

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2011, LEGISLATIVE DAY NO. 21
December 19, 2011 6:00 P.M.

A. The meeting was called to order by Chairman Olszewski at 6:00 P.M. The Chairman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag led by Guy Almony of Scout Troop 355 and his sister Kayleigh Gott. There were approximately 25 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 Councilwoman Bevins, the reading of the Journal Entries for the meeting of December 5, 2011 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 72-11, 73-11 and 74-11.

D. INTRODUCTION OF BILLS

BILL 80-11, entitled An Act for the purpose of amending the 2011-2012 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 Governor’s Office on Crime Control and Prevention.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 75-11, Ethics Law Amendments, was called. Councilwoman Bevins moved to amend this Bill with the following amendments:

1. On page 10, in line 8, strike “(D)” and substitute “(C)”; on page 12, strike lines 8 through 22, and strike page 13, and on page 14, strike lines 1 through 10; in lines 11 and 19, strike “(C)” and “(D)”, respectively, and substitute “(B)” and “(C)”, respectively; and on page 15, in line 6 strike “(E)” and substitute “(D)”
2. On page 18, in lines 3 and 8, before the word “COMPENSATION”, insert in each instance “CONTINGENT”

3. On page 21, in lines 2 and 4, strike “COUNTY” and substitute in each instance “PUBLIC OFFICIAL’S OFFICE, AGENCY, BOARD, OR COMMISSION”
4. On page 22, in lines 1 and 2, strike “1. FOR A PUBLIC OFFICIAL OTHER THAN MEMBERS OF THE COUNTY COUNCIL,”; and strike lines 4 through 12, inclusive
5. On page 23, in line 12, strike “FROM THE PERSON SPONSORING OR CONDUCTING THE EVENT, “; on page 38, in line 9, strike “BY THE PERSON SPONSORING OR CONDUCTING THE EVENT””; and strike lines 11 through 19, and substitute “SPORTING OR POLITICAL EVENT.”

Councilman Olszewski questioned Mr. Peddicord. Councilwoman Almond then 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 Quirk, Bill 75-11, as amended, passed by the following roll call vote:

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

Bill 76-11, CEB - SHA - Underage Drinking Prevention Project, 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 77-11, CEB - START Program Coordinator, was called. Fred Homan 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 78-11, CEB - Workforce Investment Act - Youth, was called. Daniel Gundersen appeared. Councilman Oliver moved to amend this Bill with the following amendment:

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

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 Councilwoman Almond, Bill 78-11, as amended, passed by the following roll call vote:

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

Bill 79-11, CEB - Local Management Board Local Access Plan, was called. Don Schlimm 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

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 December 13, 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 7. Fiscal Matter 8 was discussed as a separate matter.

1. Amendment to Medicare Part D Employer-Only Group Waiver Plan Prescription Drug Services Agreement - Express Scripts Insurance Co. - Office of Budget and Finance

An amendment to the Medicare Part D Employer-Only sponsored group waiver plan prescription drug services agreement with Express Scripts Insurance Company.

2. Contract - Kern & Stephanie Ducote - Improvement of Cowenton Avenue - Real Estate Compliance

A contract with Kern and Stephanie Ducote, to acquire land and necessary easements, located at 9137 Cowenton Avenue, Perry Hall, Maryland 21128, for the improvements of Cowenton Avenue.

3. Contract - Stephen & Monica Wood - Widening of Rolling Road - Real Estate Compliance

A contract with Stephen and Monica Wood, to acquire a portion of a parcel land and necessary easements, located at 3511 Rolling Road, Windsor Mill, Maryland 21244, for the widening of Rolling Road.

4. Contract - Francis Miller, Jr. & Michelle Phillips - Agricultural Easement - Protection of Farmland - Real Estate Compliance

A contract with Francis Miller, Jr and Michelle Phillips, to acquire an agricultural easement, located at 19038 Graystone Road, Baltimore, Maryland 21161, for the protection of farmland through the County Agricultural Land Preservation Program.

5. Contract - Hartley & Dorothy Justice - Agricultural Easement - Real Estate Compliance

A contract with Hartley and Dorothy Justice, to acquire a conservation easement containing 20.01 acres, more or less, located at 13201 Long Green Pike, Baltimore, Maryland 21082, for the protection of agricultural natural resources in the Long Green Valley area.

6. Contract - S. Stevens Sands, Jr. & Rosa Beckwith Sands - Agricultural Easement - Protection of Farmland - Real Estate Compliance

A contract with S. Stevens Sands, Jr. and Rosa Beckwith Sands, to acquire an agricultural easement, located at 13601 Mantua Mill Road, Glyndon, Maryland 21071, for the protection of farmland through the County Agricultural Land Preservation Program.

7. Contract - County Council - Sage Policy Group, Inc. - Economic Forecasting Services

A contract with Sage Policy Group, Inc., for economic forecasting services.

There being no discussion, upon motion by Councilman Huff, seconded by Councilman Quirk, Fiscal Matters 1 through 7 were unanimously approved.

Chairman Olszewski then called upon the Secretary to read the cover letters for Fiscal Matter 8.

8. Amendment to Contract - Wheelabrator Baltimore, L.P. - Processing of Municipal Solid Waste - Public Works

An amendment to the contract with Wheelabrator Baltimore, L.P., to handle the processing of municipal solid waste. There being no discussion, this Fiscal Matter was passed by the following roll call vote:

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

There being no discussion, upon motion by Councilman Oliver, seconded by Councilwoman Bevins, Fiscal Matters 1 through 8 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 October, 2011.

2. Res. 131-11 - Accept gift from MD Dept. of Public Safety and Correctional Services for 9-1-1 Center

At the direction of the Chairman, the Secretary read this Resolution to authorize the County to accept a gift of money from the State of Maryland Department of Public Safety and Correctional Services, Emergency Number Systems Board. Keith Dorsey appeared. There being no discussion, upon motion by Councilman Huff, seconded by Councilwoman Almond, this Resolution was unanimously approved.

3. Petition for Condemnation - Hunter's Moon LLC - Stablers Church Road - LFG Migration

At the direction of the Chairman, the Secretary read the correspondence from the Administrative Officer of a complaint for condemnation with Hunter's Moon, LLC, to acquire land adjacent to the Parkton landfill, located on Stablers Church Road, Parkton, Maryland 21120, for the purpose of remediation associated with possible LFG migration. Upon motion by Councilman Huff, seconded by Councilman Quirk, this condemnation was tabled by the following roll call vote:

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

4. Grant Agreement - Back River Restoration Committee - Environmental Restoration Projects - Tidal Back River Watershed

At the direction of the Chairman, the Secretary read the correspondence from the Administrative Office, for a Grant Agreement with Back River Restoration Committee, to implement environmental restoration projects throughout the tidal Back River watershed. There being no discussion, upon motion by Councilman Oliver, seconded by Councilwoman Bevins, this Grant Agreement was approved by the following roll call vote:

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

5. Res. 132-11 - Property Tax Exemption - Blind - Arnold D. Cohen

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Arnold D. Cohen who is entitled to a partial exemption from State and County real property taxes by reason of the exemption afforded to blind persons under State law. There being no discussion, upon motion by Councilwoman Almond, seconded by Councilman Quirk, this Resolution was unanimously approved.

6. Res. 133-11 - Property Tax Exemption - DAV - Sam M. Zannino

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Sam M. Zannino 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 Councilman Quirk, this Resolution was unanimously approved.

7. Res. 134-11 - Property Tax Exemption - DAV - David L. McCorkle

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from David L. McCorkle 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 Councilman Quirk, this Resolution was unanimously approved.

8. Res. 135-11 - Property Tax Exemption - DAV - Salvatore J. Fusco, Jr.

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Salvatore J. Fusco, 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 Councilman Huff, seconded by Councilman Quirk, this Resolution was unanimously approved.

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 6:25 P.M.


Thomas J. Peddicord, Jr.