

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2022 Legislative Session

**Legislative Day No. 11
July 5, 2022**

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **07:03** p.m.

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

Michelle Harrod, Administrator to the County Council; Auditor; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; Maureen Arthurs, Director of Government Affairs; Lynn Rosen, Legislative Analyst; and Margery Sayers, Executive Assistant were also present.

APPROVE JOURNALS AND MINUTES

Chairperson Jones moved to approve the Journal for Legislative Session June 6, 2022. The motion was seconded by Council Member 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 journal passed.

Chairperson Jones moved to approve the Journal for Legislative Session June 21, 2022. The motion was seconded by Council Member 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 journal passed.

Chairperson Jones moved to approve the Minutes for Legislative Public Hearing June 21, 2022. The motion was seconded by Council Member 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 minutes passed.

Chairperson Jones moved to approve the Minutes for Legislative Work Session June 27, 2022. The motion was seconded by Council Member Rigby.

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

The motion to approve the minutes passed.

INTRODUCTION OF LEGISLATION

Appointments

Council Resolution 104-2022 - A RESOLUTION confirming the appointment of Barbara Lynn Darley to the Public Works Board. *(No expiration)*

Council Resolution 105-2022 - A RESOLUTION confirming the appointment of Victoria A. Myles to the Local Behavioral Health Advisory Board. *(No expiration)*

Council Resolution 106-2022 - A RESOLUTION confirming the appointment of Elke Pieters to the Commission on Disabilities. *(No expiration)*

Council Resolution 107-2022 - A RESOLUTION confirming the appointment of Dr. Gina Santoro to the Local Behavioral Health Advisory Board. *(No expiration)*

Reappointments

Council Resolution 108-2022 - A RESOLUTION confirming the reappointment of Antonia B. Watts to the Board of Library Trustees. *(No expiration)*

Financial

Council Resolution 109-2022 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Maryland and certain entities that will provide renewable energy to the County pursuant to a certain Renewable Energy Power Purchase Agreement to abate certain County personal property tax. *(No expiration)*

Council Resolution 110-2022 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Maryland, Clear View Farm LLC, and various Solar Power entities regarding the construction and operation of a solar array located on the property known as Clear View Farm in compliance with a certain Renewable Energy Power Purchase Agreement. *(No expiration)*

Council Resolution 111-2022 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland, Triple Creek Farm Properties LLC, and various Solar Power entities regarding the construction and operation of a solar array located on the property known as Triple Creek Farm in compliance with a certain Renewable Energy Power Purchase Agreement. *(No expiration)*

General

Council Bill 48-2022 - AN ACT to establish an LGBTQIA+ Commission; providing for the membership of the Commission; providing for the purpose and duties of the Commission; providing for the method of appointment and staff; requiring certain meetings and certain reports; providing the expiration dates of the terms of the initial members of the Commission; and generally relating to the LGBTQIA+ Commission. *(Expires 9/13/22; 10/18/2022 if extended; or 11/22/22 if extended twice)*

Council Bill 49-2022 - AN ACT to establish La Alianza Latina Commission; providing for the membership of the Commission; providing for the purpose and duties of the Commission; providing for the method of appointment and staff; requiring certain meetings and certain reports; providing the expiration dates of the terms of the initial members of the Commission; and generally relating to La Alianza Latina Commission. *(Expires 9/13/22; 10/18/2022 if extended; or 11/22/22 if extended twice)*

Council Resolution 112-2022 - A RESOLUTION adopting the 2022 Howard County Land Preservation, Parks and Recreation Plan. *(No expiration)*

Council Bill 50-2022 - Introduced by Deb Jung - AN ACT amending the Howard County Code to require newly appointed members of the Howard County Board of Appeals to complete certain land use training courses as a condition of their appointment; and generally relating to the Howard County Board of Appeals. *(Expires 9/13/22; 10/18/2022 if extended; or 11/22/22 if extended twice)*

FINAL CONSIDERATION

Appointments and Reappointments

After hearing no objections, the Administrator read Council Resolutions 83-, 84-, 85-, 86-, 87, 88-, 89-, 90-, 91-, 92-, 93-, 94-, 95-, 96-, 97-, and 98-2022 together for a single combined roll call vote.

Council Resolution 82-2022 - A RESOLUTION confirming the appointment of M. Shafeeq Ahmed, MD, MBA to the Board of Directors of the Economic Development Authority. *(No expiration)*

Council Resolution 83-2022 - A RESOLUTION confirming the appointment of Elizabeth Banach to the Board of Library Trustees. *(No expiration)*

Council Resolution 84-2022 - A RESOLUTION confirming the appointment of Gabrielle Demuren to the Recreation and Parks Board. *(No expiration)*

Council Resolution 85-2022 - A RESOLUTION confirming the appointment of Beth Sandbower Harbinson to the Local Behavioral Health Advisory Board. *(No expiration)*

Council Resolution 86-2022 - A RESOLUTION confirming the appointment of Sara Kaman to the Howard County Animal Matters Hearing Board. *(No expiration)*

Council Resolution 87-2022 - A RESOLUTION confirming the appointment of Stephanie Lyon to the Adult Public Guardianship Review Board. *(No expiration)*

Council Resolution 88-2022 - A RESOLUTION confirming the appointment of Holly Erin Mays to the Environmental Sustainability Board. *(No expiration)*

Council Resolution 89-2022 - A RESOLUTION confirming the appointment of Daniel Nees to the Environmental Sustainability Board. *(No expiration)*

Council Resolution 90-2022 - A RESOLUTION confirming the appointment of James J. Obasiolu to the Environmental Sustainability Board. *(No expiration)*

Council Resolution 91-2022 - A RESOLUTION confirming the appointment of Cris Oviedo to the Howard County Local Children's Board. *(No expiration)*

Council Resolution 92-2022 - A RESOLUTION confirming the appointment of Julie T. Parham to the Board of Library Trustees. *(No expiration)*

Council Resolution 93-2022 - A RESOLUTION confirming the appointment of Greta E. Swanson, JD to the Environmental Sustainability Board. *(No expiration)*

Council Resolution 94-2022 - A RESOLUTION confirming the appointment of Bryan Weinstein, PE, AI/PE to the Environmental Sustainability Board. *(No expiration)*

Council Resolution 95-2022 - A RESOLUTION confirming the appointment of Dr. Daria J. Willis to the Board of Directors of the Economic Development Authority. *(No expiration)*

Council Resolution 96-2022 - A RESOLUTION confirming the reappointment of Jennifer H. Asher to the Commission on Aging. *(No expiration)*

Council Resolution 97-2022 - A RESOLUTION confirming the reappointment of Grace Morris to the Housing and Community Development Board. *(No expiration)*

Council Resolution 98-2022 - A RESOLUTION confirming the reappointment of Sierra Sewchand to the Martin Luther King, Jr. Holiday Commission. *(No expiration)*

Chairperson Jones moved to approve Council Resolutions 83-, 84-, 85-, 86-, 87, 88-, 89-, 90-, 91-, 92-, 93-, 94-, 95-, 96-, 97-, and 98-2022. The motion was seconded by Council Member Rigby.

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

The motion to approve read Council Resolutions 83-, 84-, 85-, 86-, 87, 88-, 89-, 90-, 91-, 92-, 93-, 94-, 95-, 96-, 97-, and 98-2022 passed.

Financial

Council Bill 43-2022 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 29.24 acres of agricultural land located at 6940 Haviland Mill Road, Clarksville, Howard County, Maryland, from Eric O'Keefe and Jennifer Shrader or any other owner thereof for a maximum purchase price of \$927,500 or, if less, not more than \$31,720 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 8/15/22; 9/19/2022 if extended; or 10/24/22 if extended twice)*

Chairperson Jones moved to approve Council Bill 43-2022. The motion was seconded by Council Member Rigby.

Chairperson Jones moved to approve Amendment 1 to Council Bill 43-2022. The motion was seconded by Council Member Rigby.

AMENDMENT 1 to CB43-2022

(This amendment corrects the amount per acre and names on the signatory page of the Installment Purchase Agreement.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB43-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve the Amendment 1 to CB43-2022 passed.

The roll call vote called by the Administrator on the motion to approve CB43-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CB43-2022 as amended passed.

Council Bill 44-2022 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 25.77 acres of agricultural land located at 6950 Haviland Mill Road, Clarksville, Howard County, Maryland, from Scott O'Keefe and Sally O'Keefe or any other owner thereof for a maximum purchase price of \$791,700 or, if less in acreage, not more than \$30,720 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 8/15/22; 9/19/2022 if extended; or 10/24/22 if extended twice)*

Chairperson Jones moved to approve Council Bill 44-2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to approve CB44-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CB44-2022 passed.

General

Council Bill 45-2022 - AN ACT clarifying that the building excise tax shall include parking garages and any structure used or intended for supporting or sheltering any occupancy; and generally relating to the building excise tax. *(Expires 8/15/22; 9/19/2022 if extended; or 10/24/22 if extended twice)*

Chairperson Jones moved to approve Council Bill 45-2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to approve CB45-2022 was:
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CB45-2022 passed.

Council Bill 46-2022 - AN ACT amending provisions related to nonresidential construction in a floodplain in order to require that certain equipment and systems be elevated at least 2 feet above the 100-year flood level; prohibiting the placement of certain equipment and systems below the elevation of the lowest floor; and generally related to floodproofing in Howard County. (*Expires 8/15/22; 9/19/2022 if extended; or 10/24/22 if extended twice*)

Chairperson Jones moved to approve Council Bill 46-2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to approve CB46-2022 was:
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CB46-2022 passed.

Council Resolution 99-2022 - A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2023 pursuant to the Adequate Public Facilities Act of Howard County. (*No expiration*)

Chairperson Jones moved to approve Council Resolution 99-2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to approve CR99-2022 was:
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CR99-2022 passed.

Council Resolution 100-2022 - A RESOLUTION adopting the School Capacity Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the elementary school regions, and the elementary schools, middle schools, and high schools constrained for new residential development during each of the following ten years as based on the definition of program capacity as defined by Howard County Public School System policy. (*No expiration*)

Chairperson Jones moved to approve Council Resolution 100-2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to approve CR100-2022 was:
Yea: Council Members Jones, Rigby and Yungmann; Nay: Council Member Walsh; Abstain:
Council Member Jung

The motion to approve CR100-2022 passed.

Council Resolution 101-2022 - A RESOLUTION approving an application by Barbara Spence to sell to the Maryland Agricultural Land Preservation Foundation an agricultural land preservation easement on property located at 2825 Florence Road in Woodbine, Howard County, Maryland and shown as Tax Map 7, Parcel 259, consisting of approximately 14.358 acres. *(No expiration)*

Chairperson Jones moved to approve Council Resolution 101-2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to approve CR101-2022 was:
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CR101-2022 passed.

Council Resolution 102-2022 - Introduced by Liz Walsh; Co-sponsored by Deb Jung and Christiana Rigby - A RESOLUTION requesting Governor Hogan to immediately release specified funds for the Abortion Care Clinical Training Program established under Maryland law. *(No expiration)*

Council Member Walsh moved to approve Council Resolution 102-2022. The motion was seconded by Council Member Jung.

The roll call vote called by the Administrator on the motion to approve CR102-2022 was:
Yea: Council Members Jones, Jung, Rigby, and Walsh; Nay: Council Member Yungmann

The motion to approve CR102-2022 passed.

Council Bill 47-2022 - Introduced by the Chairperson at the request of the Howard County Ethics Commission - AN ACT amending the Howard County Ethics Code to conform to state law changes; adding a definition; requiring the Howard County Ethics Commission to certify compliance with certain requirements and submit a certain report on or before a certain date each year; amending certain provisions relating to the solicitation and acceptance of gifts and disclosure of confidential information; adding a certain anti-retaliation provision; amending certain provisions relating to financial disclosure statements; and generally relating to the Howard County Ethics Code. *(Expires 8/15/22; 9/19/2022 if extended; or 10/24/22 if extended twice)*

Chairperson Jones moved to approve Council Bill 47-2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to approve CB47-2022 was:
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CB47-2022 passed.

Adjourned at 7:53 p.m.