

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2006, LEGISLATIVE DAY NO. 22
December 4, 2006 2:00 P.M.

A. The meeting was called to order by Chairman Olszewski at 2:05 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 20 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

B. APPROVAL OF JOURNAL

 Upon motion by Councilman Moxley, seconded by Councilman McIntire, the reading of the Journal Entries for the meeting of November 20, 2006 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 125-06, 126-06, 127-06, 128-06 & 129-06.

D. INTRODUCTION OF BILLS

BILL 141-06, entitled An Act for the purpose of changing the name of the Office of Employment and Training to the Office of Workforce Development; providing for the construction and application of this Act; providing for the continuity of terms of certain officials, the status of certain transactions and employees, rights, titles, and interests, license, registrations, certifications, and permits; and generally relating to the laws of the County.

BILL 142-06, entitled An Act for the purpose of amending the 2006-2007 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 Emergency Management Agency (MEMA).

BILL 143-06, entitled An Act for the purpose of amending the permitted activities of a Contractor's Office or Contractor's Shop in an S-E Zone; and generally relating to permitted uses in the S-E Zone.

BILL 144-06, entitled An Act for the purpose of amending the 2006-2007 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from private funds made available to the County through the Choice Communities, Inc./Eastpoint Nursing and Rehabilitation Center.

BILL 145-06, entitled An Act for the purpose of clarifying a certain standard application to the authority of the building official to suspend or revoke certain building permits in certain cases; and generally relating to building permits.

BILL 146-06, entitled An Act for the purpose of restoring a provision inadvertently deleted by Bill 130-05 by permitting a Continuing Care Facility to be located in the R.C. 5 Zone subject to conditions and restrictions; and generally relating to Continuing Care Facilities.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 131-06, CEB - Substance Abuse Treatment Grant, was called. Fred Homan 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 132-06, Zoning Regulations - Group Child Care Centers, was called. Councilman Oliver commented. 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 133-06, Zoning Regulations - Service Garage, was called. Councilman Gardina questioned Councilman Oliver. There being no discussion, this bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, 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 November 28, 2006. 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 letter for Fiscal Matters 1 through 6.

1. Amendment to Contract - Unemployment Tax Service, Inc.

An amendment to the contract with Unemployment Tax Service, Inc. to correct the term for the original agreement approved by the Council on December 15, 2003 for two additional one-year periods.

2. Contract - Venable LLP - Legal Counsel - Collective Bargaining

A contract with Venable LLP to provide legal counsel to the Labor Commissioner during collective bargaining with the police and firefighter's unions.

3. Contract of Sale - Clarence A. and Ann Marie Lintz - 20301 Gores Mill Road - Protection of Farm Land

A contract of sale with Clarence A. and Ann Marie Lintz, husband and wife, to acquire property at 20301 Gores Mill Road, Freeland, Maryland 21053, for the protection of high quality, vital and economically important farm land from imminent conservation to non-agricultural use.

4. Contract of Sale - Clarence A. and Ann Marie Lintz - 20309 Gores Mill Road - Protection of Farm Land

A contract of sale with Clarence A. and Ann Marie Lintz, husband and wife, to acquire property at 20309 Gores Mill Road, Freeland, Maryland 21053, for the protection of high quality, vital and economically important farm land from imminent conservation to non-agricultural use.

5. Contract - Johnson, Mirmiran & Thompson, Inc. - On-call Engineering Services

A contract with Johnson, Mirmiran and Thompson, Inc. to develop a comprehensive pedestrian, bicycle, and traffic plan for the Towson area.

6. Addendum to Contract - Johnson, Mirmiran & Thompson, Inc. - On-call Engineering Services

Addendum # 2 to the contract with Johnson, Miriam and Thompson, Inc. to increase the total upset limit of the contract for on-call engineering services, to include preliminary design, site survey, report, study, cost estimates, construction documents, and documents administration phase services on as- needed basis.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, Fiscal Matters 1 through 6 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Res. 97-06 - Revenue Bonds - Choice Communities/Eastpoint Nursing Center

At the direction of the Chairman, the Secretary read this Resolution to provide for the issuance and sale by Baltimore County, Maryland 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 in an aggregate principal amount not to exceed \$13,000,000, for the purpose of refunding certain bonds previously issued by the County for the purpose of financing the costs of the acquisition by Choice Communities, Inc. of a certain facility located at 1046 Old North Point Road, Baltimore, Maryland and used by Choice Communities, Inc. in its charitable function of the ownership and operation of a nursing home; providing for the issuance and sale of notes in anticipation of the issuance and sale of such bonds; 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; providing that neither the bonds nor any interest or premium thereon shall ever constitute an indebtedness or a charge against the general credit or taxing powers of Baltimore County, Maryland within the meaning of any constitutional or charter provision or statutory limitation and that neither the bonds nor any interest thereon shall ever constitute or give rise to any pecuniary liability of Baltimore County, Maryland; and generally specifying and describing various matters in connection therewith, as required or permitted by such Act. Stan Jacobs appeared. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this Resolution was unanimously approved.

2. Res. 98-06 -Revenue Bonds - Maryvale Preparatory School

At the direction of the Chairman, the Secretary read this Resolution to provide for the issuance and sale by Baltimore County, Maryland 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 in an aggregate principal amount not to exceed \$4,750,000, for the purpose of financing and refinancing the costs of the acquisition and installation by Maryvale Preparatory School, Incorporated of a certain facility located or to be located at 11300 Falls Road in Baltimore County and to be used by Maryvale Preparatory School, Incorporated in its business of ownership and operation of an independent school; providing for the issuance and sale of notes in anticipation of the issuance and sale of such bonds; 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; providing that neither the bonds nor any interest or premium thereon shall ever constitute an indebtedness or a charge against the general credit or taxing powers of Baltimore County, Maryland within the meaning of any constitutional or charter provision or statutory limitation and that neither the bonds nor any interest thereon shall ever constitute or give rise to any pecuniary liability of Baltimore County, Maryland; and generally specifying and describing various matters in connection therewith, as required or permitted by such Act. Stan Jacobs remained. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman Moxley, this Resolution was unanimously approved.

3. Res. 99-06 - Accept donation from Patuxent Publishing for Informal Booklets

At the direction of the Chairman, the Secretary read this Resolution to authorize the County to accept a gift of 25,000 information booklets for seniors from Patuxent Publishing for the use of Baltimore County, Maryland. Arnold Eppel appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman McIntire, this Resolution was unanimously approved.

4. Res. 100-06 - Nollmeyer-Seneca Park Collection System and Force Main

At the direction of the Chairman, the Secretary read this Resolution to approve the extension of the sanitary sewer system of Baltimore County in the Seneca Park Area, Fifteenth election District and Sixth Councilmanic District of Baltimore County. Bill Korpman appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley, this Resolution was unanimously approved.

5. Res. 101-06 - Authorization to Purchase Development Rights Easement - Imminent Threat Program

At the direction of the Chairman, the Secretary read this Resolution to purchase Developmental Rights easements under the Imminently Threatened Farm Preservation Program. David Carroll appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley 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 2:15 P.M.


Thomas J. Peddicord, Jr.