

PUBLIC HEARING MINUTES

Approved 4/6/09

DATE: March 16, 2009 TIME STARTED: 7:34 pm TIME ADJOURNED: 10:19 pm
COUNCIL MEMBERS PRESENT: Calvin Ball, Greg Fox, Mary Kay Sigaty, Jen Terrasa, Courtney Watson
COUNCIL MEMBERS ABSENT: None
STAFF PRESENT: Stephen LeGendre, Jeff Meyers, Jennifer Sager

Time Stamp	W.T.	ITEM #	PERSON/SUBJECT						
7:34:03 PM			Call to order						
7:34:23 PM			Pledge of Allegiance led by Councilman Fox						
7:34:59 PM			Honorary Resolutions presented: <ul style="list-style-type: none"> ● River Hill Girls Soccer – presented by Greg Fox ● River Hill Girls Cross Country – presented by Mary Kay Sigaty ● Howard County General Hospital – presented by Calvin Ball 						
			MKS recognizes Ellen Flynn Giles & Sydney Cousin						
7:44:29 PM			Announced by Chair Person: The County Council will be hearing legislation tonight that was introduced on March 2, 2009. If it is needed, the Council will hold a work session on legislation heard tonight on Monday, March 23 at 4:30 p.m. here at the Board of Education hearing room. If you have not already signed in to testify and wish to speak tonight, please sign-in on the laptops at the rear of the room. Council staff will be happy to help you, if you need assistance. If you are speaking tonight: 1. If you have written testimony, please give 10 copies to Mr. LeGendre 2. When you come to the podium, give your name and address for the record 3. Individuals have 3 minutes to speak; a single spokesperson for a group may speak for 5 minutes Please turn off all electronic devices						
	Vote Tally*	MOTION/ SECOND		VOTE					COMMENTS
		1 st	2 nd	MKS	CB	GF	JT	CW	
7:45:53 PM	P 5-0	MKS	JT	Y	Y	Y	Y	Y	Move to remove from Table – Minutes of Closed Meeting, February 23, 2009
7:46:13 PM	P 5-0	MKS	JT	Y	Y	Y	Y	Y	<u>Approve Minutes</u> Minutes of Closed Meeting – February 23, 2009 (tabled 3/2/09) Minutes of Closed Meeting – March 2, 2009 Council meeting with Planning Board and Board of Education – March 9, 2009
7:46:38 PM	P 4-0	MKS	JT	Y	Y	Y	Y	A	Monthly Meeting – March 9, 2009
									CW abstained due to she was not

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			present for Meeting
7:47:03 PM			The Administrator to read the bills for the public hearing, beginning with appointments. The following legislation was introduced by the Chairperson at the request of the County Executive unless otherwise noted:
		CR131-08	Confirming the appointment of Christina Diaz-Malone to the Board to Promote Self-Sufficiency (Tabled 1/5/09)
		↓	Christian Diaz-Malone – Did not attend
7:47:22 PM		CR8-09	Confirming the appointment of A. John Rezaiyan to the Human Rights Commission
		↓	John Rezaiyan – 11305 Buckleberry Path, Columbia, MD 21044 PRO
			CW asked about 15 categories of discrimination
7:50:43 PM		CR9-09	Confirming the appointment of Joshua D. Sullivan to the Human Rights Commission
		↓	Joshua D. Sullivan – 8651 Stonecutter Road, Columbia, MD 21045 PRO
			CW asked about 15 categories of discrimination
7:52:17 PM		CR10-09	Confirming the reappointment of James H. Eacker to the Howard County Agricultural Land Preservation Board
7:52:46 PM		SAO8-09	Transferring up to \$1,500,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal
		↓	Jim Irvin – Director of Public Works
			MKS this covers last storm as well
7:55:25 PM		CB10-09 (ZRA 105)	Introduced by The Chair at the request of The Concerned Citizens of Western Howard County, Inc. - Amending the Howard County Zoning Regulations to add additional requirements to the B-1 (Business: Local) and B-2 (Business: General) regulations for uses on properties located in the No Planned Service Area of the Howard County Master Plan for Water and Sewer; and generally relating to the B-1 and B-2 zoning districts
7:56:05 PM		↓	Katherine Taylor – 5850 Waterloo Road, Columbia, MD 21045 Petitioner
			MKS suspended Public Hearing on this Bill in light of the request to withdraw
		↓	Duane Carey – 6177 Silver Arrows Way, Columbia, MD 21045 (HC Chamber of Commerce) (Did not speak) CON
		↓	Bridget Mugane – 9250 Red Cart Court, Columbia, MD 21045 (Did not speak) PRO
		↓	Theodore Mariani – 16449 Ed Warfield Road, Woodbine, MD 21797 (Did not speak) Undeclared
7:59:50 PM		CB12-09 (ZRA	Introduced by The Chair at the request of SK King George, LLC - Amending the Howard County Zoning Regulations to establish a new provision whereby

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		109)	approved Conditional Uses would be completely exempt from the potential to become void and would not have to obtain extensions for projects for which plans are being processed with Howard County; and generally relating to Conditional Uses
8:00:40 PM		↓	Richard Talkin – 5100 Dorsey Hall Drive, Ellicott City, MD 21042 Petitioner
			WORK SESSION
8:05:52 PM		↓	Janice Bloodworth – 3733 Chatham Road, Ellicott City, MD 21042 CON
			CW asked what issue may have prompted her concern GF clarify time frame for this amendment CB what time frame would she be comfortable with
8:09:55 PM		↓	Thomas Meachum – 10715 Charter Drive, Columbia, MD 21044 Undeclared
8:13:39 PM		↓	Joan Lancos – 6110 Covington Road, Columbia, MD 21044 CON
			CW comment re: time frames
8:15:23 PM		CB14-09	Adding certain definitions; describing the accrued benefit of certain reemployed employees in job classes represented by the American Federation of State, County and Municipal Employees (“AFSCME”) Local 3085; requiring certain contributions from AFSCME Local 3085 employees after a certain date; setting forth the retirement income for certain AFSCME Local 3085 employees; reordering certain provisions; making certain technical corrections; and generally related to the County’s retirement plans for employees of AFSCME Local 3085
8:16:11 PM		↓	Todd Allen – Human Resources Administrator
			WORK SESSION GF are you concerned with Pension Oversight Commission concern, change only one employee group, not other group. Rationale for it and why retroactive. Cost. CB would Administration consider less fiscal impact JT negotiated 2 years ago, rest of agreement take effect already, have other unions/employee received increases, retroactive application, increase in cost CW chance this group subject to furlough, protect them from furloughs
8:32:30 PM		↓	Thomas Mullenix – 3108 Stonehenge Drive, Riva, MD 21140 (Non-Represented Employees) PRO
			GF breaking contract JT 3 tier system, not decreasing benefits
8:39:27 PM		CB15-09	Pursuant to Section 612 of the Howard County Charter, approving a multi-year agreement between Howard County, Maryland and Energy Systems Group where Energy Systems Group will develop and implement a comprehensive energy efficiency guaranteed savings program at certain County facilities that shall include the construction and installation of certain equipment, and certain management tasks and the program will result in certain cost savings which may be used to finance the construction and

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			installation of certain equipment
		↓	Jim Irvin – Director of Public Works
8:41:15 PM		CB16-09	Pursuant to Section 612 of the Howard County Charter, approving a multi-year agreement between Howard County, Maryland and Grant Capital Management, Inc., where Grant Capital Management will finance the acquisition of certain equipment required under an energy performance contract
		↓	Sharon Greisz – Director of Finance
			GF payment for lease, positive cash flow to county
8:43:19 PM		CB17-09 (ZRA 112)	Amending the Howard County Zoning Regulations to allow fences of a certain height along certain lot lines that adjoin public street rights-of-way; to set forth certain setbacks for certain fences and walls that are a certain height; to prohibit certain arrangements for certain fences and walls; and generally related to the Howard County Zoning Regulations
		↓	Jennifer Sager – on behalf of Petitioner DPZ
			MKS recognized Boy Scout Kevin Lancaster
8:44:34 PM		↓	Joan Lancos – 6110 Covington Road, Columbia, MD 21044 (Hickory Ridge Community Association) PRO
8:49:32 PM		CB18-09	To legalize the 2008 Edition of the Howard County Code, as approved by Margaret Ann Nolan, County Solicitor, and published by Municipal Code Corporation; to provide for the Code's periodic supplement; and to declare that the Code shall be the evidence of the public local laws of Howard County
		↓	Jennifer Sager – on behalf of County Administration, Office of Law
8:51:10 PM		CR11-09	Approving an amendment to the Howard County Master Plan for Water and Sewerage, consisting of tables and maps incorporating various revisions, including the: <ol style="list-style-type: none"> 1. Revision of the priority designations assigned in the Master Plan to certain County capital projects; 2. Revision of the priority designations assigned in the Master Plan to certain private development projects; and 3. Update of the water and sewer facilities maps to reflect changes in the Metropolitan District
		↓	Jim Irvin – Director of Public Works
8:52:24 PM		CB11-09 (ZRA 108)	Introduced by The Chair at the request of Brantly Development Group - Amending the Howard County Zoning Regulation's definition of Age-restricted Adult Housing to allow an exception of up to 20 percent of the units within age-restricted adult housing developments to be unrestricted in terms of age occupancy requirements except for the existing restriction applicable to children under 18 years of age; to delete an existing exception relating to surviving household members 50 years or older; and generally relating to age-restricted adult housing

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		↓	Sang Oh – 5100 Dorsey Hall Drive, Ellicott City, MD 21042 Petitioner
			WORK SESSION GF under PSC, other options, how monitor, who gets to sell if only one at 20% JT who makes decision on which house sells CB other jurisdiction have this provision JT 75% in violation, who would be responsible to tell them to sell. GF having this provision could create shift in current communities
9:11:59 PM		↓	Joan Lancos – 6110 Covington Road, Columbia, MD 21044 CON
			CB why is 55 magic number, any way of knowing or evidence that they are all 100% 55+ occupied, any concern about half built communities CW number not any different that regular housing
		↓	Elissa Beere-Metzger – 2603 Glencoe Circle, Woodstock, MD 21163 (Did not speak) CON
9:21:05 PM	Yes	↓	Grace Kubofcik – 4801 Carmen Drive, Ellicott City, MD 21043 (League of Women Voters) CON
			CB further away from previous General Plan the more flexible we have to be. CW mentioned incentives, why not decrease in density with decrease in age.
9:29:56 PM		↓	Janice Bloodworth – 3733 Chatham Road, Ellicott City, MD 21042 CON
			CW when control of HOA is turn over
		↓	Bridget Mugane – 9250 Red Cart Court, Columbia, MD 21045 (Did not speak) CON
		↓	Thomas Meachum – 10715 Charter Drive, Columbia, MD 21044 (Did not speak) Undeclared
9:34:21 PM	Yes	↓	Gayle James – 11120 Unit Q, Chambers Court, Woodstock, MD 21163 (President of Condo East One Association) CON
			CB 40 out of 48 against, how would community feel if legislations passes. Why is 55 magic number GF concern that majority could be jeopardized
9:40:18 PM	Yes	↓	Charles Karr – 2950 Evening Dew Drive, Woodstock, MD 21163 Undeclared
9:41:32 PM	Yes	↓	Helen Dietrick – 11170 Chambers Court, Unit Q, Woodstock, MD 21163 CON
			JT signed what to prove 55+ CB if following Federal to letter should we be more flexible
9:47:21 PM		↓	Craig Rosendale – 11160 Chambers Court, Unit K, Woodstock, MD 21163 CON
			CB what if “it was time” when you where 52

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9:52:44 PM		↓	Ralph Spangler – 1110 Chambers Court, Woodstock, MD 21163 CON
9:53:41 PM		↓	Dennis Avgerinos – 1110 Chambers Court, Unit J, Woodstock, MD 21163 CON
			CB concern about children and youth, would 53 change community dramatically, how so CW point is not the age, but rules changing, what if law were to apply to only new.
10:03:13 PM		↓	John Kopman – 8125 Hickory High Court, Ellicott City, MD 21043 CON
10:05:28 PM		↓	Pat Galante – 8135 Cypress Cedar Lane, Ellicott City, MD CON
			GF breaking up of Associations CW various associations within community
10:09:45 PM		↓	Karen Meehan – 11170 Chambers Court, Unit K, Woodstock, MD 21163 CON
			CW ask Administrator to find original testimony MKS explained legislation process CW once door is open, could it change to even those “Grandfathered” in GF would it apply to yet to be built in an already started community
10:19:19 PM			ADJOURN