

**BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2007, LEGISLATIVE DAY NO. 19
October 15, 2007 7:00 P.M.**

A. The meeting was called to order by Chairman Moxley at 7:00 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 Boy Scout Troop 1908 of Camp Puh'Tok (Monkton). There were approximately 70 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 McIntire, seconded by Councilman Moxley, the reading of the Journal Entries for the meeting of October 1, 2007 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 62-07, 63-07, 64-07, 65-07, 66-07 and 67-07.

D. INTRODUCTION OF BILLS

BILL 77-07, entitled An Act for the purpose of expanding the portion of the Towson C.T. District to which certain special regulations are applicable; revising certain regulations; and generally relating to the C.T. District of Towson.

BILL 78-07, entitled An Act for the purpose of expanding the application of the tax credit for high performance buildings; altering the amount and duration of the tax credit; placing certain limitations on the tax credits; clarifying the transferability of the tax credit; providing for termination of the credit; authorizing the adoption of regulations; providing for the application of this Act; defining certain terms; and generally relating to the tax credit for high performance buildings.

BILL 79-07, entitled An Act for the purpose of prohibiting the sale or distribution of tobacco products to minors; defining terms; providing exceptions; regulating the display of tobacco products; providing for penalties and for enforcement; and generally relating to the regulation of the distribution of tobacco products to minors.

BILL 80-07, entitled An Act for the purpose of increasing the penalty for failing to obtain a license for a dog; and generally relating to dog licenses.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 68-07, Personnel Law of Baltimore County, was called. Theresa Hill appeared. Councilman Olszewski moved to amend this Bill with the following amendments:

On page 1, in the title, after “County”, insert “and the 2007-2008 Current Expense Budget”; in the fourth line of the purpose paragraph, after “regulations;”, insert “amending the 2007-2008 Current Expense Budget;”.

On page 2, at the end of the second “WHEREAS” statement, strike “recommendations, now therefore” and substitute “recommendations; and”, and in the next line, insert:

“WHEREAS, in accordance with Section 712 of the Baltimore County Charter, the County Council may make supplementary appropriations from unexpended and unencumbered funds set aside for contingencies in the county budget, now therefore”.

On page 12, in line 11, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, that pursuant to the power and authority conferred by Section 712 of the Baltimore County Charter, that the Current Expense Budget for the fiscal year ending June 30, 2008, be and is hereby amended by appropriating unreserved and undesignated General Fund Surplus in the amount and from the sources as specified in the attached table.”;

In lines 12 and 15, strike “4.” and “5.”, respectively and substitute “5.” and “6.”, respectively.

	General	Special	Metro	Liquor License	
Program	Fund 01	Fund 05	Fund 030	Fund 002	TOTAL
002-002-001	\$807				\$807
002-002-066	\$975				\$975
006-006-001	\$542				\$542
006-006-002	\$2,057				\$2,057
006-006-003	\$1,939				\$1,939
006-006-007	\$1,298				\$1,298
006-006-008	\$2,472				\$2,472
008-008-001	\$6,981				\$6,981
009-009-001	\$3,476				\$3,476
010-010-003	\$563				\$563
011-011-001	\$1,453				\$1,453
012-012-001	\$1,809				\$1,809
013-013-001	\$3,706				\$3,706
015-015-001	\$1,260				\$1,260
015-015-002	\$15,412				\$15,412
015-015-003	\$4,963				\$4,963
015-015-006	\$2,361				\$2,361
015-015-007	\$901				\$901
015-015-008	\$1,386				\$1,386
015-015-060	\$744				\$744
016-016-001	\$1,409				\$1,409
016-016-002	\$750				\$750
016-016-006	\$1,914				\$1,914
016-016-007	\$971				\$971
016-016-010	\$629				\$629
017-017-011	\$1,158				\$1,158
017-017-014	\$6,402				\$6,402
017-017-015	\$24,766				\$24,766
017-017-016	\$5,947				\$5,947
020-020-001				\$757	\$757
030-030-001	\$1,933				\$1,933
030-030-003	\$3,117				\$3,117
030-030-004	\$378				\$378
030-030-005	\$161				\$161
030-030-006	\$485				\$485
030-030-007	\$721				\$721
030-030-010	\$721				\$721
030-030-011	\$866				\$866
030-030-013	\$1,299				\$1,299
030-030-014	\$1,679				\$1,679
030-030-015	\$865				\$865
030-030-0FJ		\$1,355			\$1,355
030-030-0FN		\$577			\$577
030-030-0FQ		\$432			\$432
030-030-0FW		\$378			\$378
030-030-0GY		\$563			\$563
030-030-0NA		\$2,533			\$2,533
030-030-0NF		\$288			\$288
030-030-0YL		\$807			\$807
031-031-017	\$866				\$866

031-031-020	\$433				\$433
031-031-041		\$504			\$504
031-031-052		\$3,262			\$3,262
031-031-057		\$600			\$600
031-031-061		\$433			\$433
034-034-001	\$721				\$721
034-034-003	\$1,434				\$1,434
034-034-006	\$1,575				\$1,575
034-034-008	\$288				\$288
034-034-042		\$971			\$971
034-034-046		\$2,288			\$2,288
034-034-058		\$600			\$600
034-034-0EA		\$246			\$246
034-034-0EB		\$144			\$144
034-034-0EF		\$433			\$433
034-034-0EG		\$600			\$600
039-039-001	\$2,529				\$2,529
039-039-002	\$19,532				\$19,532
039-039-004	\$19,013				\$19,013
039-039-005	\$530				\$530
039-039-006	\$2,401				\$2,401
042-042-001	\$8,142				\$8,142
052-052-001	\$1,692				\$1,692
055-055-069		\$579			\$579
069-069-001	\$1,608				\$1,608
069-069-003	\$1,296				\$1,296
069-069-004	\$1,050				\$1,050
069-069-010	\$2,695				\$2,695
070-070-006	\$80	\$1,060			\$1,140
070-072-001	\$909	\$909			\$1,818
070-072-003		\$2,391			\$2,391
070-072-005	\$2,715	\$113			\$2,828
070-072-008	\$1,084				\$1,084
070-072-009	\$374	\$360			\$734
070-072-011	\$9,044	\$4,659			\$13,703
070-075-001	\$3,315				\$3,315
070-075-002	\$21,743				\$21,743
070-076-001	\$882				\$882
070-076-002	\$288				\$288
070-076-003	\$3,955				\$3,955
070-076-004	\$807				\$807
070-077-001	\$2,113				\$2,113
070-077-002	\$811				\$811
070-077-003	\$3,432				\$3,432
070-078-002		\$471			\$471
070-078-003		\$27,352			\$27,352
070-078-004		\$6,729			\$6,729
070-079-001	\$3,747				\$3,747
070-079-002	\$3,458				\$3,458
070-079-003	\$690	\$85			\$775
TOTAL	\$236,528	\$17,593	\$44,129	\$757	\$299,007

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

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

Thereafter, upon motion by Councilman Olszewski, seconded by Councilman Oliver, Bill 68-07 as amended, passed by the following roll call vote:

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

Bill 69-07, Consolidated Public Improvement Bonds and Bond Anticipation Notes, was called. Keith Dorsey 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 70-07, Regulation of Pit Bulls and Dangerous and Menacing Animals, was called. Councilman Gardina moved to amend this Bill with the following amendments:

1. On page 1, in the function paragraph and on page 2, in line 2, strike “12-8-208” in each instance and substitute “12-8-207”
2. On page 3, strike lines 9 through 12; on line 13, strike “(D)” and substitute “(C)”
3. On page 3, strike lines 15 through 19 and substitute “TERRIER BREED OF DOG.”
4. On page 5, strike lines 5 through 9; in lines 10, 19 and 22, strike “12-8-206”, “12-8-207” and “12-8-208”, respectively, and substitute “12-8-205”, “12-8-206” and “12-8-207”, respectively.

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

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

Thereafter, upon motion by Councilman Olszewski, seconded by Councilman McIntire, Bill 70-07 as amended, failed by the following roll call vote:

Aye - Gardina

Nay - Moxley, Kamenetz, McIntire, Oliver, Bartenfelder, Olszewski

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 October 9, 2007. 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 Moxley then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 8.

1. BAT 08-05C - Public Works

A budget appropriation transfer for the Department of Public Works is needed to transfer funds from the Eastern Landfill to the Hernwood Landfill for ongoing remediation costs.

2. Contract - A&A Tree Experts, Inc. - Landscaping Services - Chesterwood Park

A contract with A&A Tree Experts, Inc., to provide landscaping services as part of the improvements to Chesterwood Park.

3. BAT 08-1 - Office of Budget and Finance

A budget appropriation transfer for the Office of Budget and Finance is needed to transfer funds from the Contingency Reserve and will go towards the Federation of Public Employee's on pay schedule I 3% COLA and various personnel annual review adjustments.

4. Contract - United Way of Central Maryland, Inc. - Information and Referral Telephone Line for Baltimore County

A contract with United Way of Central MD, Inc., to provide a "211" telephone number, that will act as an information and referral line for Baltimore County.

5. Contract - Community Solutions, Inc. - Multi-Systemic Therapy for High-Risk Youth

A contract with Community Solutions, Inc., to provide multi-systemic therapy (MST) for high risks youth.

6. Contract of Exchange - St. Stephen's AME Church - Development of Kingsley Park Site

A contract of exchange with St. Stephen's AME Church, to acquire land to complete the road network and parking facility for the development of the Kingsley Park site.

7. Contract - Occupational Medical Services, Inc. - Health Assessments

A contract with Occupational Medical Services, Inc., for health assessments.

8. Memorandum of Understanding - Towson Circle Joint Venture, LLP - Towson Circle III

A memorandum of understanding among the Baltimore County Revenue Authority, Towson Circle Joint Venture, LLP, regarding the land acquisition, design construction, and operation of an entertainment destination project in the County seat. The project, known as Towson Circle III, is for a 2,250 seat movie theater complex, 30,000 sq. ft. of retail space, and a 630 space multi-level public garage.

There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Oliver, Fiscal Matters 1 through 8 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. 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 September 2007.

2. Res. 95-07 -Agricultural Easements (16) - MD Agricultural Land Preservation Foundation

At the direction of the Chairman, the Secretary read this resolution to approve the County's contribution toward the purchase of certain development rights easements on property located within Agricultural Land Preservation Districts in accordance with Title 2, Subtitle 5, Agricultural Article, Annotated Code of Maryland, and Article 24 Land Preservation, Baltimore County Code. David Carroll appeared. There being no discussion, upon motion by Councilman McIntire seconded by Councilman Bartenfelder, this Resolution was unanimously approved.

3. Res. 96-07 - Property Tax Exemption - Thomas A. Burns

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Thomas A. Burns 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 Councilman Bartenfelder, seconded by Councilman Oliver, this Resolution was unanimously approved.

4. Res. 97-07 - Property Tax Exemption - Rander Ligons

At the direction of the Chairman, the Secretary read this resolution to approve the refund

of certain real property taxes collected from Rander Ligons 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 McIntire, this Resolution was unanimously approved.

5. Res. 98-07 - Property Tax Exemption - Dorothy C. Fraass

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Dorothy C. Fraass 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 Councilman Olszewski, seconded by Councilman Oliver, this Resolution was unanimously approved.

6. Res. 99-07 - Award of Cable Franchise - Cavalier IPTV, LLC

This Resolution was for introduction only.

7. Res. 100-07 - Review of Planned Unit Development - Stevenson Taylor Investments, LLC

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Bartenfelder, seconded by Councilman Olszewski, the meeting adjourned at 7:10 P.M.


Thomas J. Peddicord, Jr.