

**BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2011, LEGISLATIVE DAY NO. 16
October 3, 2011 7:00 P.M.**

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 35 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
TODD HUFF	THIRD DISTRICT
KENNETH N. OLIVER	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilman Huff, seconded by Councilman Oliver, the reading of the Journal Entries for the meeting of September 19, 2011 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

There were no Bills for enrollment.

D. INTRODUCTION OF BILLS

BILL 69-11, entitled An Act for the purpose of approving the execution and delivery by Baltimore County, Maryland of a conditional purchase agreement, in an amount not to exceed \$25,000,000 in order to finance the costs of an upgrade to or replacement of an existing transfer station and the procurement and installation of a single stream recyclables processing system within an existing commercial material recovery facility and material recycling facility, in each case located at Texas Acceptance Facility in Cockeysville, Maryland; providing that the County's obligation to make purchase installment payments under the Conditional Purchase Agreement shall be subject to annual appropriation by the County Council and shall not constitute indebtedness of the County; and generally providing for other matters related to the execution and delivery of the Conditional Purchase Agreement by the County.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 50-11, Final Historical Landmarks List Additions, was called. Andrea Van Arsdale appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 51-11, CEB - Fund for Social Welfare (FFSW), was called. Timothy Griffith appeared. Councilman Oliver moved to amend this Bill with the following amendment:

On page 1, in the second line of the First “WHEREAS” clause, and on page 2, in line 6, strike “Health” and substitute “Social Services”.

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

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Thereafter, upon motion by Councilman Oliver seconded by Councilman Huff, Bill 51-11, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 52-11, CEB - AIDS Case Management, was called. Stephanie House appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 53-11, Maryland Children’s Health Program, was called. Stephanie House remained. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 54-11, CEB - Body Armor Replacement Grant, was called. Sheriff Fisher appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 55-11, Government Reorganization - Department of Planning, was called. Andrea Van Arsdale appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 56-11, Zoning Regs. - Tattoo Establishments, was called. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 57-11, Capital Budget - Waterway Improvement Program, was called. John Markley appeared. Councilman Oliver moved to amend this Bill with the following amendments:

1. On page 1, strike the second and third lines of the title and substitute “247-221-0114 Back River Watershed Restoration”; in the second and third lines of the purpose paragraph, strike “Gifts and Grants Special Revenue Fund” and substitute “Capital Budget”; in the third line of the purpose paragraph, strike “or” and substitute “of”; after the purpose paragraph, insert “WHEREAS, in accordance with Section 716 of the Baltimore County Charter, the County Council may, upon recommendation of the County Executive, amend the Capital Budget; and”; and strike from “and” in the third line of the first “WHEREAS” clause through “year;” in the third line of the third “WHEREAS” clause.
2. On page 2, in lines 2 and 3, strike “Sections 306 and 712(a)” and substitute “Section 716”; strike from the second “and” in line 3, through “amended,” in line 4; in the same line, strike “Current Expense” and substitute “Capital”; and in line 8, strike “Waterway Improvement Program, Back River Watershed” and substitute “Back River Watershed Restoration”.

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

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Thereafter, upon motion by Councilman Oliver seconded by Councilman Huff, Bill 57-11, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 58-11, CEB - Governor’s Office-Crime Control and Prevention-Juvenile Drug Court Grant, was called. Fred Homan appeared. Councilman Olszewski questioned Mr. Homan. Councilman Oliver then moved to amend this Bill with the following amendments:

1. On page 1, in the second line of the purpose paragraph and in the second line of the first “WHEREAS” clause, strike “state” and substitute “federal”.
2. On page 2, in line 5, strike “state” and substitute “federal”.

Councilwoman Almond seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Thereafter, upon motion by Councilman Huff, seconded by Councilman Oliver, Bill 58-11, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 59-11, Revision of Councilmanic Districts, was called. Councilmembers Oliver, Quirk and Marks commented. Councilman Oliver withdrew his proposed amendment. Councilman Olszewski then moved to amend this Bill with the following amendments:

1. On page 3, in line 10, after “Precincts”, insert “24,”
2. On page 3, in line 12, strike “24” and substitute “23”

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

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Thereafter, upon motion by Councilman Olszewski, seconded by Councilman Quirk, Bill 59-11, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

Bill 60-11, Zoning Regs. - Special Regulations for Certain Restaurants and Taverns in B.L.R. Zones, was called. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - None

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 September 27, 2011. 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 4.

1. Contracts - (2) - Taxi Cab Services - Dept. of Health and Human Services

Two contracts with Frederick Ellis, Inc., and Jimmy’s II, LLC t/a Jimmy’s Cab, to provide taxi-cab services for eligible HIV-positive Baltimore County residents to and from appointments and serices.

2. Contracts - (3) - Cancer Screening, Diagnosis and Treatment Services - Health & Human Services

Three contracts with Colon Rectal Surgical Associates, LLC, Lutherville Endoscopy Center, LLC, and Adelmo Marana, M.D., P.A., to provide cancer screening, diagnosis and treatment services to Baltimore County residents.

3. Contract - PAC Industries, Inc. - Maintenance and repairs of Laundry Equipment - Dept. of Corrections

A contract with PAC Industries, Inc., to provide all labor and materials for the maintenance and repairs of all laundry equipment for the Department of Corrections.

4. Contracts - (8) - On-call Engineering Design Services - Environmental Protection & Sustainability

Eight contracts to provide on-call engineering design services for stream restoration design, management and monitoring.

There being no discussion, upon motion by Councilman Oliver, seconded by Councilwoman Bevins, Fiscal Matters 1 through 4 were unanimously approved.

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 August, 2011.

2. Res. 106-11 - Planning Board - Lighting Standards

At the direction of the Chairman, the Secretary read this Resolution of the Baltimore County Council requesting the Planning Board to review lighting standards for Baltimore County. There being no discussion, upon motion by Councilman Marks, seconded by Councilwoman Bevins, this Resolution was unanimously approved.

3. Res. 107-11 - To establish the Committee to Explore the Future of Owings Mills

This Resolution was withdrawn prior to the meeting.

4. Res. 109-11 - Property Tax Exemption - DAV - Richard J. Knauer, Jr.

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Richard J. Knauer, Jr. who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilwoman Almond, this Resolution was unanimously approved.

5. Res. 110-11 - Property Tax Exemption - DAV - James E. Dahler, Sr.

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from James E. Dahler, Sr. who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Quirk, this Resolution was unanimously approved.

6. Res. 111-11 - Property Tax Exemption - DAV - John J. Dixon

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from John J. Dixon who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Huff, seconded by Councilman Oliver, this Resolution was unanimously approved.

7. Res. 112-11 - Property Tax Exemption - DAV - David A. Hatcher

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from David A. Hatcher who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Oliver, this Resolution was unanimously approved.

8. Res. 113-11 - Property Tax Exemption - DAV - George E. Hohman

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from George E. Hohman who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Huff, seconded by Councilman Oliver, this Resolution was unanimously approved.

9. Res. 114-11 - Conditional Purchase Agreement - Single Stream Recycling Facility

At the direction of the Chairman, the Secretary read this Resolution approving the execution and delivery by Baltimore County, Maryland of a conditional purchase agreement in an amount not to exceed \$10,500,000 in order to finance the costs of certain equipment useful and necessary for the use and benefit of the County and its agencies; providing that the County's obligation to make lease payments under the Conditional Purchase Agreement shall be subject to annual appropriation by the County Council and shall not constitute indebtedness of the County; and generally providing for other matters related to the execution and delivery of the Conditional Purchase Agreement by the County. Keith Dorsey appeared. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Oliver, this Resolution was unanimously approved.

10. Res. 115-11 - Review of PUD - Shelter Development - Brightview Perry Hall - 5th District

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Huff, seconded by Councilman Oliver, the meeting adjourned at 7:25 P.M.


Thomas J. Peddicord, Jr.