

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2009, LEGISLATIVE DAY NO. 06
March 16, 2009 7:00 P.M.

A. The meeting was called to order by Chairman Bartenfelder 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 Scout Troop 102 - Towson United Methodist Church. There were approximately 15 persons in attendance and the following Councilmembers were present:

S.G. SAMUEL MOXLEY	FIRST DISTRICT
KENNETH N. OLIVER	FOURTH DISTRICT
VINCENT J. GARDINA	FIFTH DISTRICT
JOSEPH BARTENFELDER	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

Councilmembers Kamenetz and McIntire were absent the entire meeting.

B. APPROVAL OF JOURNAL

Upon motion by Councilman Moxley, seconded by Councilman Oliver, the reading of the Journal Entries for the meeting of March 2, 2009 was waived and accepted unanimously by the five Councilmembers present.

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 7-09, 8-09, 9-09 and 10-09.

D. INTRODUCTION OF BILLS

BILL 18-09, 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 Vehicle Theft Prevention Council.

BILL 19-09, 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 Maryland Emergency Management Agency.

BILL 20-09, 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 U.S. Department of Housing and Urban Development (HUD).

BILL 21-09, entitled An Act for the purpose of amending the definition of a commercial building for purposes of the High Performance Building Tax Credit; specifying the standards to be used for approval of a high performance building tax credit if a revitalization property tax credit is previously granted; providing for the application date for the credit; and generally relating to the High Performance Building Tax Credit.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 11-09, CEB - Emergency and Transitional Housing (ETHS), was called. Mary Harvey appeared. There being no discussion, this bill was passed by the following roll call vote:

Aye - Moxley, Oliver, Gardina, Bartenfelder, Olszewski

Nay - None

_____ Absent - Kamenetz, McIntire

Bill 12-09, HUD - Veterans Affairs Supportive Housing Program, was called. Timothy Griffith appeared. There being no discussion, this bill was passed by the following roll call vote:

Aye - Moxley, Oliver, Gardina, Bartenfelder, Olszewski

Nay - None

_____ Absent - Kamenetz, McIntire

Bill 13-09, This Bill was withdrawn prior to the meeting.

Bill 14-09, This Bill was withdrawn prior to the meeting

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 10, 2009. 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 Bartenfelder then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 5 and 7. Fiscal Matter 6 was withdrawn prior to the meeting.

1. Contract - Wallace, Montgomery & Associates - On-call Floodplain/Watershed Study Services

A contract with Wallace, Montgomery & Associates, to perform various types of on-call floodplain/watershed study services. The studies will include review of existing studies and when necessary providing hydrology and hydraulic calculations countywide to be used for bridge and culvert designs.

2. Addendum Contract - Rubeling & Associates, Inc. - Architectural Services

An addendum to the contract with Rubeling & Associates, Inc., to make additional funding available for new anticipated tasks for the number of projects they are providing architectural services.

3. Contracts - (2) Snow Removal and Deicing Services

Two contracts with Adams Landscaping, Inc. and Paving and Contracting, Etc., Inc., for snow removal and deicing services. The Department of Public Works, Bureau of Highways has planned routes to be covered by contract trucks, that will handle all roads with traffic volumes of 10,000 vehicles per day or greater; therefore, allowing Public Works' forces to move into the subdivision streets more quickly.

4. Contract - Personal Touch Home Aides of Baltimore, Inc. - 24 Hour On-call Nursing Services

A contract with Personal Touch Home Aides of Baltimore, Inc., to provide 24 hour on-call nursing services through the home health services program for County residents in the home for treatment of illness or injury. The proposed contract will provide this coverage through telephone triage and emergency nursing visits during County holidays, weekends and evening hours when the program is closed.

5. Contract of Sale - John & Jeannette Bensel - Road Improvements to Kenwood Avenue

A contract of sale with John and Jeanette Bensel, to purchase property located at 5105 Kenwood Avenue, Baltimore, Maryland 21206, for road improvements to Kenwood Avenue.

6. Contract of Sale - John & Jeannette Bensel - Road Improvements to Kenwood Avenue

This matter was withdrawn prior to the meeting.

7. Contracts of Sale - (13) - Widening of Oakdale Avenue in Catonsville

13 contracts of sales for the widening on Oakdale Avenue, in the Catonsville area of Baltimore County.

_____There being no discussion, upon motion by Councilman Moxley seconded by Councilman Oliver, Fiscal Matters 1 through 5 and 7 were unanimously approved by the five Councilmembers present.

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 February 2009.

2. Res. 16-09 - Revenue Bond Description - Garrison Forest School

At the direction of the Chairman, the Secretary read this resolution supplementing and amending Council Resolution No. 70-06, which authorized and provided for the issuance by Baltimore County, Maryland of its limited obligation Variable Rate Economic Development Revenue Bonds (Garrison Forest School, Incorporated Project), Series 2006 (the "Series 2006 Bonds") in the aggregate principal amount of \$17,000,000, the lending of proceeds thereof to Garrison Forest School, Incorporated (the Facility Applicant"), and the use of the proceeds thereof, all pursuant to the Maryland Economic Development Revenue Bond Act, in order to provide that a portion of the proceeds of the Series 2006 Bonds may be applied to pay costs relating to a new roof for the Facility Applicant's Campus Center located on the Facility Applicant's campus at 300 Garrison Forest Road, Owings Mills, Maryland, and for related purposes. David Iannucci appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this resolution was unanimously approved by the five Councilmembers present.

3. Res. 17-09 - Revenue Bond - Pine Grove United Methodist Church Nursery and Daycare Center

At the direction of the Chairman, the Secretary read this resolution authorizing and providing for the issuance and sale by Baltimore County, Maryland, pursuant to the Maryland Economic Development Revenue Bond Act (the "Act"), as its limited obligations and not upon its faith and credit or pledge of its taxing power, of one or more series of its bonds (as defined in the Act) in an amount not to exceed \$2,000,000 for the purpose of financing and refinancing a portion of the costs of the acquisition and improvement (as defined in Act) by Pine Grove United Methodist Church, Rayville Nursery & Day Care, Inc., a nonprofit Maryland corporation (the "Facility Applicant"), of a certain facility (as defined in the Act), such facility and the acquisition and improvement thereof to consist of and include: (a) the acquisition and construction of improvements to the land and existing facilities located on the land, (b) the construction of a new building containing approximately 10,000 square feet located on such land to be used as a nursery school and day care facility; (c) the acquisition and installation of certain necessary or useful furnishings, fixtures, equipment and machinery; (d) the acquisition of such interests in land as may be necessary or suitable for the foregoing, including roads, parking facilities and rights of access, utilities, landscaping and other site preparation facilities; and (e) costs of issuance of such bonds, working capital, interest rate protection agreements, capitalized interest and a debt service reserve, if necessary and as permitted by the Act; such facility to be used by the Facility Applicant in connection with its operation of a nursery and daycare project; reserving in Baltimore County, Maryland certain rights concerning the issuance of such bonds; generally describing the public purposes to be served and the financing transaction to be accomplished; specifying the maximum aggregate principal amount of such bonds that may be issued; authorizing the County Executive to specify, prescribe, determine, provide for or approve certain matters, details, forms, documents or procedures appropriate to the authorization, sale, security, issuance, delivery, or payment of or for such bonds; and specifying and describing various matters in connection therewith, as required or permitted by Act. David Iannucci remained. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this resolution was unanimously approved by the five Councilmembers present.

4. Res. 18-09 - Conditional Loan/Grant - T. Rowe Price Project - Owings Mills

At the direction of the Chairman, the Secretary read this resolution in support of a loan in an amount up to \$1,000,000 from the Department of Business and Economic Development (“Department”) to T. Rowe Price Group, Inc. (the “Loan”) pursuant to the Maryland Economic Development Assistance Fund, Sections 5-301 through 5-349 of the Economic Development Article of the Annotated Code of Maryland. David Iannucci remained. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this resolution passed by the following roll call vote:

Aye - Moxley, Oliver, Gardina, Olszewski

Nay - None

_____ Absent - Kamenetz, McIntire

Abstain - Bartenfelder

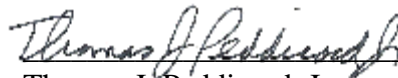
5. Res. 19-09 - Public Disclosure - Keith Kelly

At the direction of the Chairman, the Secretary read this resolution concerning the public disclosure of Keith Kelly, an employee of the Baltimore County Department of Environmental Protection and Resource Management who applied for a zoning variance to construct an attached garage to his residence at 951 Cromwell Bridge Road, Towson, Maryland 21286. There being no discussion, upon motion by Councilman Gardina, seconded by Councilman Moxley, this resolution was unanimously approved.

6. Approve Review of PUD - Associated Catholic Charities, Inc.

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Moxley, seconded by Councilman Oliver the meeting adjourned at 7:15 P.M.


Thomas J. Peddicord, Jr.