

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2007, LEGISLATIVE DAY NO. 07**  
**April 2, 2007            4:00 P.M.**

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A.     The meeting was called to order by Chairman Moxley at 4:00 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 100 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 McIntire, the reading of the Journal Entries for the meeting of March 19, 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 18-07, 19-07, 20-07 and 21-07.

**D.     INTRODUCTION OF BILLS**

**BILL 27-07**, 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 Governor's Office of Crime Control and Prevention to the Baltimore County Local Management Board.

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**BILL 28-07**, 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 Emergency Management Agency (MEMA).

**BILL 29-07**, 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 private funds and made available to the County through the Baltimore County Kennel Club.

**BILL 30-07**, 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 Baltimore County Department of Social Services through the United States Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance passed through the State of Maryland Department of Human Resources.

**BILL 31-07**, entitled An Act for the purpose prohibiting certain membership wholesale and retail warehouse uses in the M.L. Zones; and generally relating to uses permitted in the M.L. Zones of the County.

**BILL 32-07**, entitled An Act for the purpose of amending the 2006-2007 Current Expense Budget, by appropriating supplemental funds to the Board of Education.

**E. CALL OF BILLS FOR FINAL READING AND VOTE**

**Bill 22-07**, CEB - Senior Health Insurance Assistance Program (S.H.I.P.), was called. Arnold Eppel appeared. Councilman Olszewski moved to amend this bill with the following amendment:

On page 2, in line 9, after “Insurance”, insert “Assistance”.

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 22-07 as amended, 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 March 27, 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 3 and 5 through 7. Fiscal Matter 4 was discussed as a separate matter.

**1. Contract - Public Resources Advisory Group/Phoenix Capital Partners, LLP - Financial Advisor**

A contract with Public Resources Advisory Group/Phoenix Capital Partners, LLP, to provide an independent financial advisor to assist in the formulation and implementation of a sound and workable plan of financing capital expenditures including the issuance of general obligation bonds and other tax-exempt debt.

**2. Contract - Chesapeake Diagnostic Laboratory, Inc. - Testing for Women's Health Clinics**

A contract with Chesapeake diagnostic Laboratory, Inc., to provide clinical laboratory testing for Women's Health Clinics for Cervical/Breast Cytopatholog.

**3. Addendum to Contract - Rummel, Klepper & Kahl, LLP - Stemmers Run Wastewater Force Main**

A contract with Rummel, Klepper & Kahl, LLP, to provide construction phase services during the construction of Stemmers Run Wastewater force main.

**5. Agreement to Amend - Towson University - Health Education and Fitness Programs for Seniors**

A second agreement to amend and extend with Towson University, to provide health education and fitness programs for Baltimore County senior adults at senior sites.

**6. Contract of Sale - Thomas W. Schmidt, Personal Rep. For Annabelle Witt Schmidt a/k/a Annabell Schmidt - Recreational Purposes**

A contract of sale with Thomas W. Schmidt, personal representative for the estate of Annabelle Witt Schmidt a/k/a Annabell Schmidt, to acquire 26.35 acre of land for recreational purposes.

**7. Contract - College Park Glass Co., Inc. - Glass Panels for Public Safety Building**

A contract with College Park Glass Co., Inc., to furnish all labor, materials, tools, equipment, and supervision for the furnishing and installation of exterior glass panels and exterior sealing of glass panels at the Public Safety Building.

There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Gardina, Fiscal Matters 1 through 3 and 5 through 7 were unanimously approved.

**4. Contract - Ma Maison, Inc. T/A Ma Maison III - Assisted Living Care - Senior Assisted Living Subsidy Program**

A contract with Ma Maison, Inc. T/A Ma Maison III, to provide assisted living care, as part of the Baltimore County Senior Assisted Living Subsidy Program. Arnold Eppel appeared and was questioned by Councilmembers Gardina and Olszewski. There being no further discussion, upon motion by Councilman Oliver, seconded by Councilman Gardina, this contract was 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 March 2007.

**2. Res. 18-07 - Review Planned Unit Development - 1<sup>st</sup> District - MSO, LLC - Bristol Green**

At the direction of the Chairman, the Secretary read this resolution to approve the review of a proposed planned unit development in accordance with County law. MSO, LLC has submitted an application for approval of an approximately 8 acre site in the First Councilmanic District, to be developed as a general development planned unit development (PUD) known as Bristol Green on Old Frederick Road.. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Bartenfelder, this Resolution was unanimously approved.

**3. Res. 19-07 - Review Planned Unit Development - 1<sup>st</sup> District - Enterprise Housing Corporation**

At the direction of the Chairman, the Secretary read this resolution to approve the review of a proposed affordable housing planned unit development in accordance with County Law. Enterprise Housing Corporation has submitted an application for approval of a 5.6 acre site on the east side of Rolling Road south of Johnnycake Road in the First Councilmanic District to be developed as an affordable senior housing planned unit development. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Bartenfelder, this Resolution was unanimously approved.

4. This resolution was withdrawn prior to the meeting.
5. **Res. 27-07 - Accept a gift from MD Masonic Homes for Department of Aging**

At the direction of the Chairman, the Secretary read this resolution to authorize the County to accept a gift for the use of Baltimore County Maryland. Arnold Eppel appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Olszewski, this Resolution was unanimously approved.

6. **Res. 28-07 - Property Tax Exemption - Melvin T. Boyd**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Melvin T. Boyd 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 Kamenetz, this Resolution was unanimously approved.

7. **Res. 29-07 - Property Tax Exemption - George Norman Anderson, Jr.**

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from George Norman Anderson, 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 Kamenetz, seconded by Councilman McIntire, this Resolution was unanimously approved.

8. **Res. 30-07 - Property Tax Exemption - Joseph J. Ploch**

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Joseph J. Ploch 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 McIntire, seconded by Councilman Oliver, this Resolution was unanimously approved.

9. **Res. 31-07 - Property Tax Exemption - Barbara E. Rasnake**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read this resolution to approve the refund of the certain real property taxes collected from Barbara E. Rasnake 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 Bartenfelder, this Resolution was unanimously approved.

**10. Res. 32-07 - Public Disclosure - Kristie Ann Makowiecki**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read this resolution concerning the public disclosure of Kristie Ann Makowiecki, an employee of the Baltimore County Police Department. Ms. Makowiecki has applied for a variance to construct an addition at her residence at 8126 Longpoint Road, Baltimore, Maryland 21221. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Bartenfelder, this Resolution was unanimously approved.

**11. Res. 33-07 - Comprehensive Zoning Map Process**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read this resolution adopting a policy concerning the receipt of campaign contributions and the scheduling of fundraising events during the Comprehensive Zoning Map Process. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman McIntire, this Resolution was unanimously approved.

There being no further business to come before the Council at this time, upon motion by Councilman McIntire, seconded by Councilman Oliver, the meeting adjourned at 4:25 P.M.

  
Thomas J. Peddicord, Jr.