

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2013, LEGISLATIVE DAY NO. 10
May 23, 2013 10:00 A.M.

A. The meeting was called to order by Chairman Quirk at 10:10 A.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 40 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 Councilwoman Bevins, seconded by Councilman Huff, the reading of the Journal Entries for the meeting of May 6, 2013 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 23-13, 24-13 and 25-13.

D. PRESENTATION OF BUDGET

Chairman Quirk read the Baltimore County Budget Message for Fiscal Year 2014.

E. INTRODUCTION OF BILLS

There were no Bills for introduction.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 26-13, Annual Budget and Appropriation Ordinance of Baltimore County, was called. Chairman Quirk commented. Mr. Peddicord stated that the various appropriations shown on the annual budget and appropriation ordinance are amended by deletions and substitutions as shown on said ordinance.

Therefore, Bill 26-13, as amended, passed by the following roll call vote:

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

Bill 27-13, Property Tax, 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 28-13, Employees Retirement System - Pay Schedule VII Employees, was called. Keith Dorsey appeared. Councilman Olszewski questioned Mr. Dorsey. There being no further discussion, this Bill was passed by the following roll call vote:

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

Bill 29-13, Employee Relations Act - Dues for Pay Schedules I and I-C Employees, was called. George Gay 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 30-13, Self Insurance Fund - Board of Education & Community College of Baltimore County, 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 31-13, Local Open Space Waiver Fees, was called. Councilmembers Marks, Almond and Olszewski commented. Councilman Oliver then moved to amend this Bill with the following amendments:

1. On page 1, in the second line of the purpose paragraph, insert the following after the semicolon: “modifying the application of the fee to small tracts of land in certain cases;”
2. On page 1, in the function paragraph, after “32-6-108”, insert “(f)(1) and”
3. On page 2, after line 3, insert:

“(f) Same – Tracts of five acres or less.

(1) (I) This subsection applies to development tracts of five acres or less that are located within the urban rural demarcation line and are zoned D.R. 10.5 or D.R. 16.

(II) THIS SUBSECTION DOES NOT APPLY TO A REDEVELOPMENT OF IMPROVED PROPERTY, IF THE STRUCTURES ON THE PROPERTY ARE PROPOSED TO BE RAZED AND A NEW DEVELOPMENT CONSTRUCTED IN THEIR PLACE.”

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

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

Councilman Quirk then moved to amend this Bill with the following amendments:

On page 2, in line 12, strike "FOUR" and substitute "TWO"

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

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

Councilman Olszewski then moved to amend this Bill with the following amendments:

1. On page 1, in the second line of the purpose paragraph, after "collected;" insert "requiring posting of the fees on the County's internet website;"

2. On page 1, in the second line of the function paragraph, strike "and (1)(1)", and insert ", (1)(1) and (1)(5)".

3. On page 2, in line 5, strike "15" and substitute "20".

4. On page 2, after line 12, insert the following:

"(5)(I) The fees shall be adopted by THE County Council by resolution.

(II) THE FEE SCHEDULE SHALL BE POSTED ON THE COUNTY'S INTERNET WEBSITE, AND INCLUDE A DESCRIPTION OF THE DOCUMENTATION USED IN CALCULATING THE FEES."

5. On page 2, in line 13, after "Act", strike "shall take effect forty-five (45) days after its enactment.", and substitute ", having been passed by the affirmative vote of five members of the County Council, shall take effect on June 3, 2013."

Councilwoman Bevins seconded the motion and this amendment passed by the following roll call vote:

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

Thereafter, upon motion by Councilman Quirk, seconded by Councilwoman Almond, Bill 31-13, as amended, 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 May 14, 2013. 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 Quirk then called upon the Secretary to read the cover letters for Fiscal Matters 1 and 3 through 7. Fiscal Matter 2 was discussed separately.

1. Contract of Sale - Jeff & Cheryl Gardner - 1320 Back River Neck Road - Real Estate Compliance

A contract with Jeff and Cheryl Gardner, husband and wife, to purchase the 1-acre property, located at 1320 back River Road, Baltimore, Maryland 21221, which is currently surrounded by property that the County already owns. This property is located in an area that is of high visibility that is a gateway to the lands that Baltimore County has preserved.

3. BAT#13-08 - Fire Department - Electronic Smartboard - Emergency Operations Center - Fire

A budget appropriation transfer for the Fire Department to be used to purchase an electronic smartboard for the Emergency Operations Center. Funds are available due to a delay of several months of the start of a probationary firefighter class in FY2013; the funds allocated for salaries for the class are available.

4. Amendment to Contract - Towson Economy Auto Rental, Inc. - Six month extension/compensation - Police

An amendment to the contract with Towson Economy Auto Rental, Inc., to extend the agreement for an additional 6 months, and increasing the total compensation payable to the contractor.

5. Contract - NetCaptioning - Captioning services - County produced videos - ADA - OIT

A contract with NetCaptioning, to provide captioning services on County produce videos, which will allow all County citizens access to important information in accordance with Section 508 of the Americans with Disabilities Act (AD), and title VII of the civil Rights Act.

6. Contract - Wireless EDGE Consultants, LLC - Services in connection with wireless telecommunications and equipment - OIT

A contract with Wireless EDGE Consultants, LLC, to provide the identification, marketing, development and management of County-owned sites and properties available for the development of

wireless telecommunications facilities or installation of additional telecommunications equipment.

7. BAT#13-07 - Department of Planning - Contracts - County-funded homeless shelters - Planning

A budget appropriation transfer for the Department of Planning to be used to eliminate the remaining budget shortfall currently existing for the contracts, which fund the operation of the County-funded homeless shelters.

There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Marks, Fiscal Matters 1 and 3 through 7 was unanimously approved.

Chairman Quirk then called upon the Secretary to read the cover letter for Fiscal Matters 2.

2. Amendment to Contract - Alliance, Inc. - Launching Individual Futures Together Project Funding inclusion - Health & Human Services

An amendment to the contract with Alliance, Inc., to include the provision of the Launching Individual futures Together Project Fund for this program, available through a grant from the Maryland Department of Health and Mental Hygiene Administration. There being no discussion, upon motion by Councilman Huff, seconded by Councilwoman Bevins, this Fiscal Matter passed by the following roll call vote:

Aye - Quirk, Almond, Huff, Oliver, Marks, Bevins

Nay - None

Abstain - Olszewski

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 April, 2013.

2. Res. 30-13 - Review of PUD - Enterprise Housing Corporation/Pax-Edwards, LLC - Hollins Place

At the direction of the Chairman, the Secretary read this Resolution of the Baltimore County Council to approve the review of a proposed general development planned unit development in accordance with County law Chairman Quirk commented. There being no further discussion, upon motion by Councilman Quirk, seconded by Councilwoman Almond, this Resolution was unanimously approved.

3. Res. 36-13 - Accept donation - Baltimore County Police Foundation, Inc. - Towson Precinct

At the direction of the Chairman, the Secretary read this Resolution to authorize the County to accept a gift for the use of Baltimore County, Maryland. The Police Department has received a gift of three (3) T-3 Patroller Electric Stand Up Vehicles, three (3) 25 mile range batteries, and a one-year extended warranty for each vehicle. Chief Johnson appeared. Councilmembers Huff and Marks commented. Councilman Olszewski questioned Chief Johnson. There being no further discussion, upon motion by Councilman Olszewski, seconded by Councilman Huff, this Resolution was unanimously approved.

4. Res. 37-13 - Authorization for Expenditure of Non-Local Other Funds - Board of Education

At the direction of the Chairman, the Secretary read this Resolution concerning Baltimore County Board of Education Authorization for Expenditure of Non-Local Other Funds. Pursuant to Section 5-105(c) of the Education Article of the Annotated Code of Maryland, the Baltimore County Board of Education is required to seek the County Council's authorization to expend non-local funds by or on behalf of the Board after the adoption of the annual budget ordinance by the County Council. George Sarris appeared. There being no discussion, upon motion by Councilman Huff, seconded by Councilman Oliver, this Resolution was unanimously approved.

9. Res. 43-13 - Local Open Space Waiver Fees

At the direction of the Chairwoman, the Secretary read this Resolution to amend Local Open Space Waiver fees. The Department of Recreation and Parks may allow an applicant for development plan approval to pay a fee to the Local Open Space Revenue Account instead of dedicating a certain portion of land. Amy Grossi appeared. Chairman Quirk commented. Councilman Olszewski questioned Ms. Grossi. There being no further discussion, upon motion by Councilman Olszewski, seconded by Councilman Oliver, this Resolution passed by the following roll call vote:

Aye - Almond, Huff, Oliver, Marks, Bevins, Olszewski
Nay - Quirk

5. Res. 39-13 - Property Tax Exemption - DAV - Julius B. McLaurin

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Julius B. McLaurin 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 Oliver, seconded by Councilwoman Almond, this Resolution was unanimously approved.

6. Res. 40-13 - Property Tax Exemption - DAV - Michael J. Manzari, Jr.

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Michael J. Manzari, 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 Councilman Olszewski, this

Resolution was unanimously approved.

7. Res. 41-13 - Property Tax Exemption - DAV- Surviving Spouse - Jean C. Barth

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

8. Res. 42-13 - Rural Legacy Area Plan - List of five applications

This Resolution was for introduction only.

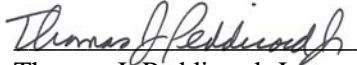
10. Res. 44-13 - Planning Board - Local Open Space Waiver Fees

At the direction of the Chairwoman, the Secretary read this Resolution of the County Council requesting the Planning Board to develop a comprehensive formula for the manner of establishing local Open Space waiver fees. Chairman Quirk commented. There being no further discussion, upon motion by Councilman Quirk, seconded by Councilwoman Bevins, this Resolution was unanimously approved.

11. Res. 45-13 - Endorsement of Application-MD Dept. of Housing & Comm. Dev. - Glen Manor, LLC

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 Olszewski, the meeting adjourned at 10:56 A.M.


Thomas J. Peddicord, Jr.