

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2010, LEGISLATIVE DAY NO. 19**  
**November 15, 2010                      7:00 P.M.**

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**A.**     The meeting was called to order by Chairman Olszewski at 7:00 P.M. The Chairman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 70 persons in attendance and the following Councilmembers were present:

S.G. SAMUEL MOXLEY	FIRST DISTRICT
KEVIN KAMENETZ	SECOND DISTRICT
T. BRYAN MCINTIRE	THIRD DISTRICT
KENNETH N. OLIVER	FOURTH DISTRICT
VINCENT J. GARDINA	FIFTH DISTRICT
JOSEPH BARTENFELDER	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

The Chairman announced that a public hearing would be held on Bill 103-10, and testimony was invited. There being no being testimony offered, the Chairman concluded the public hearing.

**APPROVAL OF JOURNAL**

Upon motion by Councilman Oliver, seconded by Councilman Moxley, the reading of the Journal Entries for the meeting of November 1, 2010 was waived and accepted unanimously.

**C.     ENROLLMENT OF BILLS**

The Chairman stated that the following Bills were passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bills 86-10, 87-10, 88-10 and 89-10.

**D.     INTRODUCTION OF BILLS**

**BILL 114-10**, entitled An Act for the purpose of amending the 2010-2011 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state funds and made available to the County through the Maryland Department of Juvenile Services. The Maryland Department of Juvenile Services has made an award of state funds available to the Baltimore County Local Management Board, to be used for the provision of Multidimensional Treatment Foster Care services to prevent youth involvement with the Department of Juvenile Services.

**BILL 115-10**, entitled An Act for the purpose of amending the 2010-2011 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County through the State of Maryland Department of Health and Mental Hygiene. The State of Maryland Department of Health and Mental Hygiene has made an award of federal funds available to the Baltimore County Department of Health, to be used for costs associated with increased caseload.

**BILL 116-10**, entitled An Act for the purpose of amending the 2010-2011 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County through the Baltimore City Department of Health through Associated Black Charities. Baltimore City Department of Health through Associated Black Charities has made an award of federal funds available to the Baltimore County Department of Health, to be used to enhance service delivery to Baltimore County residents who are infected with HIV and/or syphilis.

**BILL 117-10**, entitled An Act for the purpose of amending the 2010-2011 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from private funds and made available to the County through the Estate of Audrey R. Dix. The Estate of Audrey R. Dix has made an award of private funds available to the Baltimore County Department of Health, to be used for the benefit of Animal Control.

**BILL 118-10**, entitled An Act for the purpose of amending the 2010-2011 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County through the Maryland Department of Labor, Licensing and Regulation. The Maryland Department of Labor, Licensing and Regulation has made an award of federal funds available to the Baltimore County Office of Workforce Development, to be used for employment and training activities.

**E. CALL OF BILLS FOR FINAL READING AND VOTE**

       **Bill 90-10**, Capital Budget - Owings Mills Town Center & Owings Mills Library, was called. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Abstain - McIntire

**Bill 91-10**, CEB - Solving Cold Cases with DNA Grant, was called. Captain Campbell appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 92-10**, CEB - Commercial Driver's License (CDL) Program Improvement Grant, was called. Major Burris appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 93-10**, CEB - Coordinated Re-Entry Initiative, was called. Stephanie House appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 94-10**, CEB - Housing Opportunities for Persons with AIDS, was called. Stephanie House remained. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 95-10**, CEB - Cigarette Restitution Fund - Cancer Grant, was called. Stephanie House remained. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 96-10**, CEB - HIV Health Education and Risk Reduction Services, was called. Stephanie House remained. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 97-10**, CEB - HIV - Ryan White Part A Outreach Program, was called. Stephanie House remained. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 98-10**, CEB - HIV - Ryan White Part B, was called. Stephanie House remained. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 99-10**, CEB - Local Management Board Administrative Funding, was called. Don Schlimm appeared. Councilman Oliver moved to amend this Bill with the following amendment:

On page 2, in line 7, strike “Administration” and substitute “Local Management Board”.

Councilman Moxley seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

Thereafter, upon motion by Councilman Moxley, seconded by Councilman McIntire, Bill 99-10, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 100-10**, CEB - Evidence Based Practice Program, was called. Don Schlimm remained. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 101-10**, CEB - Healthy Families Program, was called. Don Schlimm remained. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 102-10**, CEB - Experience Corp Program, was called. Joanne Williams appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 103-10**, Owings Mills Subway Station - Transit-oriented development; Tax Increment Fund, was called. Fred Homan appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Abstain - McIntire

**Bill 104-10**, Permitted Uses in the MD 43 Overlay District, was called. Pat Keller appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 105-10**, This Bill was withdrawn prior to the meeting.

**Bill 106-10**, Capital Budget - Chapel Road Project, was called. Councilman Gardina commented. There being no further discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 107-10**, False Alarm - Amendments, was called. Keith Dorsey appeared. Councilman Moxley moved to amend this Bill with the following amendments:

1. On page 5, in line 4, place brackets around “shall” and insert “MAY”; and after line 11, insert “(F) AN ALARM SYSTEM CONTRACTOR SHALL NOTIFY THE UNIT, IN A MANNER REQUIRED BY THE UNIT, OF ANY CHANGES TO THE CONTENTS OF THE BALTIMORE COUNTY ALARM SYSTEM CONTRACTOR’S PERMIT WITHIN 10 DAYS AFTER THE CHANGE.”
2. On page 6, in line 10, place brackets around “shall” and insert “MAY”; and after line 21, insert “(F) AN ALARM SYSTEM MONITOR SHALL NOTIFY THE UNIT, IN A MANNER REQUIRED BY THE UNIT, OF ANY CHANGES TO THE CONTENTS OF THE BALTIMORE COUNTY ALARM SYSTEM MONITOR’S PERMIT WITHIN 10 DAYS AFTER THE CHANGE.”

3. On page 7, in line 14, strike “UNIT” and substitute “UNIT, IN A MANNER REQUIRED BY THE UNIT,”.
4. On page 8, in lines
5. 2 and 15, strike “UNIT” and substitute “UNIT, IN A MANNER REQUIRED BY THE UNIT,”; and in line 3, place brackets around “shall” and insert “MAY”.
6. On page 9, in line 8, place brackets around “writing” and substitute “A MANNER REQUIRED BY THE UNIT”.
7. On page 10, in line 3, place brackets around “shall” and insert “MAY”; in line 20, after “(b)”, insert “(1) IN THIS SECTION, AN UNREGISTERED ALARM SYSTEM USER IS AN ALARM SYSTEM USER:  
(I) WHOSE REGISTRATION IS REVOKED; OR  
(II) THAT IS NOT REGISTERED AS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.  
(2)”; and in line 21, place brackets around “the police services of the county” and insert “POLICE PERSONNEL”.
8. On page 11, in line 1, place brackets around “shall” and insert “MAY”.
9. On page 12, after line 15, insert:  
  
“(A) (1) THE ADMINISTRATIVE OFFICER MAY REVOKE THE REGISTRATION OF A COMMERCIAL OR RESIDENTIAL ALARM SYSTEM USER WHO FAILS TO PAY TWO OR MORE FALSE ALARM FEES AS REQUIRED IN § 13-11-208 OF THIS SUBTITLE.  
(2) THE ADMINISTRATIVE OFFICER MAY REINSTATE A REGISTRATION AND REQUIRE THE PAYMENT OF FEES IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER THE AUTHORITY OF THIS SUBTITLE.  
(B)”.
10. On page 13, in 20, after “with”, insert “ANY PROVISION OF THIS SUBTITLE OR ANY”; and after “regulations”, insert “ADOPTED UNDER THE AUTHORITY OF THIS SUBTITLE”
11. On page 14, in line 17, before “after”, insert “days”.

Councilman Oliver seconded the motion and these amendments passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

Thereafter, upon motion by Councilman Moxley, seconded by Councilman Gardina, Bill 107-10, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 108-10**, Zoning Regulations - O.T. Zone, was called. Councilman Moxley commented. There being no further discussion, this Bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 109-10**, This Bill was withdrawn prior to the meeting.

## **F. APPROVAL OF FISCAL MATTERS**

The Chairman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council's work session on November 9, 2010. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairman Olszewski then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 7.

### **1. County Facility Agreement - Owings Mills Transit, LLC - Owings Mills Metro Project**

\_\_\_\_\_ A county facility agreement to formally document the terms with the developer on the Owings Mills Metro site for the construction of the County facility as it pertains to the overall progress of the transit-oriented, mixed use development underway at the site of the Owings Mills Metro.

### **2. Contract - Owings Mills Transit, LLC - Sublease for County Library and Community College Facility**

\_\_\_\_\_ A contract with Owings Mills Transit, LLC, for the sublease of approximately 0.59 acres of land in the Metro Center at Owings Mills project to serve as a site for the County library and community college facility.

**3. Contract - Covington Machine and Welding, Inc. - On-call Specialty Contractor for Wise Avenue Bridge**

\_\_\_\_\_A contract with Covington Machine and Welding, Inc., to enable the County to have an on-call specialty contractor for operation and maintenance services for moveable Bridge No. 79 on Wise Avenue over Bear Creek.

**4. Contract - Midlantic Markings, Inc. - On-call services for Pavement Markings**

\_\_\_\_\_A request to retain a contract with Midlantic Markings, Inc., for pavement markings, furnish and installation (heat applied alkyl thermoplastic reflective pavement markings of extruded or sprayed compound) on an as needed, on-call basis.

**5. Contract - URS Corporation - Consultant for Transportation Study - Philadelphia Road (MD Route 7)**

\_\_\_\_\_A contract with URS Corporation, to hire a consultant to conduct a transportation study in the Philadelphia Road (MD 7) corridor from Campbell Boulevard to the Harford County Line.

**6. Contract - Northwest Baltimore Radiation Therapy Regional Center, LLC & Zinder Anesthesia Associates - Cancer Screenings**

\_\_\_\_\_A contract with Northwest Baltimore Radiation Therapy Regional Center, LLC & Zinder Anesthesia Associates, to provide cancer screening, diagnosis, and treatment services.

**7. Amendment to Agreement of Sale - Renaissance Square**

\_\_\_\_\_An amendment to the agreement of sale for the project known as Renaissance Square, formerly known as Kingsley Park.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, Fiscal Matters 1 through 7 were approved by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Abstain - McIntire

**G. MISCELLANEOUS BUSINESS**

**1. Correspondence - Non-Competitive Awards**

At the direction of the Chairman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during October, 2010.



**2. Res. 84-10 - Review of PUD - J. Kirby Development, LLC - Pot Spring Road - 3<sup>rd</sup> District**

This Resolution was withdrawn prior to the meeting.

**3. Res. 94-10 - Adoption of Master Plan 2020**

At the direction of the Chairman, the Secretary read this Resolution to adopt a Master Plan as a guide for the development of the County for the next ten years. Pat Keller appeared. Councilman Moxley moved to amend this Resolution with the following amendments:

1. On page 1, add the following after the second sentence of the first paragraph:  
“ALTHOUGH A FEW PROPOSED ACTIONS ARE REQUIRED BY STATE LAW, GENERALLY THE POLICIES AND ACTIONS STATED IN MASTER PLAN 2020 ARE NOT MANDATORY AND DO NOT CONTROL OR LIMIT THE COUNTY GOVERNING BODY. THEY SERVE, AS DO ALL OF THE STATEMENTS OF THE MASTER PLAN, AS A GUIDE FOR THE COUNTY’S GOVERNING BODY.”
2. On page 8, in the second sentence under “Environment”, strike “Good air and water quality” and substitute “CLEAN AIR AND WATER”.
3. On page 21, in the first paragraph, strike “The Maryland counties and the City of Baltimore in the Baltimore region” and substitute  
“SIX JURISDICTIONS IN THE BALTIMORE REGION, CONSISTING OF BALTIMORE CITY AND ANNE ARUNDEL, BALTIMORE, CARROLL, HARFORD AND HOWARD COUNTIES”.
4. On page 32, in the first sentence under “Land Management Areas”, strike “designated” and substitute “designates”
5. On page 45, in the 3<sup>rd</sup> sentence under “Environmental Constraints”, after “features” insert “ARE” and after “site” insert “AND”; and in the second sentence under “Community Support”, strike “circumstance” and substitute “CIRCUMSTANCES”
6. On page 46, in the Policy at the bottom of the page, strike “New” and substitute “SEEK NEW”
7. On page 58, action (10), before “revise” insert  
“RECOMMEND THE REVISION OF”
8. On page 86, strike the Policy under “Northern Employment Corridor” and substitute:  
“POLICY: PRESERVE EMPLOYMENT OPPORTUNITIES IN THE NORTHERN EMPLOYMENT CORRIDOR.”

9. On page 87, in action (3) at the top of the page, after “opportunities”, insert “TO ACCOMMODATE A MIX OF EMPLOYMENT, RETAIL OR RESIDENTIAL USES ON THE SITE AND IN THE AREA TO HELP REVITALIZE THE SURROUNDING BUSINESS AND RESIDENTIAL COMMUNITIES.”
10. On page 90, in Action (2), and on page 91, in Action (3), before “Western Baltimore County”, insert “GOALS OF THE DRAFT OF THE” in each substance. At the end of Action (3) on page 91, after “Plan”, insert “, AS FUNDING ALLOWS, OR AS PRIVATE DEVELOPMENT OCCURS”
11. On page 90, strike paragraph (2) under “Schools” and substitute:  
“(2) NEW TOWN ELEMENTARY, LOCATED ON NEW TOWN BOULEVARD, OPENED IN 2001 WITH A CAPACITY OF 697.”
12. On page 90, in paragraph (3) under “Schools”, strike “, and as of 2010 has an enrollment of 957 and” and substitute “WITH”
13. On page 115, action (3), strike “Place into protective easements” and substitute “ENCOURAGE PROTECTIVE EASEMENTS ON”
14. On page 116, action (1), strike “create” and substitute “EXPLORE THE CREATION OF”
15. On page 121, action (1), strike “The following guidelines should be used” and substitute “RECOMMEND THAT THE COUNTY COUNCIL USE THE FOLLOWING GUIDELINES”
16. On page 124, action (2), strike “Deny” and substitute “RECOMMEND THAT THE COUNTY COUNCIL DENY”
17. On page 186, action (1) at the bottom of the page, strike “Evaluate” and substitute “RECOMMEND THAT THE COUNTY COUNCIL EVALUATE”
18. On page 224, in actions (8) and (9), strike “steer” and substitute “CONSIDER STREETING”
19. On page 249, action (1), strike “tailored” and substitute “UTILIZED”

Councilman Oliver seconded the motion and these amendments passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

Councilman Gardina then moved to amend this Resolution with the following amendment:

On page 75, strike the following:

“52 Chapel Road Belair Road to Joppa Road W”

Councilman Moxley seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

Councilman Moxley then moved to amend this Resolution with the following amendments:

1. On page 186, add the following after action (8):  
“(9) Support existing and prospective businesses in the Woodlawn area and initiate land use decisions that will capitalize on the expansion of the facilities for Social Security Administration (SSA) and Centers for Medicare and Medicaid Services (CMS). The SSA and CMS operations, and any expansion of them, are an economic engine in western Baltimore County, creating a demand for a wide range of businesses and services to accommodate the area.”
2. On page 76, strike the following:  
“66 Vero Road City Line to Washington Boulevard C”
3. On page 36, and 243, amend Map 5 “Proposed Land Use” to include as a community enhancement area at the T-5 level the property shown on the map attached hereto.

Councilman Oliver seconded the motion and these amendments passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

Councilman Bartenfelder then moved to amend this Resolution with the following amendment:

On page 97, insert the following after action (5):

“6) Conform as closely as possible to the recommendations of the Middle River Community Plan until it is updated or amended.”

Councilman Moxley seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski

Nay - None

Councilman Oliver then moved to amend this Resolution with the following amendment:

On page 77, strike the following:

“83 Red Run Boulevard Extend to McDonogh Road C”

Councilman Moxley seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski

Nay - None

Thereafter, upon motion by Councilman Moxley, seconded by Councilman Gardina, Resolution 94-10, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski

Nay - None

**4. Res. 95-10 - Expanding Boundaries of the Woodlawn Commercial Revitalization District**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read this Resolution for the purpose of expanding the existing boundaries of the Woodlawn Commercial Revitalization District along Security Boulevard to Rolling Road. Bill Korpman appeared. There being no discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Moxley, this Resolution was unanimously approved.

**5. Res. 96-10 - Industrial Revenue Bonds - Southwest Enterprise Zone**

At the direction of the Chairman, the Secretary read this Resolution adopted pursuant to the Maryland Economic Development Revenue Bond Act authorizing Baltimore County, Maryland, to issue and sell its bonds as its limited obligations and not upon its faith and credit or pledge of its taxing power, in one or more series, up to the aggregate amount of \$6,000,000, at the request of Alberee Products, Inc., a Maryland corporation, on its own behalf or on behalf of an entity under common control with Alberee Products, Inc. to be formed, for the purpose of financing the costs of the acquisition of certain facilities consisting of an approximately 5.1 acre parcel of land located at 4665 Hollins Ferry Road in Halethorpe, Baltimore County, Maryland improved by a one-story masonry building with a mezzanine level, with an aggregate of approximately 101,750 gross square feet, to be used for the manufacture of windshield wiper blades and related and certain other uses, together with the rehabilitation and renovation of the building, which may include, without limitation, new roofing, new air conditioning and structural improvements, the acquisition and installation of certain necessary or useful furnishings, fixtures, equipment and machinery, and the acquisition of such interests in land as may be necessary or suitable for the foregoing, including roads and rights of access, utilities and other site preparation facilities; specifying and describing the facilities to be financed; describing generally the public purposes to be served and the financing transaction to be accomplished; specifying the maximum aggregate principal amount of bonds that may be issued; authorizing the County Executive or the County Administrative Officer, by executive order or otherwise, to specify, prescribe, determine, provide for or approve certain matters, details, forms, documents, or procedures appropriate to the authorization, sale, security, issuance, delivery or payment of or for such bonds; and specifying and describing various matters in connection therewith, as required or permitted by such Act. Bill Korpman remained. There being no discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Moxley, this Resolution was unanimously approved.

**6. Res. 97-10 - Recovery Zone Facility Bonds - Brightview Towson, LLC**

At the direction of the Chairman, the Secretary read this Resolution authorizing and providing for the issuance and sale by Baltimore County, Maryland, pursuant to the Maryland Economic Development Revenue Bond Act, as its limited obligations and not upon its faith and credit or pledge of its taxing power, of one or more series of its bonds (as defined in such Act) in an amount not to exceed \$15,875,000, and lending the proceeds to Towson Borrower, LLC, a Maryland limited liability company (the "Facility Applicant"), for the purpose of financing and refinancing a portion of the costs of the (1) acquisition and improvement, of a certain facility (as defined in such Act) to be owned by Brightview Towson, LLC, a Maryland limited liability company (the "Facility User"), such facility and the acquisition and improvement thereof to consist of and include: (a) the construction on a 1.14 acre (approximate) parcel of land located north of Burke Avenue, south of Susquehanna Avenue and east of York Road in Towson, Baltimore County of a 90-unit assisted living/Alzheimer's care community, containing approximately 66,524 square feet; (b) the acquisition and installation of certain necessary or useful furnishings, fixtures, equipment and machinery; and (c) the acquisition of such interests in

land as may be necessary or suitable for the foregoing, including rights of access, utilities and other site preparation facilities; and (2) paying the costs of issuance, capitalized interest and other costs related to the transaction described herein; such facility to be used by the Facility User in connection with the operation of an assisted living/Alzheimer's care community; reserving in Baltimore County, Maryland certain rights concerning the issuance of such bonds; generally describing the public purposes to be served and the financing transaction to be accomplished; specifying the maximum aggregate principal amount of such bonds that may be issued; authorizing the County Executive to specify, prescribe, determine, provide for or approve certain matters, details, forms, documents or procedures appropriate to the authorization, sale, security, issuance, delivery, or payment of or for such bonds; and specifying and describing various matters in connection therewith, as required or permitted by such Act. Bill Korpman remained. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this Resolution was unanimously approved.

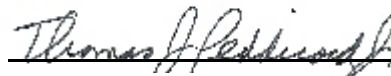
#### **7. Res. 98-10 - Recovery Zone Facility Bonds - MD Eye Care, LLC**

\_\_\_\_\_At the direction of the Chairman, the Secretary read this Resolution authorizing and providing for the issuance and sale by Baltimore County, Maryland, pursuant to the Maryland Economic Development Revenue Bond Act, as its limited obligations and not upon its faith and credit or pledge of its taxing power, of one or more series of its bonds (as defined in such Act) in an amount not to exceed \$1,500,000, and lending the proceeds to MD Eye Care, LLC, a Maryland limited liability company (the "Facility Applicant"), for the purpose of financing a portion of the costs of the (1) acquisition and improvement, of a certain facility (as defined in such Act) to be owned by MD Eye Care Real Estate, LLC, a Maryland limited liability company (the "Facility User") and leased to the Facility Applicant, such facility and the acquisition and improvement thereof to consist of and include: (a) the acquisition of an existing building, containing approximately 12,991 square feet, located on a 2.29. acre (approximate) parcel of land at 8625 Pleasant Plains Road in Towson, Baltimore County; (b) the construction and renovation of the building into a medical office building; (c) the acquisition and installation of certain necessary or useful furnishings, fixtures, equipment or machinery; and (d) the acquisition of such interests in land as may be necessary or suitable for the foregoing, including roads and rights of access, utilities and other site preparation facilities; and (2) paying the costs of issuance, capitalized interest and other costs related to the transaction described herein; such facility to be used by the Facility User and/or the Facility Applicant in connection with the operation of a medical office building; reserving in Baltimore County, Maryland certain rights concerning the issuance of such bonds; generally describing the public purposes to be served and the financing transaction to be accomplished; specifying the maximum aggregate principal amount of such bonds that may be issued; authorizing the County Executive or the County Administrative Officer, by executive order or otherwise, to specify, prescribe, determine, provide for or approve certain matters, details, forms, documents or procedures appropriate to the authorization, sale, security, issuance, delivery, or payment of or for such bonds; and specifying and describing various matters in connection therewith, as required or permitted by such Act. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this Resolution was unanimously approved.

**8. Res. 99-10 - Accept donation from Life Bridge Health and Fitness for Police Department**

At the direction of the Chairman, the Secretary read this Resolution authorize the County to accept a donation of fitness equipment for the use of the Baltimore County Police Department. The Police Department has received a donation from LifeBridge Health and Fitness of approximately 20,000 pounds of weight plates, pre-set barbells, adjustable benches and dumbbells with an estimated value of \$20,000, to be used by the Tactical Team at Precinct 12 in order to maintain their fitness levels to perform their duties Bob Barrett appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman McIntire, this Resolution was unanimously approved.

There being no further business to come before the Council at this time, upon motion by Councilman Moxley, seconded by Councilman McIntire, the meeting adjourned at 7:20 P.M.

  
Thomas J. Peddicord, Jr.