

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2010 Legislative Session**

**Legislative Day No. 8  
July 6, 2010**

**HOWARD COUNTY TO WIT:**

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

Courtney Watson, Chairperson; Mary Kay Sigaty, Vice Chairperson; Calvin Ball, Council Member; Greg Fox, Council Member; and Jennifer Terrasa, Council Member, were present.

Stephen LeGendre, Administrator to the County Council; Margaret Ann Nolan, County Solicitor; James Vannoy, Assistant County Solicitor; and Jennifer Sager, Legislative Coordinator, were also present.

**APPROVE JOURNAL**

The Chairperson moved to approve the journal for Legislative Day No. 7, June 7, 2010. The motion was seconded by Ms. Sigaty.

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

The motion to approve the journal passed.

**APPROVE MINUTES**

The Chairperson moved to approve the minutes for the Legislative Public Hearing, June 21, 2010. The motion was seconded by Ms. Sigaty.

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

The motion passed.

The Chairperson moved to approve the minutes for the Legislative Work Session on June 28, 2010. The motion was seconded by seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Sigaty, and Terrasa. Council Member Fox abstained due to his absence from that work session.

The motion 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. 93-2010 - Confirming the appointment of Deborah Chapman to the Board of Directors of the Howard County Mental Health Authority

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A RESOLUTION confirming the appointment of Deborah Chapman to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 94-2010 - Confirming the appointment of Naureen Elahi to the Environmental Sustainability Board

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A RESOLUTION confirming the appointment of Naureen Elahi to the Environmental Sustainability Board

Council Resolution No. 95-2010 - Confirming the appointment of Joanne Kiebler to the Recreation & Parks Board.

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A RESOLUTION confirming the appointment of Joanne Kiebler to the Recreation & Parks Board.

Council Resolution No. 96-2010 - Confirming the appointment of Bruce Rothschild to the Board of Library Trustees

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A RESOLUTION confirming the appointment of Bruce Rothschild to the Board of Library Trustees.

## Financial

Supplemental Budget & Appropriation Ordinance No. 1-Fiscal Year 2011 - Transferring \$10,006 from the Grants Fund, Contingency Reserve to the Sheriff's Office for a grant from the Governor's Office of Crime Control and Prevention

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AN ACT Transferring \$10,006 from the Grants Fund, Contingency Reserve to the Sheriff's Office for a grant from the Governor's Office of Crime Control and Prevention

Council Bill No. 39-2010 - Approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 107 acres of agricultural land located at 15790 Old Frederick Road, Woodbine, Maryland, from Mario F. Mannarelli, Sr., Serafina Mannarelli, Mario F. Mannarelli, Jr. and Raymond Mannarelli or any other owner thereof for a maximum purchase price of \$3,044,000 or, if less, \$28,440 per acre or portion thereof, rounded to the next highest \$1,000, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such deferred portion of the purchase price and interest thereon 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

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AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 107 acres of agricultural land located at 15790 Old Frederick Road, Woodbine, Maryland, from Mario F. Mannarelli, Sr., Serafina Mannarelli, Mario F. Mannarelli, Jr. and Raymond Mannarelli or any other owner thereof for a maximum purchase price of \$3,044,000 or, if less, \$28,440 per acre or portion thereof, rounded to the next highest \$1,000, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such deferred portion of the purchase price and interest thereon 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.

### **General**

Council Bill No. 40-2010 (ZRA-126) – Introduced by Chair at the request of Kimberly Harbin Taylor and Michael Taylor - Amending the Howard County Zoning Regulations to allow Farmer’s Markets and Produce Stands in the R-20 Zoning District as a conditional use, under certain conditions; and generally relating to Farmer’s Markets and Produce Stands

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AN ACT amending the Howard County Zoning Regulations to allow Farmer’s Markets and Produce Stands in the R-20 Zoning District as a conditional use, under certain conditions; and generally relating to Farmer’s Markets and Produce Stands.

Council Bill No. 41-2010 (ZRA-129) – Introduced by Calvin Ball, Councilmember - Amending the Howard County Zoning Regulations to establish new definitions for “Small Wind Energy Systems, Building Mounted” and “Small Wind Energy Systems, Freestanding Tower”; to permit Small Wind Energy Systems in certain zoning districts, under certain conditions; and generally relating to Small Wind Energy Systems

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AN ACT amending the Howard County Zoning Regulations to establish new definitions for “Small Wind Energy Systems, Building Mounted” and “Small Wind Energy Systems, Freestanding Tower”; to permit Small Wind Energy Systems in certain zoning districts, under certain conditions; and generally relating to Small Wind Energy Systems.

Council Bill No. 42-2010 - Amending the Howard County Retirement Plan to include employees of the Howard Soil Conservation District; making certain technical corrections; and generally relating to the Howard County Retirement Plan

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AN ACT amending the Howard County Retirement Plan to include employees of the Howard Soil Conservation District; making certain technical corrections; and generally relating to the Howard County Retirement Plan.

Council Bill No. 43-2010 - Providing that an eligibility list for vacant positions shall remain in effect for a year; providing for certain extensions under certain conditions; clarifying the duration of certain applications; clarifying the requirement for physical examinations; making certain technical corrections; and generally related to Human Resource provisions in the Howard County Code

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AN ACT providing that an eligibility list for vacant positions shall remain in effect for a year; providing for certain extensions under certain conditions; clarifying the duration of certain applications; clarifying the requirement for physical examinations; making certain technical corrections; and generally related to Human Resource provisions in the Howard County Code.

Council Bill No. 44-2010 - Pursuant to Section 612 of the Howard County Charter, approving a 40-year ground lease of approximately 13.88 acres of park land located at 6500 Mansion Lane, Elkridge, Howard County, Maryland by and between Howard County, Maryland and Howard County Tennis Patrons, Inc. under the terms of which the County agrees to reinvest certain rent; authorizing the County Executive to execute and deliver the lease on behalf of the County, and generally relating to the approval, authorization, execution, and delivery of a multi-year lease of certain premises owned by Howard County to the Howard County Tennis Patrons, Inc.

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AN ACT pursuant to Section 612 of the Howard County Charter, approving a 40-year ground lease of approximately 13.88 acres of park land located at 6500 Mansion Lane, Elkridge, Howard County, Maryland by and between Howard County, Maryland and Howard County Tennis Patrons, Inc. under the terms of which the County agrees to reinvest certain rent; authorizing the County Executive to execute and deliver the lease on behalf of the County, and generally relating to the approval, authorization, execution, and delivery of a multi-year lease of certain premises owned by Howard County to the Howard County Tennis Patrons, Inc.

Council Bill No. 45-2010 - Pursuant to Section 612 of the Howard County Charter, approving certain agreements for the design, permitting, construction, operation and maintenance of a certain solar photovoltaic system at the New Cut Road Landfill to provide energy to Worthington Elementary School, a management payment and possible reimbursement payment for energy from SunEdison Origination3, LLC.

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AN ACT pursuant to Section 612 of the Howard County Charter, approving certain agreements for the design, permitting, construction, operation and maintenance of a certain solar photovoltaic system at the New Cut Road Landfill to provide energy to Worthington Elementary School, a management payment and possible reimbursement payment for energy from SunEdison Origination3, LLC.

Council Bill No. 46-2010 (ZRA-130) – Introduced by Chairperson at the request of Marsha S. McLaughlin, Director of Planning and Zoning - Allowing Farm Wineries – Class 1 as a permitted accessory use in the RC (Rural Conservation) and the RR (Rural Residential) Zoning Districts under certain conditions; allowing Farm Wineries – Class 1 and Class 2 as a conditional use on Preservation Parcels or as permitted conditional use categories in the RC (Rural Conservation) Zoning District under certain conditions; allowing Farm Wineries – Class 2 as a conditional use on Preservation Parcels or as permitted conditional use categories in the RR (Rural Residential) Zoning District under certain conditions; defining certain terms; establishing certain criteria related to Farm Wineries Class 1 and Class 2; and generally relating to the Howard County Zoning Regulations

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AN ACT allowing Farm Wineries – Class 1 as a permitted accessory use in the RC (Rural Conservation) and the RR (Rural Residential) Zoning Districts under certain conditions; allowing Farm Wineries – Class 1 and Class 2 as a conditional use on Preservation Parcels or as permitted conditional use categories in the RC (Rural Conservation) Zoning District under certain conditions; allowing Farm Wineries – Class 2 as a conditional use on Preservation Parcels or as permitted conditional use categories in the RR (Rural Residential) Zoning District under certain conditions; defining certain terms; establishing certain criteria related to Farm Wineries Class 1 and Class 2; and generally relating to the Howard County Zoning Regulations.

Council Bill No. 47-2010 - Amending the Adequate Public Facilities Act of Howard County and establishing procedures and policies related to revitalization within Downtown Columbia, including establishing an appropriate intersection standard for Downtown Columbia; requiring a pedestrian and bicycle level of service test for Downtown Columbia; establishing a housing unit allocation process for Downtown Columbia to conform to the Downtown Columbia Plan; defining certain terms; making certain technical corrections; and generally related to the Adequate Public Facilities Act in Howard County

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AN ACT amending the Adequate Public Facilities Act of Howard County and establishing procedures and policies related to revitalization within Downtown Columbia, including establishing an appropriate intersection standard for Downtown Columbia; requiring a pedestrian and bicycle level of service test for Downtown Columbia; establishing a housing unit allocation process for Downtown Columbia to conform to the Downtown Columbia Plan; defining certain terms; making certain technical corrections; and generally related to the Adequate Public Facilities Act in Howard County.

Council Resolution No. 97-2010 - Revising Chapter 4, Adequate Public Facilities Test Evaluation Requirements, of Volume III (Roads and Bridges) of the Design Manual in order to amend the standards and specifications relating to the adequate public facilities evaluation specific to Downtown Columbia

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A RESOLUTION revising Chapter 4, Adequate Public Facilities Test Evaluation Requirements, of Volume III (Roads and Bridges) of the Design Manual in order to amend the standards and specifications relating to the adequate public facilities evaluation specific to Downtown Columbia.

Council Resolution No 98-2010 - Repealing Council Resolution No. 21-1992 and declaring that certain road facilities are the constrained road facilities in Howard County

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A RESOLUTION repealing Council Resolution No. 21-1992 and declaring that certain road facilities are the constrained road facilities in Howard County.

Council Resolution No. 99-2010 - Pursuant to Section 16.301 of the Howard County Code granting a variance from the front, rear, and side building restriction lines at the new Savage Fire Station located at 8521 Corridor Road in Savage

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A RESOLUTION pursuant to Section 16.301 of the Howard County Code granting a variance from the front, rear, and side building restriction lines at the new Savage Fire Station located at 8521 Corridor Road in Savage.

Council Resolution No. 100-2010 - Designating the Department of Police as the “primary law enforcement unit” for Howard County for the purpose of receiving records in accordance with Section 17.1011(b) of the Business Regulations Article of the Annotated Code of Maryland.

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A RESOLUTION Designating the Department of Police as the “primary law enforcement unit” for Howard County for the purpose of receiving records in accordance with Section 17.1011(b) of the Business Regulations Article of the Annotated Code of Maryland.

Council Resolution No. 101-2010 - Adopting the Housing Unit Allocation Chart for Fiscal Year 2011 pursuant to the Adequate Public Facilities Act of Howard County

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A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2011 pursuant to the Adequate Public Facilities Act of Howard County.

Council Resolution No. 102-2010 - Adopting the Open/Closed Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the school regions and school districts that are open for residential development

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A RESOLUTION adopting the Open/Closed Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the school regions and school districts that are open for residential development.

Council Resolution No. 103-2010 - Approving and authorizing the execution of a Development Rights and Responsibilities Agreement by and between Camilla Carroll and Philip D. Carroll and Howard County, Maryland in accordance Title 16, Subtitle 17 of the Howard County Code

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A RESOLUTION approving and authorizing the execution of a Development Rights and Responsibilities Agreement by and between Camilla Carroll and Philip D. Carroll and Howard County, Maryland in accordance Title 16, Subtitle 17 of the Howard County Code.

## **FINAL CONSIDERATION**

### **Consent**

Council Resolution No. 79-2010 - Confirming the appointment of Margaret Roberts Davis, Ph. D. to the Commission on Aging

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Council Resolution No. 80-2010 - Confirming the reappointment of Darryl L. Burnett to the Board of Health

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Council Resolution No. 81-2010 - Confirming the reappointment of Gail M. Doerr to the Board of Health

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Council Resolution No. 82-2010 - Confirming the reappointment of Vanessa C. Foreman to the Board of Health

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Council Resolution No. 83-2010 - Confirming the reappointment of Rob Goldman to the Board of Health

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Council Resolution No. 84-2010 - Confirming the reappointment of Alexander F. Ross, Sc.D., to the Board of Health

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Council Resolution No. 92-2010 - Introduced by The Chairperson - Calling the County Council of Howard County, Maryland into legislative session on July 29, 2010

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The Chairperson moved to adopt the resolutions on the consent agenda. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolutions was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolutions No. 79-2010, No. 80-2010, No. 81-2010, No. 82-2010, No. 83-2010, No. 84-2010 and No. 92-2010 passed.

### **Financial**

Council Bill No. 30-2010 - For the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$1,073,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of Capital Project No. U7096 (Land Banking), more particularly described in the County's 2011 Capital Budget, and to pay costs of issuance of such bonds; 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

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The Chairperson moved to adopt Council Bill No. 30-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 30-2010 passed.

Council Bill No. 31-2010 - To repeal and re-enact Section 1 of Bill No. 65-2006, which authorized and empowered 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 \$24,000,000, plus interest thereon, in order to extend the final date on which such agreements can be entered into under Bill No. 65-2006 from December 7, 2010 to December 31, 2014

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The Chairperson moved to adopt Council Bill No. 31-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 31-2010 passed.

Council Bill No. 32-2010 - Approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 500 acres of agricultural land located at 3500 Manor Lane, in Ellicott City, Maryland, from Camilla Carroll and Philip Carroll or any other owner thereof for a maximum purchase price of \$19,100,000 or, if less, \$38,200 per acre or portion thereof, rounded to the next highest \$1,000, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such deferred portion of the purchase price and interest thereon 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

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The Chairperson moved to adopt Council Bill No. 32-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 32-2010 passed.

Council Bill No. 33-2010 - Approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 162 acres of agricultural land located at 4979 Sheppard Lane in Ellicott City, Maryland, from Marshall Rea or any other owner thereof for a maximum purchase price of \$5,048,000 or, if less, \$31,160 per acre or portion thereof, rounded to the next highest \$1,000, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such deferred portion of the purchase price and interest thereon 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

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The Chairperson moved to adopt Council Bill No. 33-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 33-2010 passed.

Council Resolution No. 85-2010 - Declaring the official intent of the County Executive and the County Council of Howard County, Maryland to reimburse expenditures to be incurred with respect to certain projects or programs or from certain funds with the proceeds of recovery zone facility bonds to be issued by Howard County, Maryland (the "County")

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The Chairperson moved to adopt Council Resolution No. 85-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 85-2010 as follows: *(The amendment substitutes a new Exhibit A in order to remove certain projects that have declined the use of Recovery Zone Facility Bonds.)*

Remove Exhibit A from the Resolution as prefiled and substitute a new Exhibit A as attached to this Amendment.

## **EXHIBIT A**

### **DESCRIPTION OF PROJECTS**

#### **Lorien Health Systems Nursing Home Facility**

The facility will be located on Route 1 and includes a 64 bed nursing facility with a connected assisted living facility, urgent care center, outpatient therapy and medical offices.

#### **Howard Square – Star Hotel**

Mixed residential, office, retail and hotel development just north of Route 175 in Elkridge, Maryland. Project only includes financing for the hotel portion of this project.

#### **Montevideo Crossing II**

Office building complex consisting of two office buildings and retail space.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Council Resolution No. 85-2010 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolution No. 85-2010 passed as amended.

### **General**

Council Bill No. 34-2010 - Introduced by Courtney Watson/Co-sponsored by Greg Fox - To resolve conflicts between County Laws and State Laws that govern referendum procedures by defining a certain term, specifying certain procedures, providing for the validity of signatures, and providing a duty for the County Attorney; correcting certain nomenclature; making technical corrections; and generally relating to elections

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The Chairperson moved to adopt Council Bill No. 34-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 34-2010 as follows: *(The amendment requires that the form and content of a petition conform to the requirements of State law.)*

On page 2, in line 15, after “(a)” insert “THE FORM AND CONTENT OF A PETITION SHALL BE CONSISTENT WITH THE REQUIREMENTS OF § 6-103 OF THE ELECTION LAW OF THE MARYLAND CODE.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Council Bill No. 34-2010 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 34-2010 as follows: *(The amendment corrects nomenclature.)*

On page 3, in line 7, delete “of Supervisors”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 2 to Council Bill No. 34-2010 passed.

The Chairperson moved to adopt Amendment No. 3 to Council Bill No. 34-2010 as follows: *(The amendment requires the Board of Elections, on request, to provide a template in electronic form of the State petition form that incorporates any County provisions required by local law.)*

On page 3, after line 5, insert:

“(C) ON REQUEST, THE BOARD SHALL PROVIDE A TEMPLATE IN ELECTRONIC FORM OF THE STATE PETITION FORM THAT INCORPORATES ANY COUNTY PROVISIONS REQUIRED BY LOCAL LAW.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 3 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 3 to Council Bill No. 34-2010 passed.

The Chairperson moved to adopt Amendment No. 4 to Council Bill No. 34-2010 as follows: *(The amendment requires that a statement of contributions and expenditures be filed in accordance with State law.)*

On page 3, in line 13 after “CODE.” Insert “A STATEMENT OF CONTRIBUTIONS AND EXPENDITURES SHALL BE FILED IN ACCORDANCE WITH § 7-104 OF THE ELECTION LAW ARTICLE OF THE MARYLAND CODE.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 4 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 4 to Council Bill No. 34-2010 passed.

The Chairperson moved to adopt Amendment No. 5 to Council Bill No. 34-2010 as follows: *(The amendment prohibits offering an inducement to not sign a petition.)*

On page 4, in line 20 after “signing”, insert “OR NOT SIGNING”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 5 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 5 to Council Bill No. 34-2010 passed.

The Chairperson moved to adopt Amendment No. 7 to Council Bill No. 34-2010 as follows: *(The amendment repeals the requirements for purpose statements on petitions.)*

On page 2, in line 15, before “(a)” insert “[ ]” and after “(a)” insert “[ ]”.

Also on page 2, in line 22, before “(b)” insert “[ ]” and, in the same line, strike “[ ]”.

Also on page 2, in line 27, strike “[ ]” and both instances of “[ ]”.

Also on page 2, in line 30, at the end of the line, insert “[ ]”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 7 to Council Bill No. 34-2010 as follows: *(This amendment repeals the statement of purpose for emergency bills.)*

After line 4 insert:

On page 3, in line 1 before “If”, insert “[ ]”.

Also on page 3, in line 2, strike “[ ]” and also strike “[ ]”.

Also on page 3, in line 5, after the period, insert “[ ]”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 to Amendment No. 7 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Amendment No. 7 to Council Bill No. 34-2010 passed.

The Chairperson moved to adopt Amendment No. 2 to Amendment No. 7 to Council Bill No. 34-2010 as follows: *(This amendment corrects a typographical error.)*

In line 2, strike “[ ]” and substitute “[ ]”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 to Amendment No. 7 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 2 to Amendment No. 7 to Council Bill No. 34-2010 passed.

The roll call vote called by the Chairperson on Amendment No. 7 to Council Bill No. 34-2010 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 7 to Council Bill No. 34-2010 passed as amended.

The Chairperson moved to adopt Amendment No. 10 to Council Bill No. 34-2010 as follows: *(The amendment retains the requirement that signatures be compared with voter cards.)*

On page 3, in line 9, strike “[[”.

Also on page 3, in line 10, after the comma, insert “[[”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 10 was: Yea: Council Members Ball, Sigaty and Terrasa; Nay: Council Members Watson and Fox.

Amendment No. 10 to Council Bill No. 34-2010 passed.

The roll call vote called by the Chairperson on Council Bill No. 34-2010 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 34-2010 passed as amended.

Council Bill No. 35-2010 - Pursuant to Section 1.111(e) of the Howard County Code approving provisions in a collective bargaining agreement between Howard County and the Howard County Police Supervisor’s Alliance - Howard County Local 112 that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; and providing for the application of this Act

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The Chairperson moved to adopt Council Bill No. 35-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 35-2010 passed.

Council Bill No. 36-2010 - Pursuant to Section 1.111(e) of the Howard County Code approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3888, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; and providing for the application of this Act

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The Chairperson moved to adopt Council Bill No. 36-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Bill No. 36-2010 passed.

Council Bill No. 37-2010 (ZRA-127) - Introduced by The Chairperson at the request of the Marsha S. McLaughlin, Director, Department of Planning and Zoning - Amending the Howard County Zoning Regulations to add special hospitals, psychiatric, as a use permitted as a matter of right in the M-1 (Manufacturing: Light) District; and generally relating to the Howard County Zoning Regulations

The Chairperson moved to adopt Council Bill No. 37-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Council Bill No. 37-2010 passed.

Council Bill No. 38-2010 - Introduced by The Chairperson at the request of the County Executive and co-sponsored by Courtney Watson - Amending the Howard County Code to require that the Design Advisory Panel review and provide advice on development and redevelopment projects within the Route 40 Corridor, under certain circumstances; requiring that the Design Advisory Panel consider the Route 40 Design Manual in the Panel's review of certain types of development and redevelopment plans; making certain technical corrections; and generally relating to the Design Advisory Panel

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The Chairperson moved to adopt Council Bill No. 38-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Council Bill No. 38-2010 passed.

Council Resolution No. 86-2010 - Introduced by The Chairperson at the request of the County Executive and co-sponsored by Courtney Watson - Adopting the Route 40 Design Manual which will apply to new development or redevelopment in the Route 40 Corridor.

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The Chairperson moved to adopt Council Resolution No. 86-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Council Resolution No. 86-2010 passed.

Council Resolution No. 87-2010 - Approving a public interest use for telecommunications antennas and associated ground equipment on land owned by Ricky and Leslie Bauer; finding that the proposed use is in the public interest; approving an amendment to certain deeds of easement to release the land used for the telecommunications antennas and accessory ground equipment for a public purpose; and providing that the release is contingent on a certain payment to the County and the construction of a grain silo

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The Chairperson moved to adopt Council Resolution No. 87-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to amend the agenda to allow introduction of Amendment No. 1 to Council Resolution No. 87-2010 which was not prefiled. The motion was seconded by Ms. Sigaty. (Four affirmative votes are required for passage.)

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Sigaty and Terrasa; Nay: Council Members Watson and Fox.  
The motion to amend the agenda failed.

Council Member Fox moved to table Council Resolution No. 87-2010. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.

The motion to table Council Resolution No. 87-2010 failed.

Council Member Ball moved to reconsider the vote to amend the agenda. The motion was seconded by Ms. Sigaty.

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

The motion to reconsider the vote to amend the agenda passed.

The Chairperson moved to amend the agenda to allow introduction of Amendment No. 1 to Council Resolution No. 87-2010 which was not prefiled. The motion was seconded by Ms. Sigaty.

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

The motion to amend the agenda passed.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 87-2010 as follows: *(This amendment adds a provision locating the antennas inside the silo with a maximum height not to exceed 145 feet.)*

On page 3, after line 14, insert:

“AND BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF HOWARD COUNTY, MARYLAND, THAT NOTWITHSTANDING ANY OTHER PROVISION OF THIS RESOLUTION, THE TELECOMMUNICATIONS ANTENNAS SHALL BE LOCATED INSIDE THE SILO WITH A MAXIMUM HEIGHT NOT TO EXCEED 145 FEET.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Amendment No. 1 to Council Resolution No. 87-2010 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolution No. 87-2010 passed as amended.

Council Resolution No. 88-2010 - Endorsing the provision of financing by the State Department of Business and Economic Development for an economic development project in Howard County; designating the Howard County Economic Development Authority as the agency to administer the project; and certifying that the project is consistent with the County's plan for economic development

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The Chairperson moved to adopt Council Resolution No. 88-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolution No. 88-2010 passed.

Council Resolution No. 89-2010 - Endorsing the Howard County Economic Development Authority's application to the Maryland Department of Business and Economic Development for grant money to fund the completion of an economic development plan for the Authority

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The Chairperson moved to adopt Council Resolution No. 89-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolution No. 89-2010 passed.

Council Resolution No. 90-2010 - Pursuant to Section 4.201 of the Howard County Code authorizing the County Executive to grant certain easements on approximately 0.739 acres of property owned by the County located on Maryland Route 99 at the Alpha Ridge Landfill to the Maryland State Highway Administration; 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 grant the easements if he finds that the land may have a further public use and submits his finding to the County Council for its consideration

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The Chairperson moved to adopt Council Resolution No. 90-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolution No. 90-2010 passed.

Council Resolution No. 91-2010 - Pursuant to Section 4.201 of the Howard County Code authorizing the County Executive to grant certain easements on approximately 0.6525 acres of property owned by the County located on Maryland Route 32 as shown on Tax Map 15, Parcel 25, Par A and located near Fox Chase Road to the Maryland State Highway Administration; 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 grant the easements if he finds that the land may have a further public use and submits his finding to the County Council for its consideration

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The Chairperson moved to adopt Council Resolution No. 91-2010. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolution No. 91-2010 passed.

## **ADJOURNMENT**

The Chairperson adjourned the legislative session at 9:34 p.m.