

County Council Public Hearing (Including Budget related Legislation)

Monday, May 17, 2010 - 7:30 p.m.

Board Room, Board of Education, 10910 Route 108, Ellicott City, MD

Council Members Present: Courtney Watson, Chairperson, Mary Kay Sigaty, Vice Chairperson, Calvin Ball, Greg Fox, and Jen Terrasa.
Staff Present: Steve LeGendre, Administrator, Theo Wimberly, Legislative Assistant and Lisa Harold, Administrative Assistant.

- I. The public is invited to offer testimony.
 - A. Call to order at 7:35 p.m.
 - B. Pledge of Allegiance lead by Greg Fox, Council Member
 - C. Honorary Resolution - Atholton High School - First Robotics Competition Award - Christopher R. Fox - teacher
 - D. Courtney Watson announced the County Council will be hearing legislation tonight that was introduced on May 3, 2010. This includes legislation related to the FY 11 Capital and Operating Budgets. We have already held a hearing on the budget-related legislation and ask that budget-related testimony is limited to new matters rather than issues already addressed. We will hold a special session at 10:30 am on Wednesday, May 19 here at the Board of Education to give final consideration to the proposed budget and related legislation. If needed, there will be a work session on the non-budget related legislation heard tonight at 4:30 pm on May 24 here at the Board of Education. Final consideration for those bills will be on June 7 at our regular legislative session.
 - E. Courtney Watson recognized Troop 540 from Fulton, Maryland
- II. Approve Minutes
 1. Capital & Operating Budget Public Hearing (Board of Education, Libraries, Community College) - May 1, 2010
 2. Budget Public Hearing (Constant Yield) - May 3, 2010
 3. Operating Budget Work Session (Legislative/Judicial, Public Safety, Public Facilities) - May 4, 2010

4. Closed Meeting - May 4, 2010
5. Budget Work Sessions Operating & Capital (BOE, Libraries, Community College) and Operating Budget (Office of Law) - May 6, 2010
6. Operating Budget Work Session (Community Services (except Health), Funds Revenues) - May 11, 2010
7. Budget Public Hearing (General) - May 11, 2010
8. Operating Budget Work Session (Health, General Government) - May 12, 2010

Courtney Watson, Chair moved to approve Minutes, seconded by Mary Kay Sigaty, Vice Chair.

The motion unanimously carried by the following roll call vote: AYES: Courtney Watson, Chair, Mary Kay Sigaty, Vice Chair, Calvin Ball, Council Member, Greg Fox, Council Member, and Jen Terrasa, Council Member.
NAYS: None.

III. Appointments

- A. Council Resolution No. 41-2010 - Confirming the appointment of William E. Erskine to the Board of Directors of the Economic Development Authority
 1. William Erskine 11849 Tall Timber Drive, Clarksville, MD
- B. Council Resolution No. 42-2010 - Confirming the appointment of Johnetta Jordan to the Equal Business Opportunity Commission
 1. Johnetta Jordan 7055 Minstreal Way, Columbia, MD
- C. Council Resolution No. 43-2010 - Confirming the appointment of John H. Lee to the Commission on Aging
 1. John H. Lee 5664 Stevens Forest Rd., Columbia, MD
- D. Council Resolution No. 44-2010 - Confirming the appointment of Joseph J. Mezzanotte to the Board of Directors of the Economic

Development Authority

1. Joseph J. Mezzanotte 10500 Little Patuxent Parkway,
Columbia, MD
 - E. Council Resolution No. 45-2010 - Confirming the appointment of
Swathi Narayan to the Human Rights Commission
 1. Swathi Jarayan 6734 Carlinda Avenue, Columbia, MD
 - F. Council Resolution No. 46-2010 - Confirming the reappointment
of Alisa K. Chernak to the Board of Social Services
 - G. Council Resolution No. 47-2010 - Confirming the reappointment
of Jo M. Franklin Glasco to the Board of Directors of the
Howard County Mental Health Authority
 - H. Council Resolution No. 48-2010 - Confirming the reappointment
of Yvonne C. Howard to the Board of Social Services
 - I. Council Resolution No. 49-2010 - Confirming the reappointment
of Jerry A. Krill, M.D. to the Economic Development Authority
 - J. Council Resolution No. 50-2010 - Confirming the reappointment
of Christopher Myers to the Board of Directors of the Economic
Development Authority
 - K. Council Resolution No. 51-2010 - Confirming the reappointment
of Matthew Plantz to the Commission on Disability Issues
 - L. Council Resolution No. 52-2010 - Confirming the reappointment
of Tracey L. Williams to the Board of Social Services
- IV. Financial
- A. Supplementary Budget & Appropriation Ordinance No. 15-Fiscal
2010 - Transferring \$9,999 from the Grants Fund, Contingency
Reserve to the Department of Police for the Law Enforcement
Training Scholarship Grant
 1. William McMahon, Chief of Police Howard County

- B. Council Resolution No. 53-2010 - Approving certain transfers between major categories and from the undesignated fund balance of the Howard County Board of Education Operating Budget for Fiscal Year 2010; transferring \$1,156,360 to the Instruction-Salaries category; transferring \$478,940 to the Special Education category; transferring \$400,000 to the Maintenance of Plant category; and transferring \$1,000,000 to the Fixed Charges category
 - 1. Raymond Brown, Chief Financial Officer Howard County Public School System

- C. Council Resolution No. 54-2010 - Amending the Fiscal Year 2010 operating budget for the Howard Community College in order to transfer \$2,000,000 within the restricted fund revenues from both the State and other funding categories to the federal funding category and to transfer \$2,000,000 within the restricted fund expenditures from the instruction category to the scholarship category
 - 2. Lynn Coleman, Vice President Administration & Finance of Howard Community College

- D. Council Bill No. 17-2010 - Removing a certain condition from the amendment to the Annual Budget and Appropriation Ordinance of Howard County, Fiscal Year 2010, as adopted by Council Bill No. 49-2009; and declaring this to be an emergency Act
 - 1. Ray Wacks, Howard County Budget Director

- E. Council Bill No. 18-2010 - Approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 54 acres of agricultural land located at 3841 Manor Lane, in Ellicott City, Maryland, from John L. Carroll, Jr. or any other owner thereof for a maximum purchase price of \$1,698,000 or, if less, \$31,440 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

1. Joy Levy, Administrator of County Agricultural Land Preservation Program

2. Alice Giles, on Behalf of League of Women Voters

F. Council Bill No. 19-2010 - Approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 88 acres of agricultural land located at 1500 Sykesville Road in Sykesville, Maryland, from Leona Stedding or any other owner thereof for a maximum purchase price of \$2,746,000 or, if less, \$31,200 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

1. Joy Levy, Administrator of County Agricultural Land Preservation Program

2. Alice Giles, on behalf of League of Women Voters

V. General

A. Council Bill No. 29-2010 - Introduced by: Greg Fox -Amending the uncodified Section 2 of Council Bill 9-2010 to change one of the conditions applying to the adjustment of the General Plan 2000's Planned Service Area boundary for water and sewer service to include 221 acres of the historic Doughoregan property; and generally relating to Council Bill 9-2010

B. Council Resolution No. 55-2010 - Approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Columbia LLLP and Howard County, Maryland for a multi-family senior rental housing project known as Park View at Columbia

1. Tom Carbo, Deputy Director Howard County Housing

2. Grace Kubofcik, President League of Women Voters

- C. Council Resolution No. 56-2010 - Approving the acquisition and renovation of an affordable housing project to be known as Park View at Columbia in Columbia, Maryland to be financed either directly by the Department of Housing and Community Development of the State of Maryland or through the Department's Community Development Administration
 - 1. Tom Carbo, Deputy Director Howard County Housing

- D. Council Resolution No. 57-2010 - Approving an amendment to the Howard County Master Plan for Water and Sewerage, consisting of tables and maps incorporating various revisions, including the:
 - 1. Revision of the priority designations assigned in the Master Plan to certain capital projects and private development;
 - 2. Revision of the inventory descriptions for National Pollutant Discharge Elimination System Permits and Shared Sewage Disposal Facilities; and
 - 3. Update of the water and sewer facilities maps to reflect entries into the Metropolitan District.
 - A. Jeff Welty, Deputy Chief Bureau of Utilities

- E. Council Resolution No. 58-2010 - Authorizing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation, including a commitment for local matching funding, for Large Urban Public Transportation Program, Section 5311 Rural Public Transportation Program, Statewide Special Transportation Assistance Program (SSTAP), Americans with Disabilities Act (ADA) and Section 5309 Capital Assistance Program grants under the Federal Transit Act in order to request funds for the operation of the Fixed Route and Paratransit services, capital acquisition of transit buses, and capital improvements for a regional transit operations and maintenance facility
 - 1. Marsha McLaughlin, Deputy Director of DPZ
 - 2. Alice Giles, on Behalf of League of Women Voters

- F. Council Resolution No. 64-2010 - Introduced by Chairperson at the request of the Howard Soil Conservation District -

Approving the fee system of the Howard Soil Conservation District and providing that the fee system applies to each plan that is required to be reviewed by the Howard Soil Conservation District from and after July 1, 2010

1. Robert Ensor, HSCD
2. Michael Harrison, Director, Government Affairs, Home Builders Association of Maryland
3. Sang Oh, 5100 Dorsey Hall Drive, Ellicott City, MD

VI. Budget

- A. Council Bill No. 20-2010 - Amending the Building Excise Tax in order to remove certain flat rates; and generally related to the Building Excise Tax in Howard County

1. Bob Frances, DILP

- B. Council Bill No. 21-2010 - Amending the Pay Plan for Howard County; establishing pay rates for certain employees; stating that salary schedules are subject to certain furlough plans; removing certain specialty pays that will be included in certain collective bargaining agreements; clarifying certain specialty pays; clarifying the scope of involuntary separation pay; adding and amending certain classification titles and pay grades; making certain technical corrections; providing for the application of this Act; and generally relating to the Pay Plan for Howard County

1. Todd Allen, Administrator Human Resources

- C. Council Bill No. 22-2010 - Amending the Classification Plan for Howard County; adding and amending certain class descriptions; amending certain class titles; providing for the application of this Act; and generally relating to amendments to the Howard County Classification Plan

1. Todd Allen, Administrator Human Resources

- D. Council Bill No. 23-2010 - Amending the title of certain positions appointed by the Chief of Fire and Rescue Services; providing for the application of this Act; and generally relating to human resources provisions in the Howard County

Code

1. Todd Allen, Administrator Human Resources

Ray Wacks, Howard County Budget Director, was present in support of all other Budget Legislation as follows:

- E. Council Bill No. 24-2010 - Adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2010 and ending June 30, 2011, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal Year 2011

- F. Council Bill No. 25-2010 - For the purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$118,181,237 on its full faith and credit, and issue and sell its bonds 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 construction projects, road resurfacing projects, roadside and sidewalk projects, library projects, community college projects, parks and recreation projects, intersection improvements projects and community renewal projects), which are specified and described in the County's 2011 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; 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

- G. Council Bill No. 26-2010 - For the purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$28,428,405 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County water and sewer capital projects which are specified and described in the County's 2011 Capital Budget (including, without limitation, borrowings for certain water and sewer capital projects previously authorized in calendar year 2006), 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 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

- H. Council Bill No. 27-2010 - For the purpose of authorizing and empowering Howard County, Maryland to borrow money in a principal amount of up to \$39,003,999 on its full faith and credit, and issue and sell its bonds therefore, to be used to pay costs of certain County road construction projects and other capital projects specified and described in the County's 2011 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized in calendar year 2006), and to pay costs of issuance of such bonds; 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

- I. Council Bill No. 28-2010 - To authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$351,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds thereof to be used to pay costs of Capital Project S6237 (FY2001 Patapsco Convey/Treat Facilities), and to pay all related costs; and to levy taxes upon the assessable property within the County sufficient, together with benefit assessments, ad valorem taxes levied upon assessable property in the Metropolitan District and other available funds, to pay the debt service on such bonds; authorizing the County to enter into one or more Loan Agreements with the Administration to effect and further evidence such borrowing; and making certain findings and determinations

- J. Council Resolution No. 59-2010 - Approving a Furlough Plan, pursuant to Section 1.119 of the Howard County Code, in order to reduce the operating budget of the County because of an anticipated decrease in revenue

- K. Council Resolution No. 60-2010 - Approving the Capital Program for Howard County for Fiscal Years 2012 through 2016 and the Extended Capital Program for Fiscal Years 2017 through 2020

- L. Council Resolution No. 61-2010 - Approving the Fiscal Year 2011 operating budget for the Howard Community College and

indicating appropriations for major functional categories

- M. Council Resolution No. 62-2010 - Approving the Fiscal Year 2011 budget for the Department of Libraries and indicating appropriations for object classes
- N. Council Resolution No. 63-2010 - Setting forth the Fiscal Year 2011 Operating Budget for the Howard County Board of Education
- O. Council Resolution No. 65-2010 - Approving schedules for charges pertaining to the Metropolitan District, to water and sewer service, and to shared sewage disposal facilities
- P. Council Resolution No. 66-2010 - Approving schedules of fees for the functions regulated by the Department of Public Works
- Q. Council Resolution No. 67-2010 - Approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits
- R. Council Resolution No. 68-2010 - Approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning
- S. Council Resolution No. 69-2010 - Adopting fees for Fire Safety Inspections
- T. Council Resolution No. 70-2010 - Adopting a schedule of fees for functions regulated by the Department of Finance, including a schedule of fees for parking meter rates
- U. Council Resolution No. 71-2010 - Approving schedules of fees and rates for functions regulated and administered by the Department of Police
- V. Council Resolution No. 72-2010 - 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.
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- W. Council Resolution No. 73-2010 - Approving schedules of fines and penalties for violations of and administrative costs related to enforcement of Howard County's parking laws, including administrative handling fees for parking citations and citations under the automated red light enforcement program
 - X. Council Resolution No. 74-2010 - 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
 - Y. Council Resolution No. 75-2010 - Establishing a recordation tax rate on instruments of writing that are recorded with the Clerk of the Circuit Court
 - Z. Council Resolution No. 76-2010 - Adopting the schedule of rates for the Building Excise Tax
 - AA. Council Resolution No. 77-2010 - Levying Fire and Rescue tax rates beginning July 1, 2010

BB. Council Resolution No. 78-2010 - Levying a property tax for the fiscal year beginning July 1, 2010 and ending June 30, 2011; setting the tax rates for property; and providing for the collection of the property tax

Following the reading of all the Budget Legislation, testimony taken From:

1. Ray Wacks, Budget Director
2. Kay Hartleb, Register of Wills
3. Carolyn Marinto

VII. Courtney Watson announced the vote on the Budget will be held on Wednesday May 19th at 10:30 a.m. at BOE. If you have any comments between now and then, please email or call the office.

Adjourn at 9:05 p.m.