



Howard County Council

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

COUNCILMEMBERS

Opel Jones, Chair
District 2
Christiana Rigby, Vice Chair
District 3
Deb Jung
District 4
Liz Walsh
District 1
David Yungmann
District 5

Work Session Minutes - approved

Wednesday, September 21, 2022
Hybrid – In Person and Virtually via Webex
Video Streamed on <https://cc.howardcountymd.gov/Online-Tools/Watch-Us>

1:00pm or immediately following the Public Hearing

Vice-Chair Rigby called the meeting to order at 1:53 pm

Councilmembers –Vice-chair Christiana Rigby; Deb Jung; Liz Walsh and David Yungmann

Staff Present: Michelle Harrod, Council Administrator; Theo Wimberly, Administrative Manager; Margery Sayers, Executive Assistant; Brenda Smith, Administrative Aide; Charity Respass, Administrative Assistant; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Craig Glendenning, County Auditor; Owen Clark, Deputy County Auditor; Lori Buchmann, Fiscal Manager II; and Michael Martin, Fiscal Manager I.

Agenda

Council Bill 51-2022 – Introduced by David Yungmann - AN ACT amending the Howard County Code to require all Howard County officials involved in the Maryland Public Information Act request process seek a formal review by the Howard County Office of Law before declaring any documents, emails, or materials as privileged; and generally relating Maryland Public Information Act requests. (*Expires 11/5/22; 12/20/2022 if extended; or 1/24/23 if extended twice*)

Mr. Kuc provided the Council with an overview of the legislation and the fiscal impact to the Office of Law. Mr. Kuc highlighted current staffing levels and staff responsibilities; various deadlines on all Office of Law duties; statistics and trends of PIA requests; and information supporting the fiscal impact.

Mr. Kuc provided information about potential amendments such as a phased approach; exemptions and guidance to the Departments processing the request.

There was general discussion about implementation of the phased approach; proposed language changes for PIA review within the Department; staffing level requirements; trends of PIA request; process for review of PIA documents; effects of litigation; and intent of legislation.

Ms. Bulla responded to questions from the Council about the volume and trend of Police PIA requests.

Mr. Yungmann summarized to indicate mishandling of PIA requests have more than just financial impacts to the County.

Council requested additional information:

- *Break down of the historical trend of PIA requests processed by Office of Law categorized by Department.*
- *Details of any historical cost to litigate PIA requests.*

Council Bill 52-2022 - Introduced by Deb Jung - AN ACT amending the criteria, including the duration, for a property tax credit for seniors and retired military personnel in accordance with Chapter 267, Acts of the General Assembly of 2022; and generally relating to property tax credits. (*Expires 11/5/22; 12/20/2022 if extended; or 1/24/23 if extended twice*)

Mr. Ighile, Dr. Sun and Mr. Glendenning responded to questions from the Council about the fiscal impact of this change in tax credit; details of the data set used for analysis; and long-term and short-term projects. There was general discussion about the specific changes proposed in the legislation; the economic impact on residents; and increase due to increased assessed value.

Mr. Brunner provided the Council with his perspective of how the economy effects those trying to age in place. General discussion continued about the Howard County overall taxes; the effects on retirees; market rate affordable housing; tax deferral program;

Council requested additional information:

- *County Auditor to provide an updated fiscal impact for this legislation.*

Council Bill 57-2022 - Introduced by Christiana Rigby- AN ACT requiring the Department of Police to notify the Director of Public Works of certain fatalities; requiring the Director of Public Works, or the Director's designee, to conduct an infrastructure review when certain fatalities occur on a road or at an intersection; requiring consultation with the Office of Transportation; requiring the review to be complete within a certain time; requiring the review to be sent to specified recipients and published on the County website; and generally relating to traffic fatalities in the County. (*Expires 11/5/22; 12/20/2022 if extended; or 1/24/23 if extended twice*)

Mr. Meunier, Mr. Jagarapu, and Mr. Cookson provided the Council with an overview of DPW's current accident review process; identification of repairs or corrective actions; role of the Police in evaluation of a fatality accident; review of the highway safety plan; partnership with State and local jurisdictions. There was general discussion about notification of fatalities; historical trend of fatalities on County, Inter-State and State roadways; cause of increase in accidents; solutions to reduce accidents; DPW's charge to keep our roadways safe and make corrections when they are not; and connection to Vision Zero.

Ms. Bulla responded to questions from the Council about trends in accidents; analysis completed by the Police; and traffic management.

Mr. Guarneri provided feedback to the Council about improvements in transparency in reporting; and improved communication with the Police regarding cycling incidents.

Council requested additional information:

- *Does DPW have an analysis of what has caused the increase in accidents over the past few years?*
- *What other traffic related tracking is being conducted? Please provide this data to Council including any demographics related to accidents and injuries.*

Council Bill 58-2022 - Introduced by Liz Walsh - AN ACT to set the rate of the Public-School Facilities Surcharge for certain addition construction; and generally relating to the public-school facilities surcharge. (*Expires 11/5/22; 12/20/2022 if extended; or 1/24/23 if extended twice*)

Mr. Frances and Mr. Mock responded to questions from the Council about the purpose for additions, specifically bedrooms; trend in addition construction permits; details about the charging of the fee; enforcement of proposed legislation; impact on school capacity; definition of an addition; incentive to invest in development of older communities; and comparison to Building Excise Tax.

Mr. Frances raised the issue about implementation of retroactive calculation of the school facilities surcharge. Currently, the rate is assessed at the time of building permit issuance.

Council requested additional information:

- *Provide detail on historical trend for building additions, include the use of the addition, specifically indicating if that use is for bedrooms.*
- *Suggested language to define "Addition" to prevent the loophole of someone building a new house as an "addition".*
- *Provide details of who paid above the \$1.32 for additions constructed since January 2022.*

Vice-Chair Rigby adjourned the meeting at 4:05 pm

**Legislative Work Session
Wednesday, September 21, 2022**

Participants:

Council Bill 51-2022

Office of Law – Gary Kuc

Council Bill 52-2022

Peter Brunner
Rusty Toler
Auditor’s Office – Craig Glendenning
Budget Office – Holly Sun
Department of Finance – Rafiu Ighile

Council Bill 57-2022

The Horizon Foundation – *Invited – not available*
Nikki Vernick
Glen Schneider
Jennifer White
Bike HoCo – Jack Guarneri
Office of Transportation - Bruce Gartner / David Cookson
DPW – Tom Meunier / Kris Jagarapu
Howard County Police Department – Chief Der / Tami Bulla

Council Bill 58-2022

DILP – Bob Frances / Don Mock