

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2011 Legislative Session**

**Legislative Day No. 1  
January 3, 2011**

**HOWARD COUNTY TO WIT:**

The Chairman called the legislative session to order at 7:30 p.m.

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

Stephen LeGendre, Administrator to the County Council; 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. 13, December 6, 2010. The motion was seconded by Ms. Terrasa.

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

The motion to approve the journal passed.

**APPROVE MINUTES**

The Chairperson moved to approve the minutes for the Legislative Public Hearing, December 20, 2010. The motion was seconded by Ms. Terrasa.

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

The motion to approve the minutes passed.

**AMEND AGENDA**

Council Bill No. 2-2011 – Introduced by the Chairman at the request of the County Executive - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Equipment Lease-Purchase Agreement between Howard County, Maryland and TD Equipment Finance, Inc., for the acquisition of certain equipment to be used at the Alpha Ridge Landfill.

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The Chairperson moved to amend the agenda to allow the introduction of Council Bill No. 2-2011 which was not prefiled. The motion was seconded by Ms. Terrasa.

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

The motion to amend the agenda passed.

Council Bill No. 3-2011 – Introduced by Greg Fox; co-sponsored by Courtney Watson – AN ACT to establish a Veterans’ Commission; specifying its composition and duties; requiring a certain annual report; requiring County agencies to cooperate with the Commission; and generally relating to veterans and active duty personnel in Howard County.

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The Chairperson moved to amend the agenda to allow the introduction of Council Bill No. 3-2011 which was not prefiled. The motion was seconded by Ms. Terrasa.

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

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. 1-2011 - Recommending to the Governor of Maryland that Mary Kay Sigaty be appointed to the Patuxent River Commission

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A RESOLUTION recommending to the Governor of Maryland that Mary Kay Sigaty be appointed to the Patuxent River Commission.

Council Resolution No. 2-2011 - Introduced by: Chairperson - Appointing James P. Howard II to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2015

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A RESOLUTION appointing James P. Howard II to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2015.

Council Resolution No. 3-2011 - Confirming the appointment of Arthur C. Gold to the Commission on Disability Issues

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A RESOLUTION confirming the appointment of Arthur C. Gold to the Commission on Disability Issues.

Council Resolution No. 4-2011 - Confirming the reappointment of Laurence C. Aaronson to the Public Ethics Commission

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A RESOLUTION confirming the reappointment of Laurence C. Aaronson to the Public Ethics Commission.

Council Resolution No. 5-2011 - Confirming the reappointment of Leola Howard to the Board of Directors of the Howard County Mental Health Authority

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A RESOLUTION confirming the reappointment of Leola Howard to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 6-2011 - Confirming the reappointment of Margaret Ann Nolan as County Solicitor

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A RESOLUTION confirming the reappointment of Margaret Ann Nolan as County Solicitor.

Council Resolution No. 7-2011 - Confirming the reappointment of Diana Carson Seybolt, Ph.D. to the Board of Directors of the Howard County Mental Health Authority

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A RESOLUTION confirming the reappointment of Diana Carson Seybolt, Ph.D. to the Board of Directors of the Howard County Mental Health Authority.

### **Financial**

Transfer of Appropriation Ordinance No. 2-Fiscal Year 2011 - Transferring a total of \$27,500,000 to capital project C0282, Government Service Campus, from capital project C0214, Category Contingency Fund

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AN ACT transferring a total of \$27,500,000 to capital project C0282, Government Service Campus, from capital project C0214, Category Contingency Fund.

Council Bill No. 1-2011 - Authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$27,500,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of Capital Project No. C0282 (Government Services Campus), 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 \$27,500,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of Capital Project No. C0282 (Government Services Campus), 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. 2-2011 – Pursuant to Section 612 of the Howard County Charter, approving a multi-year Equipment Lease-Purchase Agreement between Howard County, Maryland and TD Equipment Finance, Inc., for the acquisition of certain equipment to be used at the Alpha Ridge Landfill.

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AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Equipment Lease-Purchase Agreement between Howard County, Maryland and TD Equipment Finance, Inc., for the acquisition of certain equipment to be used at the Alpha Ridge Landfill.

**General**

Council Bill No. 3-2011 – Introduced by Greg Fox; co-sponsored by Courtney Watson - To establish a Veterans’ Commission; specifying its composition and duties; requiring a certain annual report; requiring County agencies to cooperate with the Commission; and generally relating to veterans and active duty personnel in Howard County.

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AN ACT to establish a Veterans’ Commission; specifying its composition and duties; requiring a certain annual report; requiring County agencies to cooperate with the Commission; and generally relating to veterans and active duty personnel in Howard County.

**FINAL CONSIDERATION**

**Consent Agenda**

Council Resolution No. 128-2010 - Confirming the reappointment of Margaret R. Chelton to the Adult Public Guardianship Review Board

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Council Resolution No. 129-2010 - Confirming the reappointment of Phyllis E. Cook to the Howard County Design Advisory Panel

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Council Resolution No. 130-2010 - Confirming the reappointment of Rob Hollis to the Howard County Design Advisory Panel

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Council Resolution No. 131-2010 - Confirming the reappointment of Pamela E. Kumar to the Board of Directors of the Howard County Mental Health Authority

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Council Resolution No. 132-2010 - Confirming the reappointment of Richard Ohnmacht to the Board to Promote Self-Sufficiency

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Council Resolution No. 133-2010 - Confirming the reappointment of Kelley Riddle to the Board to Promote Self-Sufficiency

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Council Resolution No. 139-2010 - Confirming the appointment of Kristina Demme to the Howard County Animal Matters Hearing Board

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Council Resolution No. 141-2010 - Confirming the appointment of Lori A. Fuchs to the Commission for Women

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Council Resolution No. 142-2010 - Confirming the appointment of Stephen M. Liggett-Creel to the Board of Directors of the Howard County Mental Health Authority

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Council Resolution No. 143-2010 - Confirming the appointment of Michael S. Marcus to the Adult Public Guardianship Review Board

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Council Resolution No. 144-2010 - Confirming the appointment of April R. Randall to the Commission for Women

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Council Resolution No. 145-2010 - Confirming the appointment of Dorothy Ruck to the Howard County Animal Matters Hearing Board

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Council Resolution No. 146-2010 – Approving a list of Howard County residents to send to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

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The Chairperson moved to adopt the items on the consent agenda. The motion was seconded by Ms. Terrasa.

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

Council Resolutions No. 128-2010, No. 129-2010, No. 130-2010, No. 131-2010, No. 132-2010, No. 133-2010, No. 139-2010, No. 141-2010, No. 142-2010, No. 143-2010, No. 144-2010, No. 145-2010 and No. 146-2010 passed.

### **Appointments**

Council Resolution No. 127-2010 - Confirming the appointment of James P. Howard, II to the Alcoholic Beverage Hearing Board

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The Chairperson moved to table Council Resolution No. 127-2010. The motion was seconded by Ms. Terrasa.

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

The motion to table Council Resolution No. 127-2010 passed.

Council Resolution No. 140-2010 - Confirming the appointment of Natalie Eidelman to the Commission for Women

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The Chairperson moved to adopt Council Resolution No. 140-2010. The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 140-2010 as follows: *(This amendment corrects the term of the appointment.)*

On page 1, in line 12, strike “July 1, 2011 to June 30, 2012” and substitute “the passage of this Resolution to June 30, 2011”.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson  
Amendment No. 1 to Council Resolution No. 140-2010 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Council Resolution No. 140-2010 passed as amended.

### **Financial**

Council Bill No. 54-2010 - Amending the adopted Annual Budget and Appropriation Ordinance of Howard County, Fiscal Year 2011, and the Capital Budget Detail, Fiscal Year 2011, to add a new capital project, C0414, One Maryland Broadband Plan, so that the County may receive certain funding pursuant to the American Recovery and Reinvestment Act and use the funding to administer, purchase, and install dark fiber infrastructure in Howard County and to several jurisdictions in the region; and declaring this Act to be an emergency measure

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The Chairperson moved to adopt Council Bill No. 54-2010. The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 54-2010 as follows: *(This amendment corrects the name of the American Recovery and Reinvestment Act in two places.)*

On page 1, in line 17, strike “Reinvestment and Recovery” and substitute “Recovery and Reinvestment”; and

In the Approved Capital Budget Detail, as attached to the Bill as prefiled, under Description, strike “Reinvestment and Recovery” and substitute “Recovery and Reinvestment” by removing the Approved Capital Budget Detail, Fiscal Year 2011, and substituting the revised Approved Capital Budget Detail, Parts A and B, as attached to this Amendment.  
(See Attachment.)

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Amendment No. 1 to Council Bill No. 54-2010 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Council Bill No. 54-2010 passed as amended.

Transfer of Appropriation Ordinance No. 1-Fiscal Year 2011 - Transferring \$75,000,000 in grant funding to capital project C0414, One Maryland Broadband Plan, from capital project C0214, Category Contingency Fund

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The Chairperson moved to adopt Transfer of Appropriation Ordinance No. 1-Fiscal Year 2011. The motion was seconded by Ms. Terrasa.

The Chairperson moved to adopt Amendment No. 1 to Transfer of Appropriation Ordinance No. 1-Fiscal Year 2011 as follows: *(This amendment reduces the amount of funds transferred, clarifies the County’s role as a grant sub-recipient and makes a technical correction.)*

In the following instances, strike “\$75,000,000” and substitute “\$73,000,000”:

- (a) In the first line of the title; and
- (b) On page 2, in lines 9, 10 and 15.

On page 1, strike line 2 in its entirety, and substitute “County, as a sub-recipient to the State of Maryland, will manage over \$72,000,000 in grant funds awarded by the United”.

On page 2, in line 14, strike “\$100,100,000” and substitute “\$101,600,000”.

On page 2, in line 16, strike “\$25,100,000” and substitute “\$28,600,000”.

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The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Amendment No. 1 to Transfer of Appropriation Ordinance No. 1-Fiscal Year 2011 passed.

The roll call vote called by the Chairperson on the ordinance as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Transfer of Appropriation Ordinance No. 1-Fiscal Year 2011 passed as amended.

### **General**

Council Bill No. 55-2010 (ZRA-117) - Introduced by Greg Fox, Councilmember; Mary Kay Sigaty, Councilmember - Amending the Howard County Zoning Regulations to amend the Supplemental Zoning District Regulations in order to change the setbacks located on residential lots, under certain conditions; to permit apiaries as an accessory use; and generally relating to apiaries

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Ms. Sigaty moved to table Council Bill No. 55-2010. The motion was seconded by Mr. Fox.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson  
The motion to table Council Bill No. 55-2010 passed.

Council Bill No. 56-2010 - Clarifying certain sign requirements specific to Downtown Columbia under certain conditions; allowing signs of a certain size in Downtown Columbia; allowing certain signs in Downtown Columbia under certain conditions; allowing certain signs in the County rights-of-way in Downtown Columbia; allowing for certain signs to be illuminated in Downtown Columbia; defining certain terms; amending certain definitions; making certain technical corrections; and generally relating to sign requirements for Downtown Columbia

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The Chairperson moved to table Council Bill No. 56-2010. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
The motion to table Council Bill No. 56-2010 passed.

Council Resolution No. 135-2010 - 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; and
2. 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. 135-2010. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Council Resolution No. 135-2010 passed.

Council Resolution No. 136-2010 - Pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant a permanent easement on approximately 0.677 acres of property and a temporary construction easement on approximately 0.743 acres of property owned by the County, known as Open Space Lot 27 and located within the subdivision known as Windy Knolls, to the Baltimore Gas and Electric Company; 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. 136-2010. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson  
Council Resolution No. 136-2010 passed.

Council Resolution No. 137-2010 - Pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant a permanent access easement to the Baltimore Gas and Electric Company on approximately 0.051 acres of property owned by the County, known as Open Space Lot 33 and located within the subdivision known as Murray Hill; 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 easement 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. 137-2010. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
Council Resolution No. 137-2010 passed.

Council Resolution No. 138-2010 - Adopting Downtown-wide Design Guidelines for Downtown Columbia

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The Chairperson moved to table Council Resolution No. 138-2010. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.  
The motion to table Council Resolution No. 138-2010 passed.

Council Resolution No. 134-2010 - Introduced by Courtney Watson, Mary Kay Sigaty, Calvin Ball, and Jennifer Terrasa - Creating a task force to study the composition, purpose, and other specified aspects of a Veterans' Commission in Howard County; providing for officers of and staff for the task force; specifying the composition and duties of the task force; requiring a certain report; and providing for termination of the task force

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The Chairperson moved to table Council Resolution No. 134-2010. The motion was seconded by Ms. Terrasa.

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

The motion to table Council Resolution No. 134-2010 passed.

## **ADJOURNMENT**

The Chairperson adjourned the legislative session at 7:53 p.m.

## **TABLED LEGISLATION**

Council Resolution No. 127-2010 - Confirming the appointment of James P. Howard, II to the Alcoholic Beverage Hearing Board *(Tabled 01/03/2011)*

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Council Bill No. 55-2010 (ZRA-117) - Introduced by Greg Fox, Councilmember; Mary Kay Sigaty, Councilmember - Amending the Howard County Zoning Regulations to amend the Supplemental Zoning District Regulations in order to change the setbacks located on residential lots, under certain conditions; to permit apiaries as an accessory use; and generally relating to apiaries *(Tabled 01/03/2011)*

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Council Bill No. 56-2010 - Clarifying certain sign requirements specific to Downtown Columbia under certain conditions; allowing signs of a certain size in Downtown Columbia; allowing certain signs in Downtown Columbia under certain conditions; allowing certain signs in the County rights-of-way in Downtown Columbia; allowing for certain signs to be illuminated in Downtown Columbia; defining certain terms; amending certain definitions; making certain technical corrections; and generally relating to sign requirements for Downtown Columbia *(Tabled 01/03/2011)*

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Council Resolution No. 138-2010 - Adopting Downtown-wide Design Guidelines for Downtown Columbia *(Tabled 01/03/2011)*

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Council Resolution No. 134-2010 - Introduced by Courtney Watson, Mary Kay Sigaty, Calvin Ball, and Jennifer Terrasa - Creating a task force to study the composition, purpose, and other specified aspects of a Veterans' Commission in Howard County; providing for officers of and staff for the task force; specifying the composition and duties of the task force; requiring a certain report; and providing for termination of the task force *(Tabled 01/03/2011)*

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