

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2008, LEGISLATIVE DAY NO. 17
October 6, 2008 7:00 P.M.

A. The meeting was called to order by Chairman Kamenetz 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. 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 McIntire, seconded by Councilman Moxley, the reading of the Journal Entries for the meeting of September 15, 2008 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

At this time, there are no Bills to be enrolled.

D. INTRODUCTION OF BILLS

BILL 103-08, entitled An Act for the purpose of amending the 2008-2009 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 Natural Resources (DNR).

BILL 104-08, entitled An Act for the purpose of amending the 2008-2009 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 National Fish and Wildlife Foundation, Inc., for Urban Tree Planting II (Growing Home Campaign).

BILL 105-08, entitled An Act for the purpose of amending the 2008-2009 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 United States Department of Justice.

BILL 106-08, entitled An Act for the purpose of amending the County's sign regulations to further regulate changeable copy signs; providing definitions; permitting changeable copy signs in certain locations and under certain conditions and subject to certain restrictions; prohibiting certain signs; and generally relating to the regulation of changeable copy signs.

BILL 107-08, entitled An Act for the purpose of authorizing the County to release a County easement interest in privately owned property under certain conditions; requiring notice; and generally relating to the exchange of County and private easements.

BILL 108-08, entitled An Act for the purpose of imposing certain requirements, limitations, and restrictions on wireless telecommunications towers that are located in the R.C. Zones of the County; and generally relating to wireless telecommunications towers.

BILL 109-08, entitled An Act for the purpose of establishing a real property tax credit for certain disabled law enforcement officers or correctional officers or rescue workers in accordance with state law; defining terms; providing the amount and duration of the property tax credit; providing the application procedure to receive the property tax credit; authorizing the office of budget and finance to adopt regulations to implement the property tax credit; expanding the tax credit program for fallen law enforcement officers or rescue workers to include correctional officers; and generally relating to a property tax credit for certain disabled personnel and for surviving spouses of fallen law enforcement or correctional officers or rescue workers.

BILL 110-08, entitled An Act for the purpose of limiting the amount of impervious surfaces permitted in a nonresidential development in certain RC Zones; providing exceptions; and generally relating to development in RC Zones.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 97-08, CEB - MD Senior Rides Program, was called. Arnold Eppel appeared. Councilman Moxley moved to amend this Bill with the following amendment:

1. On page 1, in the last line of the purpose paragraph, after "Transportation", insert "and County matching funds and other fares and fees collected by the Baltimore County Department of Aging".
2. On page 2, in line 6, after "Aging", insert "and County matching funds and other fares and fees collected by the Baltimore County Department of Aging".

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

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

There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Oliver, Bill 97-08, as amended, passed by the following roll call vote:

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

Bill 98-08, CEB - Community Access Ramp Program, was called. Arnold Eppel remained. 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 99-08, Basic Services Maps, was called. 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 100-08, Franchise, was called. Amy Grossi appeared. Councilman Gardina questioned Ms. Grossi. 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

Bill 101-08, Zoning Regulations - Signs, was called. Mr. Peddicord commented. Councilman McIntire moved to amend this Bill with the following amendment:

On page 2, strike the brackets in lines 6 and 7, and in line 8, after "PROHIBITED", insert "IF IT DISPLAYS A MESSAGE IN CHANGEABLE COPY FORMAT"

This amendment failed due to a lack of second. Councilman McIntire then withdrew the Bill.

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 September 29, 2008. 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 Kamenetz then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 10.

1. Amendment to Contract - Aging - Meals on Wheels of Central MD - Home Delivered Meals to Elderly

An amendment to the contract of sale with Meals on Wheels of Central Maryland, Inc., to provide home delivered meals to eligible ill, frail or disabled elderly Baltimore County residents.

2. Memo of Understanding - Dept. of Corrections - Bd. of Trustees of CCBC - Detention Center - Adult Literacy

A memorandum of understanding with The Board of Trustees of the Community College of Baltimore County, on behalf of the Baltimore County Detention Center, to provide adult literacy and career advisement services to the inmates in the Baltimore County Detention Center.

3. Amendment to Lease - Law Office - Severstal Sparrows Point LLC - 800 MHz Public Safety Tower

An amendment to the lease agreement with Severstal Sparrows Point, LLC, for the proposed new 800 MHz public safety radio tower to be constructed on the site we currently lease in Sparrows Point, Maryland, which is currently used by the Baltimore County Fire Department, the Department of Public Works and by the Department of Recreation and Parks.

4. Contract - Land Acquisition - Emmer Crossing, LLC - Easements for Dolfield Avenue Bridge

A contract with Emmer Crossing, LLC, to acquire necessary easements in connection with the construction of the Dolfield Avenue bridge, located on Dolfield Boulevard, Owings Mills, Maryland 21117.

5. Contract - Land Acquisition - Hannover Gardens, LLC - Easements for Dolfield Avenue Bridge

A contract with Hannover Gardens, LLC, to acquire necessary easements in connection with the construction of the Dolfield Avenue bridge, located on Dolfield Boulevard, Owings Mills, Maryland 21117.

6. Contract - Land Acquisition - William Robert Strauss - Widening of Lyons Mill Road

A contract with William Robert Strauss, to acquire a parcel of land, located at 9818 Lyons Mill Road, Owings Mills, Maryland 21117, for the widening of Lyons Mill Road.

7. Contract - Land Acquisition - Catherine Janet Strauss & William Robert Strauss - Widening of Lyons Mill Road

A contract with Catherine Janet Strauss & William Robert Strauss, to acquire a parcel of land, located at 9820 Lyons Mill Road, Owings Mills, Maryland 21117, for the widening of Lyons Mill Road.

8. Contract - Land Acquisition - Merritt-HZI, LLC - Addition of Hazelwood Park

A contract with Merritt-HZI, LLC, to obtain the property at 4924 Hazelwood Avenue, Baltimore, Maryland 21206, for an addition to Hazelwood Park.

9. BAT 09-04C - Public Works - Herbert Run Interceptor Sewer - Phase II Project

A budget appropriation transfer for the department of Public Works is being requested for the Herbert Run Interceptor Sewer Phase II Project, which consists of the construction of 5,624 feet of 42-inch sewer along Herbert Run, from Southwestern Boulevard to Patapsco River.

10. Contract - United Way of Central Maryland, Inc. - web based on-line pledging - United Way Campaign

A contract with United Way of Central Maryland, Inc., to provide web based on-line electronic pledging for Baltimore County's United Way Campaign, which will serve approximately 8,000 employees per year.

There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley, Fiscal Matters 1 through 10 passed by the following roll call vote:

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

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 2008.

2. Res. 73-08 - Approve Review of PUD - MacKenzie Investment Group, LLC - The Preserve at Windlass Run

_____ 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. There being no further discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Moxley, this Resolution was unanimously approved.

3. Res. 74-08 - Accept donation from Gwynns Falls Watershed Association & Villa Nova

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. Gwynns Falls Watershed Association and the Villa Nova Community Association are donating the purchase and planting of 55 trees and shrubs to be planted in Villa Nova Park. Bob Barrett appeared. There being no further discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Moxley, this Resolution was unanimously approved.

4. Res. 75-08 - Metropolitan District Ext. 158 - Pleasant Hill Road - Owings Mills

At the direction of the Chairman, the Secretary read this resolution concerning the extension of the Metropolitan District Boundaries to include 1.266 acres of land on the west side of Pleasant Hill Road for the purpose of providing public water and sewer services. Dave Thomas appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley, this Resolution was unanimously approved.

5. Res. 76-08 - Metropolitan District Ext. 160 - Beth El Congregation- Liberty Road

At the direction of the Chairman, the Secretary read this resolution concerning the extension of the Metropolitan District Boundaries to include 13.685 acres of land on the southwest side of Liberty Road for the purpose of providing public water and sewer services. Dave Thomas remained. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley, this Resolution was unanimously approved.

6. Reappointments - (5) Design Review Panel

_____ At the direction of the Chairman, the Secretary read this correspondence from the County Executive requesting Betsy Boykin, Donald R. Kann, Christopher Parts, Thomas H. Repsher and Scott Rykiel for reappointment to the Baltimore County Design Review Panel. There being no discussion, upon motion by Councilman Moxley seconded by Councilman Oliver, these reappointments were unanimously approved

7. Res. 77-08 - Property Tax Exemption -DAV - Melody L. Barbour

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Melody L. Barbour 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.

8. Res. 78-08 - Property Tax Exemption -DAV - Floyd M. McCargo

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Floyd M. McCargo 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 Olszewski, seconded by Councilman Moxley, this Resolution was unanimously approved.

9. Appointment - Dr. Gregory W. Branch - Health Officer

_____ At the direction of the Chairman, the Secretary read this correspondence from the County Executive requesting Dr. Gregory W. Branch for appointment, by the Secretary of the State Department of Health and Mental Hygiene, as County Health Officer. Councilman Kamenetz commented. There being further no discussion, upon motion by Councilman Moxley seconded by Councilman Oliver, this appointment was unanimously approved

10. Res. 79-08 - Accept gift from Air National Guard - Design Services - Lynbrook Road Improvements

_____ At the direction of the Chairman, the Secretary read this resolution to authorize the County to accept a gift of design services from the National Guard Bureau/Air National Guard, for the construction of improvements to Lynbrook Road from Eastern Boulevard to the boundary of the Air National Guard base at 2701 Eastern Boulevard, including construction to be performed by the County. Ed Adams appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Olszewski, this Resolution was unanimously approved.

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


Thomas J. Peddicord, Jr.

