

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2015 Legislative Session

Legislative Day No. 4

April 6, 2015

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:34** p.m.

Chairperson Mary Kay Sigaty, Vice Chairperson Jon Weinstein, Council Member Calvin Ball, Council Member Greg Fox, and Council Member Jennifer Terrasa were present.

Jessica Feldmark, Administrator to the County Council; Craig Glendenning, County Auditor; Jeff Meyers, Legislative Analyst; James Vannoy, Office of Law; Jennifer Sager, Legislative Coordinator; were also present.

APPROVE JOURNAL

The Chairperson moved to approve the journal for Legislative Day No. 3, March 2, 2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve the journal passed.

APPROVE MINUTES

The Chairperson moved to approve the minutes for the Monthly Meeting – March 9, 2015 and Legislative Public Hearing – January 20, 2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve the minutes passed.

INTRODUCTION OF LEGISLATION

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

Appointments

Council Resolution No. 24-2015 - A RESOLUTION confirming the appointment of Sherry Banks to the Board to Promote Self-Sufficiency.

Council Resolution No. 25-2015 - A RESOLUTION confirming the appointment of James W. Brown to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board.

Council Resolution No. 26-2015 - A RESOLUTION confirming the appointment of Alison Buckley to the Howard County Commission for Veterans and Military Families.

Council Resolution No. 27-2015 - A RESOLUTION confirming the appointment of Alice S. Giles to the Public Transportation Board.

Council Resolution No. 28-2015 - A RESOLUTION confirming the appointment of Robert M. Gillette to the Howard County Commission for Veterans and Military Families.

Council Resolution No. 29-2015 - A RESOLUTION confirming the appointment of Kimberly A. Hartman to the Howard County Local Children's Board.

Council Resolution No. 30-2015 - A RESOLUTION confirming the appointment of Robert Knudsen to the Historic Preservation Commission.

Council Resolution No. 31-2015 - A RESOLUTION confirming the appointment of Dorothy L. Moore to the Cemetery Preservation Advisory Board.

Council Resolution No. 32-2015 - A RESOLUTION confirming the appointment of Deborah R. Rivkin to the Board of Health.

Council Resolution No. 33-2015 - A RESOLUTION confirming the appointment of Erica Rose Zoren to the Historic Preservation Commission.

Council Resolution No. 34-2015 - A RESOLUTION confirming the reappointment of Dr. Chein-Chi Chang to the Environmental Sustainability Board.

Council Resolution No. 35-2015 - A RESOLUTION confirming the reappointment of Jae Chon to the Personnel Board.

Council Resolution No. 36-2015 - A RESOLUTION confirming the reappointment of Georgia L. Eacker to the Environmental Sustainability Board.

Council Resolution No. 37-2015 - A RESOLUTION confirming the reappointment of Deborah Jean Fleischmann to the Commission on Aging.

Council Resolution No. 38-2015 - A RESOLUTION confirming the reappointment of Ashlyn Hood to the Advisory Board on Consumer Affairs.

Council Resolution No. 39-2015 - A RESOLUTION confirming the reappointment of Shahan Rizvi to the Equal Business Opportunity Commission.

Financial

Supplementary Budget & Appropriation Ordinance No. 7 - Fiscal Year 2015 - AN ACT transferring \$33,600 from the Grants Fund, Contingency Reserve to the Department of Public Works for a grant to perform certain upgrades to the County's flood warning system.

Supplementary Budget & Appropriation Ordinance No. 8 - Fiscal Year 2015 - AN ACT transferring \$1,845,828 from the Grants Fund, Contingency Reserve to the Department of County Administration, Office of Transportation for a Connect-A-Ride Grant.

General

Council Bill No. 14-2015 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 50.12 acres of agricultural land located at Winstead Road, Woodstock, Howard County, Maryland, from Robert and Nancy Berman or any other owner thereof for a maximum purchase price of \$1,210,400 or, if less, not more than \$24,148.80 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.

Council Bill No. 15-2015 - AN ACT requiring certain recycling services for certain special events; requiring compliance with the County's Solid Waste Management Plan; authorizing certain inspections; providing for certain penalties; and generally related to special events recycling in Howard County.

Council Resolution No. 40-2015 - A RESOLUTION approving a comprehensive revision of the Solid Waste Management Plan that also includes special events recycling as required by State Law.

Council Resolution No. 41-2015 - A RESOLUTION designating the Department of Police as the "primary law enforcement unit" for Howard County for the purpose of receiving records from secondhand precious metal dealers and pawnbrokers in accordance State Law.

Council Resolution No. 42-2015 - A RESOLUTION approving the application and receipt of financing for a Community Legacy Project in Howard County, further described in the Community Legacy Application, to be financed either directly by the Maryland Department of Housing and Community Development or through other departments or agencies of the State of Maryland; authorizing certain actions necessary to carry out the intent of this Resolution; and affirming certain technical changes.

Council Resolution No. 43-2015 - 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.

FINAL CONSIDERATION

The Chairperson moved to allow the reading of bills by short title on third reading. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to allow the reading of bills by short title on third reading passed.

Consent

Council Resolution No. 18-2015 - A RESOLUTION confirming the appointment of Dr. Timothy J. Collins to the Board of Directors of the Economic Development Authority.

Council Resolution No. 19-2015 - A RESOLUTION confirming the appointment of Jan Horan to the Commission on Aging.

Council Resolution No. 21-2015 - A RESOLUTION confirming the reappointment of Sharonlee Vogel to the Commission on Aging.

The Chairperson moved to approve Consent Agenda. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Consent Agenda passed.

Council Resolution No. 20-2015 - A RESOLUTION confirming the appointment of Jennifer VanBlarcum to the Alcohol & Drug Abuse Advisory Board.

The Chairperson moved to approve Council Resolution No. 20-2015. The motion was seconded by Mr. Weinstein.

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

Amendment No. 1

(This amendment corrects the appointee's name.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 20-2015 as amended was: Yea: : Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 20-2015 as amended passed.

Financial

Supplementary Budget & Appropriation Ordinance No. SAO6-FY2015 – AN ACT transferring \$1,200,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal.

The Chairperson moved to approve Supplementary Budget & Appropriation Ordinance No. SAO6-FY2015. The motion was seconded by Mr. Weinstein.

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

Amendment No. 1

(This amendment increases the amount transferred by \$790,000 for a total of \$1,990,000.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Supplementary Budget & Appropriation Ordinance No. SAO6-FY2015 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Supplementary Budget & Appropriation Ordinance No. SAO6-FY2015 as amended passed.

Council Bill No. 7-2015 - AN ORDINANCE authorizing and providing for the issuance of Howard County, Maryland Consolidated Public Improvement Refunding Bonds and Howard County, Maryland Metropolitan District Refunding Bonds; providing that such bonds shall be general obligations of the County; providing for the disbursement of the proceeds of such bonds and the levying of taxes to pay debt service on such bonds; providing for the private (negotiated) sale of such bonds; providing for an escrow deposit agreement and a continuing disclosure agreement; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, the final list of refunded bonds, and certain other matters, details, forms, documents or procedures; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve Council Bill No. 7-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill No. 7-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill No. 7-2015 passed.

Council Bill No. 8-2015 - Introduced by: Calvin Ball, Jennifer Terrasa, and Jon Weinstein - AN ACT to prohibit the carrying of certain weapons in certain County-owned buildings; renaming a certain subtitle; and generally relating to weapons controls in County buildings.

Council Member Weinstein moved to table Council Bill No. 8-2015. The motion was seconded by Mr. Ball.

The roll call vote called by the Administrator on the motion to table Council Bill No. 8-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill No. 8-2015 passed.

Council Bill No. 9-2015 - AN ACT adopting the 2014 National Electrical Code as the Electrical Code for Howard County; regulating the design, construction, alteration, improvement or modification to electrical equipment; adopting certain local amendments to the Electrical Code; amending the qualifications for appointment to the Board of Electrical Examiners; clarifying the timing of certain license exams; clarifying the signatories on certain applications; making certain technical corrections; and generally relating to the electrical code in Howard County.

The Chairperson moved to approve Council Bill No. 9-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill No. 9-2015 was. Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill No. 9-2015 passed.

Council Bill No. 10-2015 - AN ACT adopting the International Building Code, 2015, the International Residential Code, 2015, the International Mechanical Code, 2015, and the International Energy Conservation Code, 2015; providing that such codes collectively comprise the Howard County Building Code; regulating the design, construction, alteration, improvement, or

modification of a building, structure, or other related equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; making certain technical corrections; and generally relating to the regulation of building and construction in Howard County.

The Chairperson moved to approve Council Bill No. 10-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill No. 10-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill No. 10-2015 passed.

Council Bill No. 11-2015 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 27.19 acres of agricultural land located at 14651 Viburnum Drive, Dayton, Howard County, Maryland, from John and Dale Chiorini or any other owner thereof for a maximum purchase price of \$627,000.00 or, if less, not more than \$23,059.20 per acre or portion thereof, rounded to the next highest \$100.00, 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.

Council Member Weinstein moved to table Council Bill No. 11-2015. The motion was seconded by Chairperson Sigaty.

The roll call vote called by the Administrator on the motion to table Council Bill No. 11-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill No. 11-2015 passed.

Council Bill No. 12-2015 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 167.82 acres of agricultural land located at 15325 Leondina Drive, Glenwood, Howard County, Maryland, from Cattail Meadows, LLC or any other owner thereof for a maximum purchase price of \$6,630,300 or, if less, not more than \$39,508.00 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.

Council Member Weinstein moved to table Council Bill No. 12-2015. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Administrator on the motion to table Council Bill No. 12-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill No. 12-2015 passed.

Council Bill No. 13-2015 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Master Services Agreement between Howard County, Maryland and Automatic Data Processing, Inc. to process the County's payroll for a term of five years with one-year renewals; and approving the agreement for certain renewal years in accordance with Section 4.110(d) of the Howard County Code.

Council Member Terrasa moved to table Council Bill No. 13-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Bill No. 13-2015 was: Yea: Council Members Ball, Terrasa and Weinstein. Nay: Council Members Fox and Sigaty.

The motion to table Council Bill No. 13-2015 passed.

Council Resolution No. 22-2015 - Introduced by: The Chairperson - A RESOLUTION amending the Howard County Council Rules of Procedure to alter the way amendments are journalized; and generally relating to the Council Rules of Procedure.

The Chairperson moved to approve Council Resolution No. 22-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 22-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 22-2015 passed.

Council Resolution No. 23-2015 - A RESOLUTION, pursuant to Section 2-105 of the Tax-Property Article of the Annotated Code of Maryland, approving the names of Manya Archie, Charles Curry, Tony L. George, Thomas G. Rohmann, and Donald Trent to be submitted to the Director of the Maryland Department of Assessments and Taxation as nominees for the position of Howard County Supervisor of Assessments.

The Chairperson moved to approve Council Resolution No. 23-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 23-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 23-2015 passed.

Council Bill No. 4-2015 - AN ACT, reorganizing the Executive Branch of County Government pursuant to Section 403 of the Howard County Charter; amending certain definitions; providing that the County Executive shall designate the Executive Secretary of the Human Rights Commission; amending the number of times per year the Commission is required to meet; requiring that the Commission perform certain outreach and education activities; making certain corrections to conform to the State's Open Meetings Act; removing the requirement that the Human Rights Administrator serve as the Executive Secretary to the Human Rights Commission; correcting cross references; clarifying certain language; clarifying certain standards of review to ensure consistency; clarifying that only ripe cases may proceed; clarifying certain actions taken by County Employees; clarifying certain notice and nonexclusive remedy provisions; requiring certain reports; authorizing certain corrections to outlining style; making certain technical corrections; and generally relating to the Executive Branch of County Government.

The Chairperson moved to remove Council Bill No. 4-2015 from the table. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to remove Council Bill No. 4-2015 from the table was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Bill No. 4-2015 from the table passed.

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

Amendment No. 1

(This amendment makes technical corrections and removes the following from the Bill as prefiled:

1. *Proposed changes to the duties and responsibilities of the Human Rights Commission;*
2. *Proposed changes to the designation of the Executive Secretary of the Human Rights Commission;*
3. *Proposed revisions to certain penalty sections; and*
4. *Certain reporting requirements.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 passed.

Council Member Ball moved to find Amendment 1 substantive. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Administrator on the motion to find Amendment 1 substantive was: Yea: Council Members Ball, Terrasa and Weinstein. Nay: Council Members Fox and Sigaty.

The motion to find Amendment 1 substantive passed.

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

Amendment No. 2

(This amendment amends a definition.)

The roll call vote to approve Amendment 2 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 2 passed.

The Chairperson moved to extend the life Council Bill No. 4-2015 as amended. The motion was seconded by Mr. Weinstein.

The roll call vote to extend the life Council Bill No. 4-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to extend the life Council Bill No. 4-2015 passed.

Adjourned **8:22** p.m.

Tabled

Council Resolution No. 80-2014 - Confirming the reappointment of William E. Erskine to the Board of Directors of the Economic Development Authority. (tabled 7-25-2014)

Council Resolution No. 125-2014 - Pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to convey certain real property owned by the County containing approximately 2.142 acres to Rock Realty, Inc.; 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 land if he finds that the land may have a further public use. (tabled 1-5-2015)

Council Bill No. 8-2015 - Introduced by: Calvin Ball, Jennifer Terrasa, and Jon Weinstein - AN ACT to prohibit the carrying of certain weapons in certain County-owned buildings; renaming a certain subtitle; and generally relating to weapons controls in County buildings. (tabled 4-6-2015)

Council Bill No. 11-2015 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 27.19 acres of agricultural land located at 14651 Viburnum Drive, Dayton, Howard County, Maryland, from John and Dale Chiorini or any other owner thereof for a maximum purchase price of \$627,000.00 or, if less, not more than \$23,059.20 per acre or portion thereof, rounded to the next highest \$100.00, 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. (tabled 4-6-2015)

Council Bill No. 12-2015 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 167.82 acres of agricultural land located at 15325 Leondina Drive, Glenwood, Howard County, Maryland, from Cattail Meadows, LLC or any other owner thereof for a maximum purchase price of \$6,630,300 or, if less, not more than \$39,508.00 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. (tabled 4-6-2015)

Council Bill No. 13-2015 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Master Services Agreement between Howard County, Maryland and Automatic Data Processing, Inc. to process the County's payroll for a term of five years with one-year renewals; and approving the agreement for certain renewal years in accordance with Section 4.110(d) of the Howard County Code. (tabled 4-6-2015)