

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2016, LEGISLATIVE DAY NO. 19
November 7, 2016 6:00 P.M.

A. The meeting was called to order by Chairwoman Almond at 6:04 P.M. The Chairwoman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag led by Cub Scout Troop #26 of St. Ursula's Roman Catholic Church. There were approximately 23 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES, JR.	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
TODD K. CRANDELL	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilwoman Bevins, seconded by Councilman Jones, the reading of the Journal Entries for the meeting of October 17, 2016 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chairwoman stated that the following Bills were passed by the County Council and signed by the County Executive. She certified and delivered to the Secretary, Bills 64-16, 67-16, 69-16 and 70-16. Bill 68-16 was vetoed by the County Executive.

D. INTRODUCTION OF BILLS

Bill 78-16, entitled An Act for the purpose of amending the 2016-2017 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 Health and Mental Hygiene.

Bill 79-16, entitled An Act for the purpose of amending the 2016-2017 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 Hilton Foundation BR-143.

Bill 80-16, entitled An Act for the purpose of amending the 2016-2017 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 Department of Labor, Licensing and Regulation.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 72-16, Auxiliary Police, was called. Councilmembers Crandell and Bevins commented. Councilman Crandell then moved to amend this Bill with the following amendments:

1. On page 1, in the short title, after "Police", insert "- Pilot Program"
2. On page 1, in the third line of the purpose paragraph, insert the following after the semicolon: "providing that this Act shall be implemented on a pilot program basis in certain areas of the County; providing for the expiration of the Act;"

3. On page 3, before line 1, insert the following:

“Section 2. AND BE IT FURTHER ENACTED, that this Act shall be implemented as a pilot program in the Sixth and Seventh Councilmanic Districts of the County.”

4. On page 3, in line 1, strike “2” and substitute “3”; in line 2, after “2016” insert “, and shall expire one year after the effective date of this Act, without the necessity of further action by the County Council”

Councilwoman Bevins seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Crandell, seconded by Councilwoman Bevins, Bill 72-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 73-16, Open Space was called. Councilmembers Quirk, Marks Kach and Jones commented. Councilman Quirk then moved to amend this Bill with the following amendments:

1. On page 3, in line 14, strike “AN OUTDOOR SPACE” and substitute “A FEATURE, EQUIPMENT, FACILITY, INSTALLATION, OR STRUCTURE”; in line 15, strike “ACTIVE” and substitute “OUTDOOR”; in line 17, after GARDEN,” insert “OR COMMUNITY PIER, AND INDOOR USES SUCH AS A POOL, TENNIS COURT, INDOOR PLAYING FIELD, GYM, EXERCISE TRACK, LOUNGE AREA, OR GAME ROOM.”; in line 17, strike “AND” and substitute “THE TERM ALSO INCLUDES”.
2. On page 4, in line 9, after “A PARCEL” insert “OR PARCELS”; in line 16, after DETACHED, insert “, SEMI-DETACHED AND DUPLEX”; in line 18, strike “OR”; in line 19, after “UNIT”, strike the semi-colon “;” and substitute a comma “,”; in line 20, strike “FOR THE PURPOSES OF THIS DEFINITION,” and substitute “WITH”; in line 21, strike “EQUALS” and substitute “EQUAL TO”; in line 21, after “UNIT” insert “; OR”; after line 21, insert “(V) HOUSING FOR THE ELDERLY UNIT.”.
3. On page 5, in line 8, after “OPEN SPACE PER”, insert “RESIDENTIAL”; in line 18, strike “STORM DRAIN”; in lines 22 and 23, strike “MAY BE SAFELY USED FOR PUBLIC”, and substitute “PROVIDES USABLE”
4. On page 6, in line 5, after “AND” insert “, IF PAYING A FEE, THE APPLICABLE”; in line 6, strike “OPEN SPACE AT” and substitute “AMENITY WITH”; in line 6, strike “DEVELOPMENT PLAN MEETING” and substitute “CONCEPT PLAN SUBMISSION”; in line 7, after “(3) (I)” insert “ANY PROPOSED”; in line 16, after “SHALL” insert “SUBMIT A FEE IN LIEU PROPOSAL AND”.
5. On page 7, in line 15, strike “ESTABLISH” and substitute “PROPOSE”; in line 16, after “SECTION” insert “TO THE COUNTY COUNCIL”.
6. On page 8, in line 5, strike “OR TOWNHOUSE” and substitute “DETACHED, SEMI-DETACHED, AND DUPLEX DWELLING AND SINGLE FAMILY ATTACHED DWELLING”; in line 11, after “PROJECTS” insert “NOT IN TIER 3”; in line 14, strike “INCLUDING” and substitute “AND”.
7. On page 9, in line 1, strike “COSTS” and substitute “COST”; strike “ALL” and substitute “ANY OUTDOOR”; strike “AMENITIES” and substitute “AMENITY”; after “ON-SITE, strike “AND” and substitute “OR”; in line 2, strike “70” and substitute “60”; strike “COSTS” and substitute “COST”; strike “ALL” and substitute “ANY OUTDOOR”; strike “AMENITIES” and substitute “AMENITY”; in line 3, strike “AND” and substitute “OR”; after “OFF-SITE.”, insert “THE FEE MAY NOT BE REDUCED FOR ANY INDOOR AMENITY PROVIDED ON-SITE OR OFF-SITE.”; in line 6, strike “ADOPTED” and substitute “ESTABLISHED”; in line 13, strike “UPON THE ISSUANCE OF A BUILDING PERMIT” and substitute “BEFORE THE RECORDATION OF THE RECORD PLAT”; in line 16, strike “(I)” and substitute “(J)”.

8. On page 10, after line 12, insert “(VI) AN ACCOUNTING OF THE REDUCTION OF THE FEE GRANTED UNDER THIS SECTION FOR ANY OUTDOOR PUBLIC OR PRIVATE AMENITY PROVIDED ON-SITE OR OFF-SITE.”; in line 13, strike “(VI)” and substitute “(VII)”.
9. On page 10, in line 19, after “prior to”, strike “the effective date of this Act” and substitute “October 1, 2016, or for which a PUD Resolution was adopted prior to that date if the Resolution specifically addressed local open space requirements”; in line 21, after “43-13,” strike “and”; after “90-15,” insert “and 87-16,”.

Councilwoman Bevins seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Councilman Marks then moved to amend this Bill with the following amendments:

1. On page 3, in line 17, after “GARDEN,” insert “A PERGOLA THAT PROVIDES SHADE,”.
2. On page 4, in line 9, strike “AN” and substitute “A MINIMUM”; in line 10, after “PERCENT” insert “, EXCEPT THE MINIMUM WIDTH AND MAXIMUM GRADE IS NOT REQUIRED IN ORDER TO ACCOMMODATE GREENWAYS THAT WILL ALLOW CONNECTIVITY IN AND THROUGHOUT THE GREATER TOWSON AREA.”
3. On page 6, in line 10, strike “(II)” and move that paragraph to the end of line 8, after “SITE.”; after line 12, insert “(II) OFF-SITE OPEN SPACE FOR DEVELOPMENTS IN THE DOWNTOWN TOWSON DISTRICT SHOULD BE PROVIDED WITHIN THE DOWNTOWN DISTRICT OR WITHIN ONE MILE OF THE DOWNTOWN DISTRICT.”; in line 18, after “LOCATED.”, insert “FEES IN LIEU OF OPEN SPACE FOR DEVELOPMENTS IN THE DOWNTOWN TOWSON DISTRICT SHOULD BE USED IN THE DOWNTOWN DISTRICT OR WITHIN ONE MILE OF THE DOWNTOWN DISTRICT.”.
4. On page 7, in line 22, after “CREATING” insert “OPEN”.

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

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Councilwoman Bevins then moved to amend this Bill with the following amendments:

1. On page 10, in SECTION 5, in line 22, after “applicable.” insert “Notwithstanding the provisions of this paragraph, an applicant with a development plan approved prior to the effective date may elect to proceed under the provisions of this Act.”.

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

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Marks, seconded by Councilman Quirk, Bill 73-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 74-16, This Bill was withdrawn prior to the meeting.

Bill 75-16, This Bill was withdrawn prior to the meeting.

F. APPROVAL OF FISCAL MATTERS

The Chairwoman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council's work session on November 1, 2016. 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. Chairwoman Almond then called upon the Secretary to read the cover letter for Fiscal Matters 1 through 8.

1. Addendum #5 to Contract – RJN Group, Inc. - Rain gauge/radar rainfall – DPW

Addendum #5 to the contract with RJN Group Inc., to increase the total compensation amount. The contractor will continue to provide rain gauge/radar rainfall services.

2. BAT#17-01 – Health & Human Services – Prenatal & Early Childhood Health General Fund – HHS

A budget appropriation transfer for the Department of Health and Human Services. These funds are being transferred to the Early Childhood Health General Fund, and will be used to further expand the Healthy Families Baltimore County Enhanced Services. Funds are being transferred from the Contingency Reserve budget.

3. Contract – Manufacturers and Traders Trust Company d/b/a M&T Bank – Banking Services – OBF

A contract with Manufacturer's and traders Trust Company d/b/a M&T Bank, to provide banking services for the general Baltimore County Government, the Board of Education, Library, Community College, Detention Center, Housing and Revenue Authority.

4. Contract – Pinnacle Actuarial Resources, Inc. – Actuarial services – OBF

A contract with Pinnacle Actuarial Resources, Inc., to provide actuarial review services for Baltimore County's workers' compensation, and automobile and general liability self-insurance program.

5. Amendment #2 to Contract – Enernoc, Inc.- Upgrade software services, additional tracking site – Jeff. Bldg.-OBF

Amendment #2 to the contract with Enernoc, Inc., to upgrade previous software services, adding an additional tracking site at the Jefferson Building and increasing the monthly compensation amount and a one time fee to add the additional equipment.

6. Contract - Concord Appraisal Co. – Real Estate Appraisals – PAI

A contract with Concord Appraisal Co., to provide professional services for performing various types of partial and total take real estate appraisals for Baltimore County projects.

7. Contract of Sale – Raymond Harward Holter, Trustee of The Holter Trust/Holter Credit Shelter Trust – Parcel-5907 Allender Road, 21162-REC

A contract with Raymond Harward Holter, Trustee of the Holter Trust and the Holter Credit Shelter Trust, to acquire a parcel of land, located at 5907 Allender Road & Map 37 Grid 15, Parcel 130, White Marsh, Maryland 21162, for the expansion of the adjacent park with Passive Open Space.

8. Contract of Sale – Brooks Ramsey Enterprise, Inc. – Parcel – 5915 Allender Road, 21162-REC

A contract with Brooks Ramsey Enterprise, Inc., to acquire a parcel of land, located at 5915 Allender Road, White Marsh, Maryland 21162, for the expansion of the adjacent park with Passive Open Space.

Councilwoman Bevins commented. There being no further discussion, upon motion by Councilman Quirk, seconded by Councilwoman Bevins, Fiscal Matters 1 through 8 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

At the direction of the Chairwoman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during September and October, 2016.

2. Nominations – (9) – Reappointment – Baltimore County Property Tax Appeal Board

At the direction of the Chairwoman, the Secretary read this correspondence from the County Executive submitting the following nine (9) names for approval, so that the Governor shall appoint from the list, members for the Baltimore County Property Tax Assessment Appeal Board:

Mr. Roger B. Hayden	Ms. Nancy Surosky
Ms. Caren Beth Hoffberger	Mr. Bryan Sheppard
Dr. Allen H. Judman	Ms. Carmen Christiana
Mr. Orrester Shaw	Ms. Dawn Kile
Mr. Larry C. Simmons	

Also included is the re-appointment of Sandra Cullen.

There being no discussion, upon motion by Councilman Jones, seconded by Councilman Quirk, these nominations and the re-appointment were unanimously approved.

3. Appointment – Baltimore County Ethics Commission – J. Michael Lawlor, Esq.

At the direction of the Chairwoman, the Secretary read this correspondence from the County Executive requesting the appointment of J. Michael Lawlor, Esq., to the Baltimore County Ethics Commission for the remainder of a three year term, which ends June 30, 2018. Councilman Marks commented. There being no further discussion, upon motion by Councilman Marks, seconded by Councilman Jones, this appointment was unanimously approved.

4. Res. 119-16 – Property Tax Exemption – DAV – Quentin T. Guy, Sr.

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Quentin T. Guy, Sr., who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Crandell, seconded by Councilman Almond, this Resolution was unanimously approved.

5. Res. 120-16 – Public Disclosure – Richard Nast

At the direction of the Chairwoman, the Secretary read this Resolution concerning the public disclosure of Richard Nast, an employee of the Department of Permits, Approvals and Inspections. There being no discussion, upon motion by Councilman Jones, seconded by Councilwoman Bevins, was unanimously approved.

6. Res. 121-16 – Payment in lieu of taxes – Lyon Homes Preservation, LLC

This Resolution was for introduction only.

7. Res. 122-16 – Assumption of loan/Assistance in financing – Aigburth Vale II, LLC

This Resolution was for introduction only.

8. Res. 123-16 – Payment in lieu of taxes – St. Ambrose Housing Aid Center, Inc.

This Resolution was for introduction only.

9. Res. 124-16 – Planning Board – Community Development Corporations

This Resolution was for introduction only.

10. Res. 125-16 – Maryland General Assembly – Medication & Supplies for Treatment of Diabetes

This Resolution was for introduction only.

11. Res. 126-16 – Support of application – Regional Institution Strategic Enterprise (RISE) Zone - UMBC

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Jones, seconded by Councilwoman Bevins, the meeting adjourned at 6:35 P.M.


Thomas J. Peddicord, Jr.