

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2007, LEGISLATIVE DAY NO. 03
February 5, 2007 7:00 P.M.

A. The meeting was called to order by Chairman Moxley at 7:05 P.M. The Chairman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. Councilman Gardina then called upon Boy Scout Troop # 729 of Brown Memorial Church to lead the Pledge. There were approximately 50 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 Oliver, seconded by Councilman Olszewski, the reading of the Journal Entries for the meeting of January 16, 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 147-06, 148-06, 149-06 and 150-06.

D. INTRODUCTION OF BILLS

BILL 11-07, 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 State Department of Health and Mental Hygiene Office of Preparedness and Response.

BILL 12-07, 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 Baltimore County Public School System (BCPS).

BILL 13-07, 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 State Department of Health and Mental Hygiene Office of Preparedness and Response.

BILL 14-07, entitled An Act for the purpose of establishing powers of the County Executive during a local state of emergency; establishing a process for declaring a local state of emergency; clarifying the role of the Office of Emergency Management during a local state of emergency; defining certain terms; and generally relating to the powers of the County government during a local state of emergency.

BILL 15-07, entitled An Act for the purpose of clarifying the subdivision lot density requirements of the R.C. 2 Zone; and generally relating to the area regulations of the R.C. 2 Zone.

BILL 16-07, entitled An Act for the purpose of permitting a general development PUD outside the Urban Rural Demarcation Line in the Bowleys Quarters growth management area under certain conditions.

BILL 17-07, entitled An Act for the purpose of revising the duties of the Telecommunications Advisory Panel with regard to rate regulation and the calculation of certain payments made to the County by a cable franchise; defining terms; revising the process for the revocation of a cable franchise; clarifying certain minimum operational standards; and generally relating to the regulation of cable franchises in Baltimore County.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 1-07, Fire Hydrants - Use Regulations and Enforcement, 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 2-07, CEB - Homeland Security, was called. Richard Muth appeared. Councilman Olszewski moved to amend this Bill with the following amendment:

On page 1, in the first line of the purpose paragraph, strike “2007-2008” and substitute “2006-2007”; and on page 2, strike line 9 in its entirety.

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 2-07 as amended, passed by the following roll call vote:

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

Bill 3-07, Zoning Regulations - Signs, was called. Councilman Gardina commented then moved to amend this Bill with the following amendment:

On page 2, strike lines 21 through 25 and substitute the following : “MONUMENT SIGN, MAXIMUM HEIGHT OF 6 FEET, INCLUDING 2 FOOT HIGH MONUMENT, MAXIMUM WIDTH OF 4 FEET, IF ON A PRINCIPAL ARTERIAL”

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 Gardina, seconded by Councilman Kamenetz, Bill 3-07 as amended, passed by the following roll call vote:

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

_____ **Bill 9-07**, Zoning Regulations - Liquefied Natural Gas Facilities, was called. David Carroll appeared. Councilman Gardina questioned Mr. Carroll. Councilman Kamenetz questioned Mr. Beverungen. There being no further 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 January 30, 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 6.

1. Addendum to Contract - Rummel, Klepper & Kahl, LLP - On-call Engineering Services for Pumping Stations

An addendum to the contract with Rummel, Klepper & Kahl, LLP, to provide additional funds for on-call engineering services for pumping station improvement/replacement projects.

2. Contract - Michael M. Gimbel - Consulting and Expert Witness Services - Helping Hand v. Baltimore County

A contract with Michael M. Gimbel, to provide consulting and expert witness services in connection with disputes and litigation related to or in connection with Helping Hand v. Baltimore County, Maryland.

3. BAT - 07-10C - Department of Public Works - Old Court Road and Golden Ring Road

A budget appropriation transfer needed for the Department of Public Works for the Miscellaneous Intersection Improvement Projects to fund two projects: at Old Court Road and Windsor Mill Road and Golden Ring Road and Philadelphia Road.

4. Amendment to Contract - First Step, Inc. - Additional Staffing

An amendment to the contract with First Step, Inc., to provide a contract amendment for additional funds to increase the maximum compensation for job training and educational related services for eligible County youth.

5. Contract of Sale - Joppa Forrest Development, LLC - Additional Recreation Land - Sparrows Point High School

A contract of sale with Joppa Forrest Development, LLC, to purchase a parcel of land, approximately 19 acres, to be used for recreation and parks purposes in conjunction with existing recreational facilities at the school.

6. Contract - Watkins Security Agency, Inc. - Security for Court House, County Office Building and Jefferson Building

A contract with Watkins Security Agency, Inc., to provide eight armed security guards and one armed supervisor to man four posts at the Courthouse, County Office Building and Jefferson Building.

There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Oliver, Fiscal Matters 1 through 6 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 December, 2006 and January 2007.

2. Res. 7-07 - Property Tax Exemption - Philip A. Sudano, Jr.

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

3. Res. 8-07 - Review of Planned Unit Development - MCS Edgemere LLC

This resolution was for introduction only.

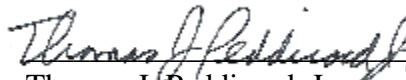
4. Res. 9-07 - Extension of 90 day period for terms of Verizon Cable Franchise Agreement

At the direction of the Chairman, the Secretary read this resolution of the Baltimore County Council to extend the 90-day period within which the Council may agree on the terms of a competitive cable franchise agreement with Verizon Maryland, Inc. ("Verizon"). Councilman Kamenetz commented. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman McIntire, this Resolution was unanimously approved.

5. Res. 10-07 - Franchise Agreement with Verizon Maryland, Inc. for Cable System in Baltimore County

This resolution was for introduction only

There being no further business to come before the Council at this time, upon motion by Councilman McIntire, seconded by Councilman Kamenetz, the meeting adjourned at 7:20 P.M.


Thomas J. Peddicord, Jr.