperson moved to approve Amendment 6. The motion was seconded by Ms. Jung.

**Amendment No. 6**

*(This amendment provides that Board Members may be required to undergo relevant training and that certain staff be appointed.)*

Council Member Jung moved to approve Amendment 1 to Amendment 6. The motion was seconded by Ms. Walsh.

**Amendment No. 1 to Amendment 6**

*(This Amendment requires Board Members to undergo relevant training.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 6 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 6 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 6 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 6 as amended passed.

Council Member Jung moved to approve Amendment 7. The motion was seconded by Ms. Walsh

**Amendment No. 7**

*(This Amendment modifies the kind of experience a member of the Board must have.)*

The roll call vote called by the Administrator on the motion to approve Amendment 7 was: Yea: Council Members Jones, Jung, Rigby and Walsh. Nay: Council Member Yungmann.

The motion to approve Amendment 7 passed.

Council Member Jung moved to approve Amendment 8. The motion was seconded by Ms. Walsh.

**Amendment No. 8**

*(This Amendment provides that the Police Accountability Board shall have access to certain materials related to the outcomes of disciplinary matters.)*

The Chairperson moved to approve Amendment 1 to Amendment 8. The motion was seconded by Mr. Yungmann.

**Amendment No. 1 to Amendment 8**

*(This Amendment provides that the Board shall have access to information related to the review of disciplinary matters as permitted by State law.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 8 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 8 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 8 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 8 as amended passed.

Council Member Walsh moved to approve Amendment 9. The motion was seconded by Ms. Jung.

**Amendment No. 9**

*(This Amendment requires entities to provide to Board members relevant materials immediately upon written request by any member of the Board at any time.)*

The roll call vote called by the Administrator on the motion to approve Amendment 9 was:  
Yea: Council Members Jung and Walsh. Nay: Council Members Jones, Rigby and Yungmann.

The motion to approve Amendment 9 failed.

The roll call vote called by the Administrator on the motion to approve Council Bill 83-2021 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh, and Yungmann.

The motion to approve Council Bill 83-2021 as amended passed.

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Council Bill 88-2021 – Introduced by Liz Walsh - AN ACT to prohibit the willful failure to do specified maintenance and repair of certain historic structures thus prohibiting certain demolition by neglect of those structures; allowing the Historic District Commission to waive compliance in certain cases of financial hardship; providing for a hearing and an opportunity to cure specified *violations*; and generally relating to historic structures, historic sites, and historic districts in the County. (*Expires 1/10/22; 02/14/22 if extended; or 03/21/22 if extended twice.*)

Council Member Walsh moved to remove Council Bill 88-2021 from the table. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to remove Council Bill 88-2021 from the table was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to remove Council Bill 88-2021 from the table passed.

Council Member Walsh moved to approve Council Bill 88-2021. The motion was seconded by Ms. Rigby.

Council Member Walsh moved to approve Amendment 1. The motion was seconded by Ms. Rigby.

**Amendment No. 1**

*Introduced by: Liz Walsh  
(This Amendment alters procedures and clarifies the powers of the Commission reflecting the advice of the Department of Planning and Zoning and provides that if corrections are not made, the property will be subject to a 5-year waiting period before the property may be developed.)*

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

The roll call vote called by the Administrator on the motion to approve Council Bill 88 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 88-2021 as amended passed.

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Council Bill 11-2022 – Introduced by: Opel Jones, Deb Jung, Christiana Rigby, Liz Walsh, David Yungmann; Co-sponsored by: The Chairperson at the request of the County Executive - AN ACT repealing a certain provision of law relating to the determination of whether an election is contested for the distribution of a public contribution from the Citizens’ Election Fund; confirming that a certified candidate may receive a matching public contribution for any qualifying contributions that were collected prior to the effective date of this Act; making a technical correction in order to remove an ambiguity in the Citizens’ Election Fund law to facilitate orderly administration of the program; generally relating to the Citizens’ Election Fund; and declaring that this Act is an Emergency Bill necessary to meet a public emergency affecting life, health or property.

The Chairperson moved to approve Council Bill 11-2022. The motion was seconded by Council Member Yungmann.

The roll call vote called by the Administrator on the motion to approve Council Bill 11-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 11-2021 passed.

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Adjourned: **12:00** a.m.

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### **Tabled**

Council Resolution 16-2022 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of land containing a total of 1,669 square feet or 0.0383 acres owned by Howard County, Maryland located on Main Street in Ellicott City is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title to 8308 Main Street, LLC while retaining easement interests; 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 convey the Property if he finds that the County may have a use for the property. *(No expiration)*

Council Bill 7-2022 (ZRA199) – Introduced by Liz Walsh - AN ACT amending the Howard County Zoning Regulations to require that Moderate Income Housing Units (MIHUs) be developed in the Planned Golf Course Community (PGCC) zoning district; and generally relating



to Moderate Income Housing Units. *(Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.)*

Council Bill 8-2022 – Introduced by Liz Walsh - AN ACT amending the Howard County Code to require that Moderate Income Housing Units (MIHUs) be developed in the Planned Golf Course Community (PGCC) zoning district; and generally relating to Moderate Income Housing Units. *(Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.)*

Council Bill 9-2022 – Introduced by Deb Jung - AN ACT to alter a duty of the Department of Planning and Zoning related to the Adequate Public Facilities Ordinance; requiring certain developers to meet with the School System about school capacity solutions; and generally relating to the Adequate Public Facilities Ordinance. *(Expires 3/14/22; 4/18/22 if extended; or 5/23/22 if extended twice.)*

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. (tabled 10/4/2021) *(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. (tabled 10/4/2021) *(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. (tabled 10/4/2021) *(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. (tabled 10/4/2021) *(No expiration date)*