

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2023 Legislative Session

**Legislative Day No. 4
April 3, 2023**

HOWARD COUNTY TO WIT:

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

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

Michelle Harrod, Administrator to the County Council; Craig Glendenning, County Auditor; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; Theo Wimberly, Administrative Manager; Owen Kahn, Legislative Analyst; Margery Sayers, Executive Assistant and Brenda Smith, Administrative Support were also present.

HONORARY RESOLUTIONS

Honorary Resolution was presented in recognition of Education and Sharing Day
Honorary Resolution was presented in recognition of Fair Housing Month

APPROVE JOURNAL AND MINUTES

The Chairperson moved to approve the Journal for Legislative Session March 6, 2023. The motion was seconded by Ms. Jung.

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.

The Chairperson moved to approve the Minutes of:

Joint Meeting with the Board of Education – February 13, 2023
Monthly Meeting – March 13, 2023
Special Meeting to Hold a Closed Session – March 13, 2023
Legislative Public Hearing Meeting – March 20, 2023
General Plan Work Session – March 22, 2023
Work Session – March 27, 2023
Legislative Public Hearing, cont'd – March 27, 2023

The motion was seconded by Ms. Jung.

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 the Minutes passed.

INTRODUCTION OF LEGISLATION

Appointments

- CR51-2023** - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Catherine W. Allen to the Historic Preservation Commission.
- CR52-2023** - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Bisma Beg to the Board of Health.
- CR53-2023** - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Jennifer Blondo to the Board to Promote Self-Sufficiency.
- CR54-2023** - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Natasha Cara Blount to the Commission for Women.
- CR55-2023** - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Alyse M. Carter to the Board of Directors of the Downtown Columbia Partnership.
- CR56-2023** - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Kimberly Prescott to the Board of Directors of the Downtown Columbia Partnership.
- CR57-2023** - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Jack Morris Powell to the Board of Electrical Examiners.
- CR58-2023** - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Kecia Stevenson Rome to the Personnel Board.
- CR59-2023** – Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Valerie Traore to the Board to Promote

Self-Sufficiency.

Financial

CB12-2023 - Introduced by the Chairperson at the request of the County Executive
AN ACT removing an application fee for credits against the Watershed Protection and Restoration Fee and generally relating to the Watershed Protection and Restoration Fee.

CR60-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION adopting Howard County's Annual Action Plan for housing and community services to qualify for the receipt of federal Community Development Block Grant and Home Investment Partnership Program funds.

CR61-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION endorsing and authorizing the Howard County Executive to file an application with the Maryland Transit Administration of the Maryland Department of Transportation for grants under the Federal Transit Act and certain State transportation grants; indicating certain endorsement by the County Executive; and requiring certain copies be sent to the Maryland Department of Transportation.

FINAL CONSIDERATION

After hearing no objections, the Administrator read Council Resolutions 38-, 40-, 41-, 42-, 43-, 44-, 45-, 46-, 47-, and CR48-2023, together for a single combined roll call vote.

Appointments

CR38-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Ben S. Barlow to the Historic Preservation Commission.

CR40-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Shahriar Etemadi to the Howard County Design Advisory Panel.

CR41-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Kellie L. Hollenbeck to the Howard County Design Advisory Panel.

CR42-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Beth Ann Johnson to the Alcoholic Beverage Hearing Board.

CR43-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Lily Peng to the Asian American and Pacific Islander Commission.

CR44-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Robyn C. Scates, Esq. to the Howard

County Board of Education.

CR45-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Gary W. Kuc as County Solicitor.

CR46-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Elizabeth Larney to the Cemetery
Preservation Advisory Board.

CR47-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Ethan Marchant to the Howard
County Design Advisory Panel.

CR48-2023 - Introduced by the Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Fred Marino to the Howard County
Design Advisory Panel.

The Chairperson moved to approve Council Resolutions 38-, 39-, 40-, 41-, 42-, 43-, 44-,45-, 46-
, 47- and CR48-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 38-
39-, 40-, 41-, 42-, 43-, 44-,45-, 46-, 47- and CR48-2023 was: Yea: Council Members
Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 38-, 39-, 40-, 41-, 42-, 43-, 44-, 45-, 46-, 47- and
CR48-2023 passed.

Financial

CB8-2023 - Introduced by the Chairperson at the request of the County Executive
AN ACT providing for an extension of the property tax credit for high performance
buildings and generally relating to the property tax credit for high performance buildings.

The Chairperson moved to approve Council Bill 8-2023. The motion was seconded by
Ms. Jung.

The roll call vote called by the Administrator on the motion to approve Council Bill 8-
2023 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 8-2023 passed.

SAO1-FY2023 - Introduced by the Chairperson at the request of the County Executive
AN ACT transferring \$47,737 from the General Fund, Orphan's Court to the Circuit
Court, due to the elimination of the Orphan's Court.

The Chairperson moved to approve SAO1-FY2023. The motion was seconded by Ms. Jung.

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

Amendment No. 1

(This amendment corrects amount transferred due to two pension draws in SAP between the time of prefile and the time of final action.)

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 SAO1-FY2023 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve SAO1-FY2023 as amended passed.

General

CB9-2023 (ZRA 202) - Introduced by the Chair at the request of BFEA-Curtis Farm, LLC AN ACT amending the Howard County Zoning Regulations to allow certain historic venues to be used as a Conditional Use Historic Building Uses, under certain conditions; and generally relating to Historic Building Uses.

The Chairperson moved to approve Council Bill 9-2023. The motion was seconded by Mr. Jones.

Council Member Jones moved to Table Council Bill 9-2023. The motion was seconded by Mr. Yungmann.

The roll call vote called by the Administrator on the motion to table Council Bill 9-2023 was:

Yea: Council Members Jones, Rigby, Walsh and Yungmann. Nay: Council Member Jung.

The motion to table Council Bill 9-2023 passed.

CB10-2023 - Introduced by Liz Walsh - AN ACT to clarify the role of the hearing examiner to hear certain matters in the jurisdiction of the Zoning Board; specifying the powers and duties of, and the procedures used by, the hearing examiner, including in an evidentiary hearing; removing certain mediation procedures; specifying the rights and duties of persons of record in matters heard by the hearing examiner; providing for the process of petition applications for piecemeal map amendments and development plans; allowing for certain conditional approvals; defining certain terms and rules of construction; and generally relating to Piecemeal map amendments and development plan approvals.

The Chairperson moved to approve Council Bill 10-2023. The motion was seconded by Ms. Walsh.

The Chairperson moved to Table Council Bill 10-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to table Council Bill 10-2023 was:
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Bill 10-2023 passed.

CR49-2023 - Introduced by Liz Walsh at the request of the Zoning Board
A RESOLUTION approving Rules of Procedure of the Hearing Examiner that set out the procedures by which hearings will be conducted by a Hearing Examiner.

The Chairperson moved to withdraw Council Resolution 49-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to withdraw Council Resolution 49-2023 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to withdraw Council Resolution 49-2023 passed.

CR50-2023 - Introduced by the Chairperson
A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on specified dates.

The Chairperson moved to approve Council Resolution 50-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve Council Resolution 50-2023 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 50-2023 passed.

CB11-2023 - Introduced by Opel Jones and Christiana Rigby
AN ACT amending the Howard County Code to establish certain processes for certain audits by the Howard County Auditor's Office; and generally relating to the Howard County Auditor's Office.

The Chairperson moved to approve Council Bill 11 50-2023. The motion was seconded by Mr. Jones.

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

Amendment No. 1

(This amendment limits the scope of the bill to the special audits as prescribed in Section 213 of the Charter.)

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

The motion to approve Amendment 1 passed.

The Chairperson moved to approve Amendment 2. The motion was seconded by Mr. Jones.

Amendment No. __2__

(This amendment establishes an audit committee for Charter Section 212 audits.)

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

The motion to approve Amendment 2 failed.

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

Amendment No. __3__

(This amendment clarifies that the Auditor communicate with the Council prior to a review/audit or the issuance of a report involving the alleged misuse of County funds.)

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

The motion to approve Amendment 3 passed.

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

Amendment No. __4__

(This amendment amends the parameters for review or audit to be discussed between the Auditor and the Council prior to the Auditor embarking on a review or audit.)

The Chairperson moved to approve Amendment 1 to Amendment 4. The motion was seconded by Mr. Jones.

Amendment __1__ to Amendment No. __4__

(This amendment keeps the “oath” and “audits standards” as parameters to be discussed prior to a review or audit.)

The Chair moved to withdraw Amendment 1 to Amendment 4. The motion was seconded by Mr. Jones.

The Chair moved to approve Amendment 2 to Amendment 4. The motion was seconded by Mr. Jones.

Amendment 2 to Amendment No. 4

(This amendment keeps the “preliminary oath” and “preliminary audits standards” as parameters to be discussed prior to a review or audit.)

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Amendment 4 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 2 to Amendment 4 passed.

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

The motion to approve Amendment 4 failed.

Council Member Walsh moved to approve Amendment 5. The motion was seconded by The Chairperson.

Amendment No. 5

This amendment clarifies that any communications between the Auditor and the Council pertaining to any special audit and the alleged misuse of County funds shall remain confidential.)

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

The motion to approve Council Bill 11-2023 as amended passed.

Adjourned at 8:38 PM

Tabled

CB9-2023 (ZRA 202) - Introduced by the Chair at the request of BFEA-Curtis Farm, LLC AN ACT amending the Howard County Zoning Regulations to allow certain historic venues to be used as a Conditional Use Historic Building Uses, under certain conditions; and generally relating to Historic Building Uses.

CB10-2023 - Introduced by Liz Walsh AN ACT to clarify the role of the hearing examiner to hear certain matters in the jurisdiction of the Zoning Board; specifying the powers and duties of, and the procedures used by, the hearing examiner, including in an evidentiary hearing; removing certain mediation procedures; specifying the rights and duties of persons of record in matters heard by the hearing examiner; providing for the process of petition applications for piecemeal map amendments and development plans; allowing for certain conditional approvals; defining certain terms and rules of construction; and generally relating to Piecemeal map amendments and development plan approvals.

CR22-2023 - A RESOLUTION confirming the appointment of Khin Rupa Waddy Maung, M.D. to the Asian American and Pacific Islander Commission.