

BALTIMORE COUNTY COUNCIL MINUTES  
LEGISLATIVE SESSION 2006, LEGISLATIVE DAY NO. 14  
JULY 3, 2006 6:00 P.M.

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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. There were approximately 20 persons in attendance and the following Councilmembers were present:

S.G. SAMUEL MOXLEY	FIRST DISTRICT
KEVIN KAMENETZ	SECOND DISTRICT
KENNETH N. OLIVER	FOURTH DISTRICT
VINCENT J. GARDINA	FIFTH DISTRICT
JOSEPH BARTENFELDER	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

Councilman McIntire was absent the entire meeting.

B. APPROVAL OF JOURNAL

Upon motion by Councilman Moxley, seconded by Councilman Oliver, the reading of the Journal Entries for the meeting of June 19, 2006 was waived and accepted unanimously by the six Councilmembers present.

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 64-06, 65-06, 66-06, 67-06, 68-06, 70-06, 71-06, 74-06 & 75-06.

D. INTRODUCTION OF BILLS

BILL 86-06, 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 and made available to the County through the Ruxton, Riderwood, Lake Roland Area Foundation, Inc. and the Ruxton, Riderwood, Lake Roland Area Improvement Association, Inc.

BILL 87-06, 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 state funds and made available to the County through the Maryland Department of Health and Mental Hygiene.

BILL 88-06, 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 Associated Black Charities.

BILL 89-06, 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 and made available to the County through The Erickson Retirement Communities.

BILL 90-06, 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) through the Department of Homeland Security.

BILL 91-06, entitled An Act for the purpose of authorizing the Office of Planning to adopt a manual of regulations to implement the County's residential performance standards.

BILL 92-06, 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 state funds and made available to the County through the Governor's Office of Crime Control and Prevention (GOCCP).

BILL 93-06, entitled An Act for the purpose of permitting an animal grooming facility in B.L., M.L. and M.H. Zones as a matter of right, subject to certain conditions; defining terms; eliminating the definition of dog grooming facility; eliminating references to dog grooming facility in certain sections of the regulations; requiring the operator of an animal grooming facility to meet certain standards; establishing certain standards for the operation of an animal grooming facility; and generally relating to animal grooming facilities.

E. CALL OF BILLS FOR FINAL READING AND VOTE

BILL 76-06, CEB - Patrons of the Park, was called. Fred Homan appeared. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

BILL 77-06, CEB - Bio-Terrorism Training and Communications Equipment, was called. Richard Muth appeared. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

BILL 79-06, 2006 Highway Safety Program, was called. Richard Muth appeared. Councilman Moxley moved to amend this bill with the following amendments:

- a. On page 1, in the third line of the purpose paragraph, after “through”, insert, “the Maryland Institute of Emergency Medical Services Systems (MIEMSS), and”.
- b. On page 2, in line 6 after “through”, insert “the Maryland Institute of Emergency Medical Services Systems (MIEMSS), and” and in line 9, strike “Program” and substitute “Office”.

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

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

Thereafter, upon motion by Councilman Moxley, seconded by Councilman Kamenetz, Bill 79-06, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

BILL 78-06, CEB - MD Highway Safety Program (MHSO), was called. Captain Gordon Skinner appeared. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

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BILL 80-06, CEB - Baltimore County Growing Home Campaign, was called. David Carroll appeared. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

BILL 81-06, Capital Budget - MAA Grant for Repairing and Repaving Essex Skypark, was called. David Carroll remained. There being no discussion, this bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

BILL 82-06, Environmental Compliance - DEPRM, was called. David Carroll remained. There being no discussion, this bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

BILL 83-06, Homeowners' Tax Credit Program, was called. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

BILL 84-06, Recreational Vehicles, was called. Councilman Gardina commented. There being no discussion, this bill passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

BILL 85-06, Property Tax Credit for High Performance Buildings, was called. Councilman Gardina commented then moved to amend this bill with the following amendments:

1. On page 2, in line 4, strike "NEW"
2. On page 2, strike line 12 and substitute "COUNTY'S PROPERTY TAX."

3. On page 2, strike lines 13 through 16, and substitute the following: “(E) THE TOTAL TAX CREDIT FOR THE PROGRAM MAY NOT EXCEED \$5,000,000, SUBJECT TO THE COUNTY COUNCIL’S ANNUAL REVIEW OF THE PROGRAM AMOUNT.”

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

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

Thereafter, upon motion by Councilman Moxley, seconded by Councilman Gardina, Bill 85-06, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None  
Absent - McIntire

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 June 27, 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 19.

1. BAT 07-01C - Public Works - Northeast Avenue Roadway Improvements

\_\_\_\_\_A Budget Appropriation Transfer for the Department of Public Works. The funds will be used for the construction of Northeast Avenue roadway improvements.

2. Contracts - (3) - Employment, Training & Education Services for eligible County Youth

Three contracts with Baltimore County Public Schools, First Step, Inc. and Catapult, LLC to provide employment, training and education services for the youth Employment and Training Program.

3. Contract - Environmental Quality Resources, LLC - On-call Environmental Restoration Services

A contract with Environmental Quality Resources, LLC to provide various environmental restoration services including design, construction, landscape, survey and repair services throughout Baltimore County.

4. Contract of Sale - William Raymond Dickerson, trustee of the William Raymond Dickerson Trust - Purchase of 1 apartment building located at 2631 Yorkway

A contract of sale with William Raymond Dickerson, Trustee of the William Raymond Dickerson Trust to purchase one apartment building known as 2631 Yorkway to be used for redevelopment and/or recreational purposes.

5. Contract of Sale - John E. Edmonstron - Purchase of 1 apartment building located at 2615 Yorkway

A contract of sale with John H. Edmonston to purchase one apartment building known as 2615 Yorkway to be used for redevelopment and/or recreational purposes.

6. Addendum Agreement - Maintenance & Support Agreement - PensionGold Software - Levi, Ray & Shoup, Inc. - Employees' Retirement Systems

An addendum to the maintenance and support agreement for PensionGold Software with Levi, Ray & Shoup, Inc. to provide continued maintenance and support for 3 years to the Baltimore County Employees Retirement System.

7. Contract - Colossal Contractors, Inc. - Painting Services

A contract with Colossal Contractors, Inc. for painting and drywall services on an as-needed basis at various County-owned and/or operated buildings.

8. Contract - AMP CEP Group Homes, Inc. - dba Hilltop Recovery Center - Substance Abuse Treatment

A contract with AMP CEP Group Homes, Inc. dba Hilltop Recovery Center to provide medically monitored intensive inpatient substance treatment and detoxification services for Baltimore County residents, ages 18 and above.

9. Contract - Crossroads Center at Milestones - Substance Abuse Assessments

\_\_\_\_\_ A contract with Crossroads Centers at Milestones to provide substance abuse assessment, referral and case management services to clients referred through the criminal justice system and who reside in the six designated Baltimore County CSAFE communities, which are: Deep Creek, Hillendale, Riverview, Woodmoor, Yorkway, and Scotts Branch.

10. Contract - People Encouraging People, Inc. - Transitional Age Youth Services

A contract with People Encouraging People, Inc. to provide mental health and other required services to youth transitioning from the children's mental health system to adult system.

11. Contract - Affiliated Sante Group - Mental Health Crisis Response Program

A contract with Affiliated Sante Group to provide mental health services related to the Mental Health Crisis Response Program.

12. Contracts of Sale - York Park Associates Limited Partnership - Purchase of York Park Apartments

\_\_\_\_\_ An amendment to the contract of sale with York Park Associates Limited Partnership to purchase the York Park Apartments. This amendment is to extend the closing date August 3, 2006, and revise the 1031 exchange language associated with the contract of sale previously approved on April 3, 2006 as amended June 5, 2006.

13. Contracts - Site Resources - On-call Landscape Architectural/Civil Engineering Services

\_\_\_\_\_ A contract with Site Resources to provide a on-call landscape architectural/civil engineering services for various County projects.

14. Agreement - Human and Rohde, Inc. - Wallace, Montgomery & Associates - On-call Landscapes Architectural/Civil Architect Civil Engineering Services

An agreement for services with Human and Rhode, Inc./Wallace, Montgomery & Associates, LLP, Joint Venture to provide on-call landscape architectural/civil architect/civil engineering services for various County projects.

15. Contract Amendment - Gilbane Company - New Detention Center

The third contract amendment with Gilbane Building Company to provide additional construction management and litigation consulting services for the Detention Center Expansion Project.

16. Contract - Rolling Mill LLC - Recreational/Agricultural/Environmental Center

A contract with Rolling Mill LLC to acquire 149.3 acres in Worthington Valley for a premier recreational/agricultural/environmental center to serve the citizens of Baltimore County.

17. Contract of Sale - Windlass Run Interceptor

A contract of sale with Ronald and Sharon Taylor to acquire an easement for the installation of the Windlass Run Interceptor.

18. Contract of Sale - Windlass Run Interceptor

A contract of sale between Henry and Sherry Pokigo to acquire an easement for the installation of the Windlass Run Interceptor.

19. Amendment Contract - Patton Harris Rust & Associates, P.C. - Civil Engineering Services

\_\_\_\_\_ An amendment to the contract with Patton Harris Rust & Associates, P.C. to provide additional on-call civil engineering services, including those needed for the Verizon fiber optic cable installation project.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver Fiscal Matters 1 through 19 were unanimously approved by the six Councilmembers present.

G. MISCELLANEOUS BUSINESS

1. Res. 49-06 - Prioritizing list of Rural Legacy Applications

At the direction of the Chairman, the Secretary read this Resolution to rank five Rural Legacy Area Plan applications submitted to the Maryland Department of Natural Resources for consideration and approval by the Maryland Rural Legacy Board for funding in fiscal year 2007. These plans include the Baltimore County Coastal Area, Gunpowder River, Long Green Valley Area, Manor Area and Piney Run Area. David Carroll appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this Resolution was unanimously approved by the six Councilmembers present.



2. Res. 50-06 - Extension of Loreley Beach Wastewater Collection System - 5<sup>th</sup> District

At the direction of the Chairman, the Secretary read this Resolution for the purpose of approving the extension of the sanitary sewer system of Baltimore County in the White Marsh Area, Eleventh Election District and Fifth Councilmanic District of Baltimore County. Bill Korpman appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Gardina, this Resolution was unanimously approved by the six Councilmembers present.

3. Res. 51-06 - Property Tax Exemption - Leon Scott, Jr.

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Leon Scott, Jr., who is entitled to an exemption from State and County 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 Councilman Moxley, this Resolution was unanimously approved by the six Councilmembers present.

4. Res. 52-06 - Adopt the 2005 Land Preservation, Parks and Recreation Plan to Master Plan 2010

At the direction of the Chairman, the Secretary read this Resolution to adopt the Baltimore County 2005 Land Preservation, Parks and Recreation Plan as a part of the Baltimore County Master Plan 2010. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this Resolution was unanimously approved by the six Councilmembers present.

5. Reappointment - Revenue Authority - Joseph E. Blair, Jr.

At the direction of the Chairman, the Secretary read the correspondence from the County Executive, requesting Mr. Joseph E. Blair, Jr., for reappointment to the Baltimore County Revenue Authority. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver this Resolution was unanimously approved by the six Councilmembers present.


6. Correspondence

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 May and June, 2006.

7. Res. 53-06 - Endorsement of application by Dundalk Renaissance Corp. - Community Legacy Application

At the direction of the Chairman, the Secretary read this Resolution to endorse the filing of an application by the Dundalk Renaissance Corporation. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this Resolution was unanimously approved by the six Councilmembers present.

There being no further business to come before the Council at this time, upon motion by Councilman Moxley, seconded by Councilman Oliver, the meeting adjourned at 6:20 P.M.

  
Thomas J. Peddicord, Jr.