

**BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2015, LEGISLATIVE DAY NO. 21
December 21, 2015 6:00 P.M.**

A. The meeting was called to order by Chair Bevins at 6:03 P.M. The Chair asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag led. There were approximately 30 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES, JR.	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
TODD K. CRANDELL	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilman Marks, seconded by Councilman Jones, the reading of the Journal Entries for the meeting of December 7, 2015 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chair stated that the following Bill was passed by the County Council and signed by the County Executive. She certified and delivered to the Secretary, Bill 86-15.

D. INTRODUCTION OF BILLS

BILL 87-15, entitled An Act for the purpose of complying with certain provisions of the Federal Internal Revenue Code by enacting certain provisions of the HEART Act; defining “military service;” providing for member contributions during military service; providing for benefits for certain members who die during military service under certain circumstances; providing for certain vesting for members who die while in military service; providing for the treatment of differential pay for members during military service; clarifying distinctions between disability and death during military service and county service; providing for retroactive application of this Act; and generally relating to the enactment of certain HEART provisions in the Code.

BILL 88-15, entitled An Act for the purpose of amending the 2015-2016 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 Agriculture.

BILL 89-15, entitled An Act for the purpose of providing for certain changes to the Baltimore County Code and Baltimore County Classification and Compensation Plans by amending a certain Pay Schedule; changing certain job classifications, class titles, codes and grades; amending certain personnel rules and regulations; providing for the effective date of this Act; altering certain salaries; and generally relating to the governance and compensation of the personnel of Baltimore County Government.

BILL 90-15, entitled An Act for the purpose of creating a social host – unruly social gatherings law with implementation as a pilot program in a certain area of the county; defining certain terms; prohibiting unruly social gatherings at a residence or other private property; describing the nature of the violation as a civil offense and providing for certain exclusions; providing for the issuance of a civil citation for a violation and the manner of service; providing for certain penalties for a violation and subsequent violations; providing for enforcement by the Chief of Police; and generally relating to social host – unruly social gatherings.

BILL 91-15, entitled An Act for the purpose of repealing the provision for a reduced fee for a planned unit development in the Towson Commercial Revitalization District under certain circumstances; and generally relating to fees established for recreational space.

BILL 92-15, entitled An Act for the purpose of exempting a certain portion of the Honeygo District from the prohibition on panhandle lots in the Honeygo Area.

BILL 93-15, entitled An Act for the purpose of creating two residential permit parking areas, subject to certain conditions.

E. CALL OF BILLS FOR FINAL READING AND VOTE

There were no Bills for final reading and vote.

F. APPROVAL OF FISCAL MATTERS

The Chair stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council's work session on December 15, 2015. 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. Chair Bevins then called upon the Secretary to read the cover letter for Fiscal Matters 1 through 6.

1. Contract - Myers Farms - On-call snow removal and salt application - DPW

A contract with Myers Farms, to provide snow removal and salt application services on an on-call, as needed basis.

2. Contracts - (4) - Rental of containers for Community Clean-up Program - DPW

Four contracts to provide the rentals of 30 cubic yard roll-off containers for the Community Clean-up Program on an on-call, as-needed basis.

3. Contracts - (3) - Recovery Housing for residents with Substance Abuse Disorders - HHS

Three contracts to provide recovery housing for Baltimore County residents with substance abuse disorders who are in need of abstinence-based, recovery focused, living environments, and do not have the financial means to access them.

4. Contract - Advance Corporation d/b/a Advance Relocation Systems - moving services - School-Based Dental Sealant Program - HHS

A contract with Advance Corporation d/b/a Advance Relocation Systems, to provide moving services for the School-Based Dental Sealant Program; to move their portable dental equipment and supplies to each school that participate in the program.

5. Amendment #4 to Contract - Tyler Technologies, Inc. - OASIS - Software support and maintenance services - OIT

Amendment #4 to the contract with Tyler Technologies, Inc., to extend the number of renewal periods for OASIS, the County's tax billing and collection software system, from 11 to 13 — extending through June 30, 2018. The entire compensation paid to the contractor will thereby increase as well.

6. Contract - ScanOptics, LLC - Preventative maintenance - County-wide scanner systems - OIT

A contract with ScanOptics, LLC, to provide two (2) preventative maintenance visits per year on all County-wide scanner systems; to include all parts, labor, travel and preventative maintenance kits.

There being no discussion, upon motion by Councilman Jones, seconded by Councilwoman Bevins, Fiscal Matters 1 through 6 was unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Correspondence - (a)(4) - Non-Competitive Awards (November 12, 2015)

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 November, 2015.

2. Res. 107-15 - Approval of purchase of (4) Agricultural Easements - Maryland Agricultural Land Preservation Foundation

At the direction of the Chair, the Secretary read this Resolution to approve the County's contribution toward the purchase of certain development rights easements on property in accordance with Title 2, Subtitle 5, Agriculture Article, Annotated Code of Maryland, and Article 24 Land Preservation, Baltimore County Code. Wally Lippincott appeared. There being no discussion, upon motion by Councilman Kach, seconded by Councilwoman Almond, this Resolution was unanimously approved.

3. Res. 108-15 - Support of conditional loan - MD Dept. of Bus. & Economic Development - Clampett Industries d/b/a EMG

At the direction of the Chair, the Secretary read this Resolution in support of a conditional loan in an amount up to \$100,000 from the Maryland Department of Business and Economic Development ("Department") to Clampett Industries, d/b/a EMG ("the Loan") pursuant to the Maryland Economic Development Assistance Fund, Sections 5-301 through 5-349 of the Economic Development Article of the Annotated Code of Maryland. Will Anderson appeared. Councilman Quirk moved to amend this Resolution with the following amendments:

On page 1, in the second line of the purpose paragraph, strike "Business and Economic Development", and insert "Commerce"; in the third line of the second WHEREAS clause, after the word "facility", insert "and purchase of equipment"; and in the fourth line, strike "relocate its corporate headquarters" and substitute "purchase equipment".

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

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Jones, seconded by Councilman Quirk, Resolution 108-15, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

4. Res. 90-15 - Local Open Space Waiver Fees

At the direction of the Chair, the Secretary read this Resolution to amend certain Local Open Space Waiver fees. Councilmembers Marks, Jones and Quirk commented. Councilman Marks then moved to amend this Resolution with the following amendments:

1. On page 2, strike the WHEREAS clause and substitute the following:

“WHEREAS, the County Council agrees that fees should be raised to address deficient open space in greater Towson; and

WHEREAS, the County Council believes that fees collected from development plans, pending as of the date of this Resolution, should be prioritized as follows: improvements to the Radebaugh property announced for parkland acquisition by the County Executive on June 12, 2015; and improvements to Towson Manor Village Park and to Towson Recreation Council facilities; and

WHEREAS, the County Council believes that the fees apportioned to NeighborSpace of Baltimore County, Inc., should be prioritized for improvements to the West Towson Trail upon completion of an agreement that transfers control of that trail to NeighborSpace of Baltimore County, Inc.; now, therefore”

2. On page 3, in the first line, strike “\$3,500 PER DWELLING UNIT” and substitute “\$0”
3. On page 3, before the first RESOLVED clause, after “\$2,000 PER”, insert “DWELLING”
4. On page 3, before the first RESOLVED clause, insert:

“B.M. (IN THE TOWSON \$3,800 PER DWELLING
COMMERCIAL REVITALIZATION DISTRICT, UNIT N/A”
(BUT EXCLUDING B.M.-C.T. ZONED AREAS
WITHIN THE DISTRICT)

5. On page 3, in the first line of the first RESOLVED clause, after “M.L.-I.M. zone,”, insert “(in a commercial revitalization district)”
6. On page 3, in the second line of the first RESOLVED clause, strike “R.A.E. zone (in a revitalization district)” and substitute “B.M. (in the Towson Commercial revitalization district)”
7. On page 3, in the third line of the first RESOLVED clause, after “Resolution”, insert,

“; except that the fees shall not apply to (I) a development plan that obtained final, non-appealable approval prior to November 30, 2015, including any subsequent amendment or refinement to such plan that does not increase residential density; and (ii) a development plan that is not included in a commercial revitalization district”

8. On page 3, in the last line of the first RESOLVED clause, after “date”, insert “. A new waiver application is not required”
9. On page 3, before the second RESOLVED clause, insert the following:

“AND BE IT FURTHER RESOLVED, that for any approved development plan, as may be hereafter amended, to which an increased fee is retroactively applied, any contribution made by a development plan applicant, or any of its affiliates, to a public recreational project within a three-mile radius of the property that is the subject of the development plan shall count toward the fee imposed hereunder;

AND BE IT FURTHER RESOLVED, that a fee due in a M.L.-I.M. (in a commercial revitalization district) shall become due upon the issuance of a use and occupancy permit for any residential component and shall be paid in equal installments over eight years;”

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

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Marks, seconded by Councilman Jones, Resolution 90-15, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

There being no further business to come before the Council at this time, upon motion by Councilman Jones, seconded by Councilman Kach, the meeting adjourned at 6:14 P.M.


Thomas J. Peddicord, Jr.