

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2007, LEGISLATIVE DAY NO. 11
MAY 24, 2007 10:00 A.M.

A. The meeting was called to order by Chairman Pro Tem Bartenfelder at 10:00 A.M. Councilman Bartenfelder asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 200 persons in attendance and the following Councilmembers were present:

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

Councilman Moxley was absent the entire meeting.

B. PRESENTATION OF BUDGET

Councilman Bartenfelder read the Baltimore County Budget Message for Fiscal Year 2007-2008.

C. INTRODUCTION OF BILLS

BILL 47-07, entitled An Act for the purpose of altering the normal service retirement age for certain members of the Employees Retirement System; altering the normal service retirement allowance for certain members; altering the early retirement allowance for certain members; altering the disability retirement allowance for certain members; repealing obsolete language; enacting a deferred retirement option program for certain members; providing for the application of this Act; exempting certain former employees; providing for contingencies; and generally relating to the Employees Retirement System.

BILL 48-07, entitled An Act for the purpose of altering the allowance for service retirement for certain members of the Employees Retirement System; increasing the benefit accrual rate for certain members; establishing a deferred retirement option program for certain members; amending the deferred retirement option program for certain members; defining certain terms; providing for the application of this Act; providing for a contingency; and generally relating to the Employees Retirement System.

D. CALL OF BILLS FOR FINAL READING AND VOTE

BILL 39-07, The Annual Budget and Appropriation Ordinance, was called. Mr. Peddicord stated that the various appropriations shown on the annual budget and appropriation ordinance are amended by deletions and substitutions as shown on said ordinance.

Therefore, Bill 39-07, as amended, passed by the following roll call vote:

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

BILL 40-07, Property Tax Rate, was called. There being no discussion, this bill passed by the following roll call vote:

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

BILL 41-07, Personnel Law of Baltimore County, was called. Councilman Olszewski moved to amend this Bill with the following amendments:

On page 1, in the first function paragraph, after “Schedules”, insert “I”.

On page 2, after the third function paragraph, insert
“BY repealing and reenacting with amendments
Compensation Plan Rules and Regulations, Section IV
Regulation 10.01A
Regulation 10.02 A
Regulation 11.01
Regulation 11.03”

On page 3, in line 2, after “Schedules”, insert “I”.

On or before page 4, insert:

**BALTIMORE COUNTY GOVERNMENT
PAY SCHEDULE I
STANDARD GRADES**

**Baltimore County Federation of Public Employees
Effective July 1, 2007**

GRADE	BASE ANNUAL RATES (In Dollars)					LONGEVITY ANNUAL RATES (In Dollars)					
	MINIMUM	1ST STEP	2ND STEP	3RD STEP	4TH STEP	MAXIMUM	10 YEARS	15 YEARS	19/20 YEARS	*25 YEARS	29/30 YEARS
1	16,265	16,763	17,293	17,726	18,264	18,807	19,354	19,899	20,439	21,090	21,741
2	16,763	17,293	17,726	18,264	18,807	19,354	19,899	20,439	21,090	21,741	22,394
3	17,293	17,726	18,264	18,807	19,354	19,899	20,439	21,090	21,741	22,394	23,099
4	17,726	18,264	18,807	19,354	19,899	20,439	21,090	21,741	22,394	23,099	23,819
5	18,264	18,807	19,354	19,899	20,439	21,090	21,741	22,394	23,099	23,819	24,698
6	18,807	19,354	19,899	20,439	21,090	21,741	22,394	23,099	23,819	24,698	25,758
7	19,354	19,899	20,439	21,090	21,741	22,394	23,099	23,819	24,698	25,758	26,884
8	19,899	20,439	21,090	21,741	22,394	23,099	23,819	24,698	25,758	26,884	28,080
9	20,439	21,090	21,741	22,394	23,099	23,819	24,698	25,758	26,884	28,080	29,279
10	21,090	21,741	22,394	23,099	23,819	24,698	25,758	26,884	28,080	29,279	30,649
11	21,741	22,394	23,099	23,819	24,698	25,758	26,884	28,080	29,279	30,649	32,169
12	22,394	23,099	23,819	24,698	25,758	26,884	28,080	29,279	30,649	32,169	33,682
13	23,099	23,819	24,698	25,758	26,884	28,080	29,279	30,649	32,169	33,682	35,275
14	23,819	24,698	25,758	26,884	28,080	29,279	30,649	32,169	33,682	35,275	37,007
15	24,698	25,758	26,884	28,080	29,279	30,649	32,169	33,682	35,275	37,007	38,889
16	25,758	26,884	28,080	29,279	30,649	32,169	33,682	35,275	37,007	38,889	40,830

*Employees occupying the classes of Correctional Officer (40 Hours), Correctional Dietary Officer (40 Hours), Correctional Classification Officer (40 Hours), Correctional Corporal (40 Hours), Correctional Sergeant (40 Hours), Correctional Dietitian (40 Hours), and Correctional Lieutenant (40 Hours), will receive a longevity step upon the completion of 10, 15, 19, 25 and 30 years of service. All other Pay Schedule I employees will receive a longevity step upon the completion of 10, 15, 19, 25, and 29 years of service.

BALTIMORE COUNTY GOVERNMENT

PAY SCHEDULE I

STANDARD GRADES

Baltimore County Federation of Public Employees

Effective July 1, 2007

GRADE	BASE ANNUAL RATES (In Dollars)						LONGEVITY ANNUAL RATES (In Dollars)					
	MINIMUM	1ST STEP	2ND STEP	3RD STEP	4TH STEP	MAXIMUM	10 YEARS	15 YEARS	19/20 YEARS	25 YEARS	29/30 YEARS	
17	26,884	28,080	29,279	30,649	32,169	33,682	35,275	37,007	38,889	40,830	42,786	
18	28,080	29,279	30,649	32,169	33,682	35,275	37,007	38,889	40,830	42,786	44,735	
19	29,279	30,649	32,169	33,682	35,275	37,007	38,889	40,830	42,786	44,735	46,684	
20	30,649	32,169	33,682	35,275	37,007	38,889	40,830	42,786	44,735	46,684	48,851	
21	32,169	33,682	35,275	37,007	38,889	40,830	42,786	44,735	46,684	48,851	51,094	
22	33,682	35,275	37,007	38,889	40,830	42,786	44,735	46,684	48,851	51,094	53,406	
23	35,275	37,007	38,889	40,830	42,786	44,735	46,684	48,851	51,094	53,406	55,722	
24	37,007	38,889	40,830	42,786	44,735	46,684	48,851	51,094	53,406	55,722	58,032	
25	38,889	40,830	42,786	44,735	46,684	48,851	51,094	53,406	55,722	58,032	60,996	
26	40,830	42,786	44,735	46,684	48,851	51,094	53,406	55,722	58,032	60,996	64,099	
27	42,786	44,735	46,684	48,851	51,094	53,406	55,722	58,032	60,996	64,099	67,204	
28	44,735	46,684	48,851	51,094	53,406	55,722	58,032	60,996	64,099	67,204	70,527	
29	46,684	48,851	51,094	53,406	55,722	58,032	60,996	64,099	67,204	70,527	74,142	
30	48,851	51,094	53,406	55,722	58,032	60,996	64,099	67,204	70,527	74,142	77,756	
31	51,094	53,406	55,722	58,032	60,996	64,099	67,204	70,527	74,142	77,756	81,367	
32	53,406	55,722	58,032	60,996	64,099	67,204	70,527	74,142	77,756	81,367	85,261	
33	55,722	58,032	60,996	64,099	67,204	70,527	74,142	77,756	81,367	85,261	89,383	

*Employees occupying the classes of Correctional Officer (40 Hours), Correctional Dietary Officer (40 Hours), Correctional Classification Officer (40 Hours), Correctional Corporal (40 Hours), Correctional Sergeant (40 Hours), Correctional Sergeant (40 Hours), and Correctional Lieutenant (40 Hours), will receive a longevity step upon the completion of 10, 25 and 30 years of service. All other Pay Schedule I employees will receive a longevity step upon the completion of 10, 25, and 29 years of service.

On Page 16, in line 9, insert:			
“1.128	Public Information Specialist	[25]	26
1.136	Safety Officer	[25]	26
1.137	Training and Emergency Operations Coordinator	[27]	28”;
after line 16, insert:			
“2.105	Planner I	[24]	25
2.106	Planner II	[27]	28”;
after line 18, insert:			
“2.110	Landscape Architect	[31]	32”;
after line 22, insert:			
“2.314	Appraiser	[23]	25
2.320	Review Appraiser	[27]	28”;
after line 23, insert:			
“2.322	Senior Review Appraiser	[29]	30
2.323	Real Estate Specialist I	[23]	25
2.324	Real Estate Specialist II	[27]	28
2.325	Real Estate Specialist III	[29]	30”;
after line 29, insert:			
“3.118	Accountant I	[23]	25
3.119	Accountant II	[27]	28”;
and after line 34, insert:			
“3.355	Applications Programmer	[25]	26
3.356	Programmer Analyst I	[27]	28
3.357	Programmer Analyst II	[30]	31
3.358	Programmer Analyst III	[32]	33”.
On page 17, after line 4, insert:			
“3.505	Financial Operations Supervisor I	[23]	25
3.506	Financial Operations Supervisor II	[27]	28”;
after line 6, insert			
“4.110	Public Health Educator I	[26]	27
4.115	Public Health Investigator I	[23]	25
4.116	Public Health Investigator II	[27]	28”;
after line 17, insert			
“4.244	Assistant Community Nutritionist	[19]	21
4.246	Community Nutritionist	[23]	25
4.247	Nutritionist I	[27]	28”;
after line 18, insert:			
“4.253	Audiologist	[27]	28
4.254	Speech-Language Pathologist	[27]	28”;
after line 19, insert:			
“4.311	Sanitarian I	[23]	25
4.312	Sanitarian II	[27]	28”;

after line 20, insert:			
“4.317	Natural Resource Specialist I (Options)	[23]	25
4.318	Natural Resource Specialist II (Options)	[27]	28”;
after line 21, insert			
“4.321	Hydrologist I	[27]	28”;
after line 24, insert:			
“4.401	Social Work Associate	[23]	24
4.405	Alcohol and Drug Counselor Trainee	[19]	20
4.406	Alcohol and Drug Counselor I	[21]	22
4.407	Alcohol and Drug Counselor II	[23]	24
4.408	Alcohol and Drug Counselor III	[27]	28
4.432	Social Worker I	[25]	26
4.433	Social Worker II	[29]	30
4.434	Social Worker III	[32]	33”
after line 28, insert			
“4.490	Human Services Program Specialist	[27]	28
4.496	Human Services Assistant	[19]	21
4.497	Human Services Associate	[23]	25”
after line 29, insert:			
“4.505	Senior Affairs Associate I	[23]	25
4.510	Senior Affairs Associate II	[27]	28”;
and after line 30, insert			
“5.101	P.A.L. Recreation Center Coordinator	[23]	25
5.113	Naturalist	[27]	28
5.115	Horticulturist	[27]	28”.
On page 18, after line 3, insert:			
“5.205	Recreation and Parks Maintenance Crew Chief (40 Hours)”;	[23]	24
after line 5, insert:			
“6.309	Fire Protection Engineer	[29]	30”;
after line 13, insert			
7.222	Staff Buyer	[27]	28
7.223	Associate Buyer	[21]	22”;
after line 25, insert			
“9.105	Utilities Crew Chief (40 Hours)	[23]	24
9.106	Pumping Station Crew Chief (40 Hours)	[25]	26
9.107	Pollution Control Analyst I (40 Hours)	[23]	25
9.108	Pollution Control Analyst II (40 Hours) (Options)	[27]	28”;
after line 31, insert			
“9.207	Landfill Crew Chief (40 Hours)	[23]	24”;
and after line 32, insert:			
“9.214	Solid Waste Crew Chief (40 Hours)	[23]	24”.

On page 19, after line 2, insert:

“9.307	Highways Crew Chief (40 Hours)	[23]	24”;
	after line 5, insert:		
“10.105	Correctional Dietary Officer (40 Hours)	[23]	25
10.106	Correctional Dietary Sergeant (40 Hours)	[26]	28”;
	after line 6, insert:		
10.108	Correctional Classification Officer (40 Hours)	[24]	26”;
	after line 7, insert		
“10.113	Correctional Maintenance Crew Chief (40 Hours)	[25]	26
10.114	Correctional Officer (40 Hours)	[23]	25
10.115	Correctional Sergeant (40 Hours)	[26]	28
10.116	Correctional Lieutenant (40 Hours)	[28]	30;
	after line 8, insert:		
“10.119	Correctional Corporal (40 Hours)	[24]	26”;
	after line 10, insert:		
“10.326	Traffic Road Marking Crew Chief (40 Hours)	[23]	24”;
	after line 11, insert:		
“10.339	Traffic Signal Construction Crew Chief (40 Hours)	[23]	24”;
	after line 12, insert:		
“10.349	Traffic Signal Maintenance Crew Chief (40 Hours)	[25]	26”;
	and after line 27, insert:		
“10.503	Statistical Analyst	[27]	28
10.510	Background Investigator	[25]	26
10.512	Document Examiner	[27]	28
10.513	Firearms and Tool Mark Examiner	[27]	28
10.514	Forensic Chemist II	[30]	31”.

On page 20, after line 4, insert:

“10.530	Forensic Chemist I	[25]	26
10.531	Forensic Analyst (40 Hours)	[27]	28
10.532	Computer Forensics Examiner	[27]	28
10.533	Latent Print Examiner II	[27]	28
10.538	Forensic Services Technician II (40 Hours)	[27]	28
10.539	Helicopter Pilot (40 Hours)	[27]	28
10.542	Forensic Services Technician I (40 Hours)	[23]	25”;
	after line 5, insert:		
“10.546	Statistical Supervisor	[31]	32”;
	after line 6, insert:		
“10.548	Forensic Biologist I	[25]	26
10.549	Forensic Biologist II	[28]	29”;

1. NOTWITHSTANDING THE ABOVE PROVISION, EFFECTIVE JULY 1, 2007, PAY SCHEDULE I EMPLOYEES SHALL ALSO RECEIVE PAYMENT FOR SUBSTITUTING IN A HIGHER CLASS WHEN THE POSITION IS VACANT BECAUSE OF COUNTY MANDATED TRAINING.

Regulation 11.01 Supplementary Salaries

All County Employees in the Classified Service shall receive additional compensation as listed below:

A. PAY SCHEDULE I: EMPLOYEES SHALL RECEIVE SUPPLEMENTAL PAY AS STIPULATED IN THE MEMORANDUM OF UNDERSTANDING IN EFFECT BETWEEN THE ADMINISTRATION AND THE FEDERATION OF PUBLIC EMPLOYEES.

[A] B. Pay Schedule II: Employees shall receive supplemental pay as stipulated in the Memorandum of Understanding in effect between the Administration and the American Federation of State, County, and Municipal Employees.

[B] C. Pay Schedule IV or V: Members of the Police and Fire Departments assigned to the units as shown in the supplementary pay schedules shall receive additional compensation as listed in those schedules.

[C] D. Under this regulation, supplementary pay shall be received only during assignment to the specific unit. Transfer or removal from the unit shall immediately cancel the supplement.

Regulation 11.03 Field Training Officer

1. Employees in the Police Department serving as the Field Training Officers shall receive supplementary compensation of one dollar fifty cents (\$1.50) per hour while serving in that capacity.

2. Deputy Sheriffs First Class serving as Field Training Officers shall receive supplementary compensation of one dollar fifty cents (\$1.50) per hour while serving in that capacity.

3. Correctional Officers (40 Hours) serving as Field Training Officers shall receive supplementary compensation of one dollar (\$1.00) per hour while serving in that capacity.

4. EMPLOYEES OCCUPYING THE CLASS OF EMERGENCY COMMUNICATIONS TECHNICIAN I (40 HOURS) AND SERVING AS A TRAINER, SHALL RECEIVE SUPPLEMENTARY COMPENSATION OF ONE-DOLLAR (\$1.00) PER HOUR WHILE SERVING IN THAT CAPACITY.”

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

Aye - Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski

Nay - None

Absent - Moxley

Thereafter, upon motion by Councilman Kamenetz, seconded by Councilman Olszewski, Bill 41-07, as amended, passed by the following roll call vote:

Aye - Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski

Nay - None

Absent - Moxley

BILL 42-07, Employees Retirement System, was called. Councilman Olszewski moved to amend this Bill with the following amendments:

On page 1, in the title, strike "System" and substitute "System - Future County Employees"; beginning in the fourth line of the purpose paragraph, strike "requiring certain new employees to meet certain requirements before joining the Employees Retirement System; requiring certain employees to submit information to the Medical Board and the Board of Trustees; establishing deferred retirement option programs for certain members; authorizing the Board of Trustees to deny disability benefits under certain circumstances;" beginning on the eleventh line, strike "increasing the benefit accrual rate for certain members; altering the minimum years of service required of certain members for ordinary disability retirement; establishing certain authority and requirements for providing alternative employment for a member who has filed for ordinary disability benefits; requiring an employee to be in service a minimum number of days over a minimum period of time in order to qualify for ordinary disability retirement; excluding the use of "sick leave bank" time, its equivalent or other extraordinary leave time from a certain calculation; requiring the Board of Trustees to make certain determinations; altering the allowance on ordinary disability for certain members;"; in the penultimate line, strike "defining a certain term;" and in the last line, after "Act;" insert "clarifying certain law; repealing a certain provision;"

On page 2, in the second function paragraph, strike "Sections 5-1-203(9), 5-1-203.1, 5-1-203.2, 5-1-304, and 5-1-305" and substitute "Section 5-1-203(9)"; in the third function paragraph, strike "5-1-212(a),"; strike "5-1-215" and substitute "5-1-215(a) and (b)"; strike "5-1-216(c),5-1-217(b), 5-1-218(b), 5-1-219(b),"; strike "5-1-223,"; strike "5-1-302(a)(6) and (i)"; and strike "5-1-303(a)(6) and (i)" and substitute "5-1-259"; in line 2, strike "Sections 5-1-203(9), 5-1-203.1, 5-1-203.2, 5-1-304, and 5-1-305 are" and substitute "Section 5-1-203(9) is".

On page 2, before line 1, insert
"BY repealing

Section 5-1-105
Article 5. Pensions and Retirement
Baltimore County Code 2003"

On page 3, in line 9, strike "CREDITABLE" and substitute "MEMBERSHIP"; also strike from page 3, line 10, through page 16, line 3 in their entirety.

On page 16, in line 5, strike "5-1-212(a),"; in line 6, strike "5-1-215" and substitute "5-1-216(a) and (b)"; also in line 6, strike "5-1-216(c),5-1-217(b), 5-1-218(b), 5-1-219(b)," and "5-1-223,"; in line 7, strike "5-1-302(a)(6) and (i), and 5-1-303(a)(6) and (i)" and substitute "and 5-1-259".

On page 17, strike from line 10 through page 18, line 11 in their entirety.

On page 18, strike the brackets on lines 13 and 14; also in line 13, strike "2007"; starting on line 14, strike "SIXTY-FIVE (65) AND COMPLETION OF NOT LESS THAN FIVE (5) YEARS CREDITABLE SERVICE"; starting on line 18, strike "A MEMBER WHO HAS REACHED AGE SIXTY (60) THROUGH SIXTY-FIVE (65) ON OR BEFORE JUNE 30, 2007 MAY BE DEEMED TO HAVE REACHED NORMAL SERVICE RETIREMENT AGE IF THE MEMBER ALSO HAS COMPLETED FIVE (5) YEARS OR MORE OF CREDITABLE SERVICE."

On page 19, in line 5, after "OF", insert "CREDITABLE"; also on page 19, in line 19, strike the brackets and starting in line 19, strike "IN PARAGRAPH (1) OF THIS SUBSECTION".

On page 21, in line 10, strike the brackets and strike "FIVE-TWENTY-FOURTHS (5/24)".

On page 22, on lines 7, 10, 11, 13 and 14, place brackets around each reference to "and future"; on line 14, after "members", insert "FULL-TIME"; also on line 14, strike "schedule II" and substitute "SCHEDULES II, VI, XI, XII, AND XIII"; after line 20, insert:

"(b) In order to fund the increase in benefits resulting from the shortening of the average final compensation period from three (3) years to twelve (12) months, all members who are listed in subsection (a)(1) of this section shall pay, in addition to their normal contribution, an annual level percentage contribution as determined by the Board of Trustees. The additional contribution will be adjusted annually based upon the actuary's advice and taking into account the benefits paid (costs of additional marginal benefits of retirees), the contributions made by active members, and the assets needed to fund the benefits over time." beginning on line 21, strike through page 28, line 18 in their entirety.

On page 28, in line 20, strike "(A)".

On page 29, starting in line 1, strike “AND WHO IS OTHERWISE ELIGIBLE TO PARTICIPATE IN THE DISABILITY RETIREMENT PROVISIONS OF THIS TITLE,” starting in line 8, strike through line 7 on page 31 in their entirety.

On page 31, in lines 9, 11, 13, and 15, strike “(1)”, “(2)”, “(I)”, and “(II)” and in lines 13, 15, 16, and 18, strike the brackets.

On page 32, starting in line 2, strike “ONE-FORTIETH (1/40) OF THE MEMBER’S AVERAGE FINAL COMPENSATION MULTIPLIED BY THE NUMBER OF YEARS OF THE MEMBER’S CREDITABLE SERVICE NOT IN EXCESS OF TWENTY (20) AND”; in lines 6 and 8, strike the brackets; in line 6, strike “TWENTY (20)”; in lines 9 and 13, respectively, strike “(3)” and “(4)”, respectively; and in line 15, strike “(I)”.

On page 33, strike lines 19 through 21 in their entirety.

On page 34, strike lines 4 through 13 in their entirety.

On page 36, strike from 10 through page 37, line 6 in their entirety.

On page 38, strike from line 4 through line 7 in their entirety and substitute:
“§ 5-1-259. AMENDMENTS.

The county shall from time to time amend this subtitle in such manner as may be found to be advisable to meet changed conditions or, as in the light of experience, may be considered necessary. [No proposed amendments shall be finally approved until these shall have been presented at a meeting of the county at least thirty (30) days prior to the date on which final action is taken, and no amendment shall reduce the accrued benefit of any member which has been covered by a reserve held in the System, without the consent of the member thereto.]

SECTION 4. AND BE IT FURTHER ENACTED, that Section 5-1-105 of Article 5. Pensions and Retirement, Baltimore County Code 2003 be and it is hereby repealed.”

SECTION 5. AND BE IT FURTHER ENACTED, that this Act does not apply to members of the Employees Retirement System on Pay Schedule II of the Classification and Compensation Plan.”

On page 38, in lines 9 and 15, strike “5” and “6” and substitute “6” and “7”, respectively; in line 16, strike “July 1” and substitute “June 6”

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

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


Thereafter, upon motion by Councilman McIntire, seconded by Councilman Olszewski, Bill 41-07, as amended, passed by the following roll call vote:

_____ Aye - Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski

Nay - None

Absent - Moxley

There being no further business to come before the Council at this time, upon motion by Councilman Olszewski, seconded by Councilman Oliver, the meeting adjourned at 10:30 A.M.


Thomas J. Peddicord, Jr.