

**BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2009, LEGISLATIVE DAY NO. 10
May 21, 2009 10:00 A.M.**

A. The meeting was called to order by Chairman Bartenfelder at 10:00 A.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 Moxley, seconded by Councilman Olszewski, the reading of the Journal Entries for the meeting of May 4, 2009 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chairman stated that the following bill was passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bill 22-09.

D. PRESENTATION OF BUDGET

Chairman Bartenfelder read the Baltimore County Budget Message for Fiscal Year 2009-2010.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 24-09, CEB - FFY08 HSGP CCP & FFY08 HSGP SHSP, was called. Mark Hubbard appeared. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 25-09, CEB - FFY07 HSGP UASI, was called. Lt. Mark Demski appeared. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 26-09, CEB - FFY07 HSGP UASI - Haz Mat Equipment, was called. Mark Hubbard appeared. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 27-09, CEB - FFY08 HSGP UASI, was called. Mark Hubbard remained. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 28-09, CEB - Housing Choice Voucher Program, was called. Timothy Griffith appeared. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 29-09, CEB - Workforce Investment Act, was called. Barry Williams appeared. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

The Chairman stated that the Council would now consider Bill 33-09.

Bill 33-09, CEB - Workforce Investment Act (Training Services), was called. Mr. Williams remained. appeared. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 30-09, Basic Services Maps, was called. Bill Korpman appeared. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 31-09, CEB - Philadelphia Road (MD 7) Safety/Functionality Test, was called. Bill Korpman remained. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 32-09, CEB - Neighborhood Conservation Initiative (NCI), was called. Mary Harvey appeared. There being no discussion, this bill passed by the following roll call vote:

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

Nay - None

Bill 34-09, Zoning Regulations - Farmstead Creamery, was called. Chris McCollum appeared. Councilman McIntire moved to amend this bill with the following amendments:

1. On page 1, in the second function paragraph and on page 6, in line 19, strike “and 253.1.A.18”; on page 7, strike lines 14 through 22, and strike lines 1 and 2 on page 8

2. On page 2, in line 8, after “ESTABLISHMENT”, insert “, THAT IS PART OF A COMMERCIAL DAIRY FARM,”

3. On page 2, in line 20 and on page 4, in line 12, strike “IN” and substitute “, BUSINESS OR USE IN OR NEAR”

4. On page 5, strike lines 20 through 22, and on page 6, strike lines 1 and 2 and substitute the following:

“A. THE MAJORITY OF THE MILK USED BY THE FARMSTEAD CREAMERY TO PRODUCE DAIRY PRODUCTS, ON AN ANNUAL BASIS, MUST BE PRODUCED ON THE PREMISES, ON ADJACENT LAND, OR ON PROPERTIES FARMED BY THE SAME AGRICULTURAL PRODUCER LOCATED WITHIN 25 MILES. A FARMSTEAD CREAMERY MAY NOT PROCESS MORE THAN 2,000 GALLONS OF RAW MILK PER DAY.

5. On page 6, in line 6, before “FARM”, insert “CONTIGUOUS”

6. On page 6, strike lines 14 and 15 and substitute the following:

“D. THIS SECTION IS NOT SUBJECT TO THE VARIANCE PROVISIONS OF SECTION 307.”

Mr. Peddicord then explained these amendments. Councilman Kamenetz seconded the motion and the amendments passed by the following roll call vote:

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

Nay - None

Abstain - Bartenfelder

Thereafter, upon motion by Councilman Kamenetz, seconded by Councilman McIntire, Bill 34-09, as amended, passed by the following roll call vote:

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

Nay - None

Abstain - Bartenfelder

Bill 35-09, The Annual Budget and Appropriation Ordinance, was called. Mr. Dorsey appeared. 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 35-09, as amended, passed by the following roll call vote:

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

Nay - None

Bill 36-09, Property Tax Rate, was called. Mr. Dorsey 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 37-09, Classification and Compensation Plans, was called. Terry Tacka appeared. Comments were made by Mr. Peddicord and Mr. Homan. Councilman Moxley then questioned Mr. Homan. Councilman Gardina then moved to amend this bill with the following amendments:

On page 1, in the first function paragraph, strike "I, I-C, "; on page 5, in the third line from the bottom, strike "I, I-C, "; and strike pages 6, 7, and 8 in their entirety.

Councilman Olszewski then 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 Moxley, seconded by Councilman Olszewski, Bill 37-09, as amended, passed by the following roll call vote:

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

Nay - None

Bill 38-09, Rental Housing License Program, was called. Comments were made by

Councilmembers McIntire, Gardina and Kamenetz. Councilman McIntire then moved to amend this bill with the following amendment:

On page 3, in line 7, strike “MARYLAND INVENTORY OF HISTORIC PROPERTIES” and substitute “COUNTY INVENTORY ESTABLISHED UNDER SECTION 32-7-301 OF THE CODE”

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

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

Thereafter, upon motion by Councilman Moxley, seconded by Councilman Kamenetz, Bill 38-09, as amended, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver
Nay - Gardina, Olszewski
Abstain - Bartenfelder

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 May 12, 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 and 2.

1. Contract Amendment - Rummel, Klepper & Kahl - On-call engineering services

A contract amendment to increase the total limit of the contract to provide on-call engineering services to perform studies, preliminary design, schematic design, construction documents and cost estimates, as needed.

2. Contract of Sale - Sterling Land Company - Recreation and Parks Purposes

A contract of sale to purchase property located at 100 Ashmere Road in Owings Mills for the purpose of providing additional land for recreation and parks purposes.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman

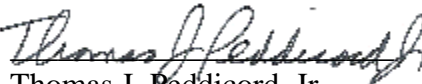
Olszewski, Fiscal Matters 1 and 2 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Res. 31-09 - Mr. Bartenfelder - Amendment to PUD Review - Iron Horse Properties, LLC

_____ 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 McIntire, the meeting adjourned at 10:45 A.M.


Thomas J. Peddicord, Jr.