

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2010 Legislative Session**

**Legislative Day No. 7  
June 7, 2010**

**HOWARD COUNTY TO WIT:**

The Chairman called the legislative session to order at 7:31 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; Lynn Robeson, Attorney with the Office of Law; Haskell Arnold, County Auditor; and Jennifer Sager, Legislative Coordinator, were also present.

**APPROVE JOURNAL**

The Chairperson moved to approve the journals for Legislative Day No. 5, May 3, 2010 and Legislative Day No. 6, May 19, 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 journals passed.

**APPROVE MINUTES**

The Chairperson moved to approve the minutes for the Budget Work Session, May 14, 2010; and the Legislative Public Hearing, May 17, 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 minutes passed.

**AMEND AGENDA**

The Chairperson moved to amend the agenda to allow introduction of Amendment No. 2 to Council Resolution No. 56-2010 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 amend the agenda to allow introduction of Amendment No. 5 to Council Resolution No. 64-2010 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.

## **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. 79-2010 - Confirming the appointment of Margaret Roberts Davis, Ph. D. to the Commission on Aging

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A RESOLUTION confirming the appointment of Margaret Roberts Davis, Ph. D. to the Commission on Aging.

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

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A RESOLUTION confirming the reappointment of Darryl L. Burnett to the Board of Health.

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

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A RESOLUTION confirming the reappointment of Gail M. Doerr to the Board of Health.

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

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A RESOLUTION confirming the reappointment of Vanessa C. Foreman to the Board of Health.

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

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A RESOLUTION confirming the reappointment of Rob Goldman to the Board of Health.

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

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A RESOLUTION confirming the reappointment of Alexander F. Ross, Sc.D., to the Board of Health.

## 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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AN ACT 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.

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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AN ACT 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.

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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AN ACT 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.

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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AN ACT 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.

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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A RESOLUTION 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").

## 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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AN ACT 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.

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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AN ACT 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.

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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AN ACT 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.

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

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AN ACT 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.

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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AN ACT 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.

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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A RESOLUTION adopting the Route 40 Design Manual which will apply to new development or redevelopment in the Route 40 Corridor.

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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A RESOLUTION 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.

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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A RESOLUTION 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.

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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A RESOLUTION 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.

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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A RESOLUTION 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.

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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A RESOLUTION 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.

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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RESOLUTION calling the County Council of Howard County, Maryland into legislative session on July 29, 2010.

**FINAL CONSIDERATION**

**Appointments**

Council Resolution No. 49-2010 – Confirming the reappointment of Jerry A. Krill, M.D. to the Economic Development Authority

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The Chairperson moved to adopt Council Resolution No. 49-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 49-2010 as follows: *(This amendment corrects the nominee’s doctorate degree.)*

In the title and on page 1, lines 7 and 14, in each instance, strike “M.D.” and substitute “Ph.D.”.

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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. 49-2010 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. 49-2010 passed as amended.

**Consent**

Council Resolution No. 41-2010 - Confirming the appointment of William E. Erskine to the Board of Directors of the Economic Development Authority

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Council Resolution No. 42-2010 –Confirming the appointment of Johnetta Jordan to the Equal Business Opportunity Commission

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Council Resolution No. 43-2010 – Confirming the appointment of John H. Lee to the Commission on Aging

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Council Resolution No. 44-2010 – Confirming the appointment of Joseph J. Mezzanotte to the Board of Directors of the Economic Development Authority

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Council Resolution No. 45-2010 – Confirming the appointment of Swathi Narayan to the Human Rights Commission

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Council Resolution No. 46-2010 - Confirming the reappointment of Alisa K. Chernak to the Board of Social Services

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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

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Council Resolution No. 48-2010 – Confirming the reappointment of Yvonne C. Howard to the Board of Social Services

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Council Resolution No. 50-2010 – Confirming the reappointment of Christopher Myers to the Board of Directors of the Economic Development Authority

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Council Resolution No. 51-2010 – Confirming the reappointment of Matthew Plantz to the Commission on Disability Issues

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Council Resolution No. 52-2010 – Confirming the reappointment of Tracey L. Williams to the Board of Social Services

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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 consent legislation was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

Council Resolutions No. 41-2010, No. 42-2010, No. 43-2010, No. 44-2010, No. 45-2010, No. 46-2010, No. 47-2010, No. 48-2010, No. 50-2010, No. 51-2010 and No. 52-2010 passed.

### **Financial**

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

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The Chairperson moved to adopt Supplementary Budget & Appropriation Ordinance No. 15-Fiscal 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.

Supplementary Budget & Appropriation Ordinance No. 15-Fiscal 2010 passed.

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

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The Chairperson moved to adopt Council Resolution No. 53-2010. 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. 53-2010 passed.

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

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The Chairperson moved to adopt Council Resolution No. 54-2010. 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. 54-2010 passed.

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

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The Chairperson moved to adopt Council Bill No. 17-2010. 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. 17-2010 passed.

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

The Chairperson moved to adopt Council Bill No. 18-2010. 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. 18-2010 passed.

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

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The Chairperson moved to adopt Council Bill No. 19-2010. 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. 19-2010 passed.

### **General**

Council Bill No. 29-2010 – by Council Member Greg Fox - Amending the uncodified Section 2. of Council Bill No. 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 No. 9-2010.

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The Chairperson moved to adopt Council Bill No. 29-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 29-2010 as follows: *(This amendment would correct a drafting error and make the language in Council Bill 29, Section 2 number 2 consistent with the language passed in Council Bill 9-2010).*

On page 2, in line 2, after "(2)", strike "*The Property is not rezoned to be R-ED within 1 year from the effective date of this Act;*".

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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 Bill No. 29-2010 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.  
Council Bill No. 29-2010 passed as amended.

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

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The Chairperson moved to adopt Council Resolution No. 55-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 55-2010 as follows: *(This amendment changes the amount of certain financing.)*

On page 1, in line 9, strike “\$4,900,000” and substitute “\$4,909,000” and, in the same line, strike “\$563,000” and substitute “\$653,000”.

On page 1, strike beginning with the “a” in line 10 down through, and including, “(iv)” in line 11.

On page 1, in line 12, strike “\$1,437,838” and substitute “\$1,317,000”.

Remove the Payment in Lieu of Taxes Agreement, attached to the Resolution as Exhibit 1, and substitute a revised Exhibit 1 as attached to this Amendment. *(See attached.)*

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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. 55-2010 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. 55-2010 passed as amended.

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

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The Chairperson moved to adopt Council Resolution No. 56-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 56-2010 as follows: *(This amendment changes the amount of certain financing.)*

On page 1, in line 27, strike “\$4,900,000” and substitute “\$4,909,000” and, in the same line, strike “\$563,000” and substitute “\$653,000”.

On page 1, strike beginning with the “a” in line 28 down through, and including, “(iv)” in line 29.

On page 1, in line 30, strike “\$1,437,838” and substitute “\$1,317,000”.

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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. 56-2010 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Resolution No. 56-2010 as follows: *(The amendment removes certain incorrect citations.)*

On page 1, strike beginning with “Section” in line 16 down through and including “require” in line 18 and substitute “Applicable law, regulations and Departmental requirements necessitate”.

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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 Resolution No. 56-2010 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. 56-2010 passed as amended.

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.

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The Chairperson moved to adopt Council Resolution No. 57-2010. 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. 57-2010 passed.

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

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The Chairperson moved to adopt Council Resolution No. 58-2010. 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. 58-2010 passed.

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

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The Chairperson moved to adopt Council Resolution No. 64-2010. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 64-2010 as follows: *(The amendment specifies that capital projects are exempt from the fee structure.)*

On the fee system attached to the Resolution, insert as the final paragraph: “Capital projects are exempt from the fee structure.”.

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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 and Terrasa; Nay: Council Members Fox and Sigaty.

Amendment No. 1 to Council Resolution No. 64-2010 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Resolution No. 64-2010 as follows: *(The amendment removes the reference to a fee for Environmental site design / Concept Plan Review from the fee schedule.)*

On the fee system attached to the Resolution, strike the reference to a \$300 fee for Environmental site design / Concept Plan Review in its entirety.

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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 Resolution No. 64-2010 passed.

The Chairperson moved to adopt Amendment No. 3 to Council Resolution No. 64-2010 as follows: *(The amendment sets a cap for fees for all plans for a single development.)*

On the fee system attached to the Resolution:

1. Insert before the paragraph referring to 3 resubmissions:

“Fees for all plans reviewed for a single development are capped at \$1,800.”.

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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 and Terrasa; Nay: Council Members Fox and Sigaty.

Amendment No. 3 to Council Resolution No. 64-2010 passed.

The Chairperson moved to adopt Amendment No. 4 to Council Resolution No. 64-2010 as follows: *(The amendment reduces the per acre of disturbance fee.)*

On the fee system attached to the Resolution, in the reference to a fee per acre of disturbance, strike “\$290” and substitute “\$80”.

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The motion was seconded by Ms. Sigaty.

Council Member Sigaty moved to adopt Amendment No. 1 to Amendment No. 4 to Council Resolution No. 64-2010 as follows:

In line 2, strike "\$80" and substitute "\$145".

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The motion was seconded by Mr. Fox.

The roll call vote called by the Chairperson on Amendment No. 1 to Amendment No. 4 was: Nay: Council Members Watson, Ball and Terrasa; Yea: Council Members Fox and Sigaty.

Amendment No. 1 to Amendment No. 4 to Council Resolution No. 64-2010 failed.

The roll call vote called by the Chairperson on Amendment No. 4 to Council Resolution No. 64-2010 was: Yea: Council Members Watson, Ball and Terrasa; Nay: Council Members Fox and Sigaty.

Amendment No. 4 to Council Resolution No. 64-2010 passed.

The Chairperson moved to adopt Amendment No. 5 to Council Resolution No. 64-2010 as follows: *(The amendment removes the fee for the standard sediment control plan from the fee schedule.)*

On the fee system attached to the Resolution, strike the reference to a \$150 fee for “Standard sediment control plan” in its entirety.

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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 Resolution No. 64-2010 passed.

The roll call vote called by the Chairperson on Council Resolution No. 64-2010 as amended was: Yea: Council Members Watson, Ball and Terrasa; Nay: Council Members Fox and Sigaty.

Council Resolution No. 64-2010 passed as amended.

### **ADJOURNMENT**

The Chairperson adjourned the legislative session at 8:29 p.m.