



Howard County Council

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

COUNCILMEMBERS

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

Minutes (Approved)
Legislative Public Hearing
May 19, 2014

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

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

Council Staff Present: Sheila Tolliver, Administrator; Jeff Meyers, Legislative Assistant; and Kelli Habicht, Administrative Support.

Administrative Staff Present: Jennifer Sager, Administration.

- I. Call to order: 6:52 p.m.
- II. Pledge of Allegiance lead by Council Member Greg Fox
- III. Introduction of Joint Proclamation for Safe Water Month
 - A. Tara Girch from MarTar Swim School - presented by Council Vice Chair Watson
- IV. Allow the reading of bills by short title

Calvin Ball, Chairperson moved to approve to allow the reading of bills by short title, seconded by Courtney Watson, Vice Chairperson.

The motion carried as follows

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

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

A. Budget

1. Council Bill 22-2014 - AN ACT amending the Pay Plan for Howard County; providing pay scales for employees; lengthening certain longevity pays for certain Correctional managers; amending certain specialty pays; amending certain overtime and compensatory time provisions; adding, removing and amending certain position classifications; reflecting pay grades that apply to certain bargaining units; amending certain pay grades; making certain technical corrections; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.
2. Council Bill 23-2014 - AN ACT amending the Classification Plan for Howard County; amending and adding certain class descriptions; clarifying certain eligibility to participate in a union; providing for the application of this Act; and generally relating to amendments to the Howard County Classification Plan.
3. Council Bill 24-2014 - AN ACT adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal Year 2015.
 - a. Grace Kubofcik - 4801 Carman Drive, Ellicott City, MD
 - b. Debbie Ellinhouse, Chairperson, Downtown Columbia Arts and Culture Commission - 11936 Scaggsville Road, Fulton, MD
 - c. Ian Kennedy - 6174 Clearsmoke Court, Columbia, MD
 - d. Bernard Noppinger - 8638 North Bali Court, Ellicott City, MD
 - e. Eric Masten - Director of Heath Policy, Advocacy and Communications, Healthy Howard - 8930 Stanford Boulevard, Columbia, MD
4. Council Bill 25-2014 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$156,123,336 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, road resurfacing projects, road construction projects, roadside and sidewalk projects, library projects, community college projects, parks and recreation projects, police projects, sewer projects and traffic improvements projects), which are specified and described in the County's 2015 Capital Budget (including, without limitation, borrowings for certain capital projects

previously authorized in other calendar years, which such authorization has lapsed or will lapse), and to pay costs of issuance of such bonds or other obligations; 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.

5. Council Bill 26-2014 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$55,526,614 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County water and sewer capital projects which are specified and described in the County's 2015 Capital Budget (including, without limitation, borrowings for certain water and sewer capital projects previously authorized in prior calendar years which such authorization has lapsed or will lapse), and to pay costs of issuance of such bonds or other obligations; 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 benefit assessments, ad valorem taxes levied upon the assessable property in the Metropolitan District and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

6. Council Bill 27-2014 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in a principal amount of up to \$27,561,012 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County road construction projects which are specified and described in the County's 2015 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized), and to pay costs of issuance of such bonds or other obligations; authorizing and empowering 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 building excise taxes and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

7. Council Bill 28-2014 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$4,000,000, on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County education capital projects as more particularly described in the County's 2015 Capital Budget, and to pay costs of issuance of such bonds or other obligations; authorizing and empowering

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 school facility surcharges and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

8. Council Bill 29-2014 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$4,406,000 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County environmental services projects as more particularly described in the County's 2015 Capital Budget, and to pay costs of issuance of such bonds or other obligations; authorizing and empowering 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 amounts held in the Environmental Services Special Revenue Fund and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

9. Council Bill 30-2014 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$20,000,000 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County broadband projects as more particularly described in the County's 2015 Capital Budget, and to pay costs of issuance of such bonds or other obligations; authorizing and empowering 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 amounts held in the Non-County Government BBI Fund and the Private Sector BBI Fund and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.
 - a. Brent Loveless - 9570 Whiskey Bottom Road, Laurel, MD

10. Council Bill 31-2014 - AN ACT to authorize and empower Howard County, Maryland, to enter into installment purchase agreements to acquire development rights in agricultural lands located within the County (Project No. G 0163), for an aggregate purchase price of not more than \$5,406,832, plus interest thereon; providing that the County's obligation to pay the purchase price under and interest on such agreements shall be a general obligation of the County made upon its full faith and credit; and to levy taxes upon the assessable property within the County sufficient, together with the portion of the transfer tax imposed on transfers of real

property in Howard County which is dedicated to agricultural land preservation and other available funds, to provide for the payment of the purchase price under and interest on any agreements so entered into; and providing for and determining various matters in connection therewith.

11. Council Resolution 44-2014 - A RESOLUTION approving the Capital Program for Howard County for Fiscal Years 2016 through 2020 and the Extended Capital Program for Fiscal Years 2021 through 2024.
12. Council Resolution 45-2014 - A RESOLUTION approving the Fiscal Year 2015 operating budget for the Howard Community College and indicating appropriations for major functional categories.
13. Council Resolution 46-2014 - A RESOLUTION approving the Fiscal Year 2015 budget for the Howard County Library System and indicating appropriations for object classes.
14. Council Resolution 47-2014 - A RESOLUTION setting forth the Fiscal Year 2015 Operating Budget for the Howard County Board of Education.
15. Council Resolution 48-2014 - A RESOLUTION approving the Fiscal Year 2015 budget for the Howard County Health Department and indicating appropriations for object classes.
16. Council Resolution 49-2014 - A RESOLUTION approving schedules for charges pertaining to the Metropolitan District, to water and sewer service, and to shared sewage disposal facilities.
17. Council Resolution 50-2014 - A RESOLUTION approving schedules of fees for the functions regulated by the Department of Public Works.
18. Council Resolution 51-2014 - A RESOLUTION approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits.

19. Council Resolution 52-2014 - A RESOLUTION approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning.
20. Council Resolution 53-2014 - A RESOLUTION approving schedules of fees and rates for functions regulated and administered by the Department of Police.
21. Council Resolution 54-2014 - A RESOLUTION approving fee and rate schedules for: (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan; (2) Solicitor and Peddler Identification Card; (3) Weekend Prisoners - Room and board; (4) Prisoner - Health care provider fee; (5) Participation in work release program; (6) Participation in home detention program; (7) Marriage license fee charge for funding of domestic violence programs; (8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services; (9) Fee and specifications for transcripts of administrative proceedings; and (10) Reproduction of public records.
22. Council Resolution 55-2014 - A RESOLUTION levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax.
23. Council Resolution 56-2014 - A RESOLUTION establishing a recordation tax rate on instruments of writing that are recorded with the Clerk of the Circuit Court.
24. Council Resolution 57-2014 - A RESOLUTION adopting the schedule of rates for the Building Excise Tax.
25. Council Resolution 58-2014 - A RESOLUTION levying Fire and Rescue tax rates beginning July 1, 2014.
26. Council Resolution 59-2014 - A RESOLUTION levying a property tax for the fiscal year beginning July 1, 2014 and ending June 30, 2015; setting the tax rates for property; and providing for the collection of the property tax.
27. Council Resolution 60-2014 - A RESOLUTION setting the fee-in-lieu rate for moderate income housing.

- a. Lisa Markovitz - 2948 Normandy Drive, Ellicott City, MD

B. Appointments

1. Council Resolution 40-2014 - Confirming the appointment of Bita Dayhoff to the Howard County Local Children's Board.
 - a. Bita Dayhoff, President, Community Action Council of Howard County - 5043 Southern Star Terrace, Columbia, MD
2. Council Resolution 41-2014 - Confirming the appointment of Erica C. Roberts to the Planning Board.
 - a. Erica C. Roberts - 9608 Silken Leaf Court, Laurel, MD
3. Council Resolution 42-2014 - Confirming the appointment of Charley C. Sung to the Alcoholic Beverage Hearing Board.

C. Financial

1. Council Resolution 43-2014 - A RESOLUTION approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2014; transferring \$500,000 to the Administration category; transferring \$450,000 to the Textbooks and Instructional Supplies category; transferring \$250,000 to the Other Instructional Costs category; and transferring \$2,750,000 to the Fixed Charges category.
 - a. Barbara Pindell, Budget Manager, Howard County Public Schools - 15620 Camden Meadows Court, Woodbine, MD

D. General

1. Council Bill 16-2014 - AN ACT authorizing the advance payment of real property tax in accordance with State law and generally relating to real property tax in Howard County.
 - a. Stan Milesky, Director, Department of Finance

2. Council Bill 18-2014 - Introduced by: Calvin Ball; Co-sponsored by: Greg Fox, Mary Kay Sigaty, Jennifer Terrasa and Courtney Watson - AN ACT amending the Rehabilitation Loan Program to allow loans for renovations and expansions; amending the moderate income housing unit provisions to prohibit certain alternatives in certain areas; requiring the use of fee in lieu funds for homeownership opportunities in certain areas; prohibiting the Department of Housing and Community Development and the Housing Commission from participating in certain housing projects; and generally related to moderate income housing units and the Rehabilitation Loan Program in Howard County.
 - a. Sherman Howell - African American Coalition of Howard County - 11370 Heathertoe Lane, Columbia, MD
 - b. Robert Buchmeier - 10557 Tolling Clock Way, Columbia, MD
 - c. Grace Kubofcik - 4801 Carman Drive, Ellicott City, MD
 - d. Roy Appletree - 7230 Single Wheel Path, Columbia, MD
 - e. Bernard Noppinger - 8638 North Bali Court, Ellicott City, MD
 - f. Steven Sprecker - 11414 High Hay Drive, Columbia, MD

3. Council Bill 19-2014 (ZRA 150) - AN ACT amending the Howard County Zoning Regulations to change certain bonus density options and percentages of employment land use areas that apply when age-restricted adult housing is provided in MXD-6 developments, under certain conditions; amending the process for certain Preliminary Plan amendments under certain conditions; and generally relating to the Howard County Zoning Regulations.
 - a. Marsha McLaughlin, Director, Department of Planning and Zoning
 - b. Sang Oh - 5100 Dorsey Hall Drive, Ellicott City, MD
 - c. Bernard Noppinger - 8638 North Bali Court, Ellicott City, MD

4. Council Bill 20-2014 (ZRA 149) - Introduced by: Greg Fox; Co-sponsored by: Mary Kay Sigaty and Courtney Watson - AN ACT amending the Howard County Zoning Regulations to alter and include new definitions related to composting and wood processing; removing all references to Mulch Manufacturing; adding Natural Wood Waste Recycling Facilities as a Conditional Use on County Preservation Easements under certain conditions; adding Natural Wood Waste Recycling Facilities as a Permitted Use in the M-1 (Manufacturing: Light) zoning district; adding Composting Facilities as a Permitted Use in the Solid Waste Overlay zoning district with a M-2 (Manufacturing: Heavy) underlying zone under certain conditions; removing Composting Facilities as a Conditional Use in the RC (Rural Conservation) zoning district; adding Natural Wood Waste Recycling Facilities as a Conditional Use in the RC (Rural Conservation) zoning district under certain conditions; and generally related to Composting and Wood Processing uses.

- a. John Tegeris - 14028 Big Branch Drive, Dayton, MD
 - b. Jeff Harp - 5034 Green Bridge Road, Dayton, MD
 - c. David Banwarth - 4892 Green Bridge Road, Dayton, MD
 - d. Dr. Victor Velculescu - 14064 Big Branch Drive, Dayton, MD
 - e. James Nickel - 4904 Green Bridge Road, Dayton, MD
 - f. Kristin Robertson, President, PTA Dayton Oaks - 14068 Big Branch Drive, Dayton, MD
 - g. Rob Long - 2701 Woodbine Road, Woodbine, MD
 - h. Mark Martin - 17549 Timberleigh Way, Woodbine, MD
 - i. Paul Shoffeitt - 2560 Jennings Chapel Road, Woodbine, MD
 - j. Howie Feaga, President, Howard County Farm Bureau - 3807 Walt Ann Drive, Ellicott City, MD
 - k. Keith Ohlinger - 2790 Florence Road, Woodbine, MD
 - l. Lynn Moore, Chairman, Agricultural Land Preservation Board - 2425 Woodbine Road, Woodbine, MD
 - m. Leslie Bauer - 13817 Howard Road, Dayton, MD
 - n. Mark Mullinix - 13900 Howard Road, Dayton, MD 21036
 - o. Robert Orndorff - 13730 Triadelphia Mill Road, Clarksville, MD
 - p. Rick Lober - 14076 Big Branch Drive, Dayton, MD
 - q. Lisa Markovitz - 2948 Normandy Drive, Ellicott City, MD
 - r. Stuart Lamb - 5435 Wooded Way, Columbia, MD
 - s. Jane Gray, Treasurer, Citizens Working to Fix Howard County - 8301 Murphy Road, Fulton, MD
 - t. Mike Clark - 5450 Sheppard Lane, Clarksville, MD
 - u. Susan Gray - 6510 Paper Place, Highland, MD
5. Council Bill 21-2014 (ZRA 148) - Introduced by: The Chair at the Request of the Dayton Rural Preservation Society, LLC. - AN ACT amending the Howard County Zoning Regulations to alter and include new definitions related to composting and wood processing; removing Composting Facility as a Conditional Use on County Preservation Easements; adding Natural Wood Waste Recycling Facilities as a Permitted Use in the M-1 (Manufacturing: Light) zoning district; adding Composting Facilities as a Permitted Use in the Solid Waste Overlay zoning district with a M-2 (Manufacturing: Heavy) underlying zone under certain conditions; removing Composting Facilities as a Conditional Use in the RC (Rural Conservation) zoning district; and generally related to Composting and Wood Processing uses.
- a. Stu Kohn, President, Howard County Citizens Association - 8709 Yellow Bird Court, Laurel, MD 20723
 - b. Bonnie Kissinger - 3075 Florence Road, Woodbine, MD
 - c. Evan Behre - 5159 Greenbridge Road, Dayton, MD

- d. Leslie Long - 2701 Woodbine Road, Woodbine, MD
- e. Donna Owens - 2445 Jennings Chapel Road, Woodbine, MD
- f. Joanne Heckman - Committee Member, Sierra Club - 11174 Wood Elves Way, Columbia, MD
- g. Alan Schneider - 12598 Route 108, Clarksville, MD
- h. Joseph Cook - 4435 Linthicum Road, Dayton, MD
- i. James Watson - 2997 Florence Road, Woodbine, MD
- j. Corliss Glennon - 14014 Triadelphia Mill Road, Dayton, MD
- k. Robert Summers - 13611 Voland Court, Dayton, MD
- l. Julie Brookman - 5152 Green Bridge Road, Dayton, MD
- m. Robert Hensing - 14204 Triadelphia Mill Road, Dayton, MD

VI. Adjourn: 10:42 p.m.

VII. Tabled

- A. Council Resolution No. 150-2011 - Introduced by Greg Fox - 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. (tabled 10-4-11)