

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2024, LEGISLATIVE DAY NO. 11
June 3, 2024 6:00 P.M.

A. The meeting was called to order by Chairman Patoka at 6:16 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 85 persons in attendance. The following Councilmembers were present:

PAT YOUNG	FIRST DISTRICT
IZZY PATOKA	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
MICHAEL ERTEL	SIXTH DISTRICT

*Councilman Crandell was absent the entire meeting.

B. APPROVAL OF JOURNAL

Upon motion by Councilman Young, seconded by Councilman Marks, the reading of the Journal Entries for the meeting of May 23, 2024 was waived and accepted unanimously by the six 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 19-24, 20-24, 21-24, 22-24, 23-24, 24-24, 25-24, 26-24, 27-24, 28-24, 29-24, 30-24, 32-24, 33-24 and 34-24.

D. INTRODUCTION OF BILLS

Bill 44-24 entitled An Act for the purpose of establishing provisions relating to the pensions of: sworn members of the Police Department on Pay Schedule IV; Deputy Sheriffs on Pay Schedule XIII; Group 4 Plan B members on Pay Schedule V who are sworn personnel of the Fire Department; and sworn personnel in the Police Department on Pay Schedule IV who are members of the Employees' Retirement System and eligible to receive an accidental disability allowance; and generally relating to the Employees' Retirement System.

Bill 45-24 entitled An Act for the purpose of revising the method for calculating the development impact fee on residential new construction; adjusting the time frame for payment of a development impact fee; and generally relating to development impact fees.

Bill 46-24 entitled An Act for the purpose of amending the Community Building use by right in the Business, Local (B.L.) Zone to remove certain requirements; and generally relating to uses permitted in the B.L. Zone.

Bill 47-24 entitled An Act for the purpose of increasing the number of Councilmembers from seven to nine, beginning with the 2026 election cycle; requiring that, for the purposes of determining compensation, membership on the County Council shall be considered a full-time position; amending the number of councilmanic districts from seven to nine, beginning with the 2026 election cycle; prohibiting a revision of councilmanic districts after the 2026 general election, except following the decennial census or ratification of a Charter amendment to increase or decrease the number of councilmanic districts, requiring the formation of a Redistricting Commission upon such a ratification, and amending certain related recommendation restrictions; amending the membership of the Redistricting Commission such that one member is nominated by each Councilmember and confirmed by the County Council; increasing the Planning Board membership consistent with a nine member County Council; amending the number of members of the County Board of Appeals to be equal to the number of Councilmembers and amending the political party affiliation requirements; amending the number of affirmative votes necessary for the County Council to start the process of County Charter termination; revising and reconstituting the councilmanic districts to increase the number of districts to nine; amending certain terms or phrases to be gender-neutral; providing for different effective dates of amendments to Article II of the Charter and Articles V, VI, and XII of the Charter upon their ratification; revising and reconstituting the councilmanic districts of Baltimore County into nine districts, contingent upon the passage and ratification of the Charter amendments by the voters of Baltimore County; requiring certain written notification to be sent to the Baltimore County delegation to the Maryland General Assembly, contingent upon the passage and ratification of the Charter amendments by the voters of Baltimore County; and generally relating to the Baltimore County Charter and Baltimore County Council.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 31-24, Adequate Public Facilities – Overcrowded School Districts, was called. Councilmembers Patoka, Ertel, Marks, Kach and Young commented. Councilman Patoka moved to amend this Bill with the following amendment:

On page 4, in line 8, strike “COUNTY”; strike lines 9 through 10, inclusive; in line 11, after “COUNCIL” insert “WHO SHALL BE A REPRESENTATIVE OF THE MARYLAND BUILDING INDUSTRY ASSOCIATION”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Councilman Marks moved to amend this Bill with the following amendment:

On page 14, in line 12, strike “THREE” and substitute “FOUR”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Councilman Patoka moved to amend this Bill with the following amendment:

On page 7, in line 8, strike “FIVE” and substitute “FOUR”; on page 14, in line 9, strike “FIVE-YEAR” and substitute “FOUR-YEAR”; on page 16, in line 4, strike “FIVE” and substitute “FOUR”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Patoka moved to amend this Bill with the following amendment:

On page 10, after line 17, start a new line and insert “(IX) PURPOSE BUILT STUDENT HOUSING.”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Patoka moved to amend this Bill with the following amendment:

On page 10, in lines 13 and 14, strike “OR”; in lines 16 and 17, strike “OR THE AVERAGE SQUARE FOOTAGE PER UNIT” and substitute “; OR”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Ertel moved to amend this Bill with the following amendment:

On page 19, in line 11, strike “180” and substitute “240”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Ertel moved to amend this Bill with the following amendment:

On page 9, in line 8, strike “2026;” and substitute “2028; AND”; in lines 9 through 11, strike “FROM OCTOBER 1, 2026 UNTIL SEPTEMBER 30, 2028; AND (IV) 100%”; in line 11, strike “2030” and substitute “2028”;

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

Aye - Young, Kach, Jones, Marks, Ertel
Nay – Patoka
Absent - Crandell

Councilman Ertel moved to amend this Bill with the following amendment:

On page 7, in lines 11 and 12, after “TIED TO” strike “SQUARE FOOTAGE OF LIVING SPACE AND UNIFORMLY APPLICABLE TO DEVELOPMENTS THROUGHOUT THE COUNTY” and substitute “THE FOLLOWING CRITERIA THAT SHALL BE UNIFORMLY APPLICABLE TO DEVELOPMENTS THROUGHOUT THE COUNTY: (I) THE TYPE OR CLASSIFICATION OF HOUSING; AND (II) THE NUMBER OF BEDROOMS IN A DWELLING UNIT; AND (III) THE SQUARE FOOTAGE OF LIVING SPACE”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Ertel moved to amend this Bill with the following amendment:

On page 19, after line 19, start a new line and insert “SECTION 5. AND BE IT FURTHER ENACTED, that this Act shall not apply to any development or construction project that is vested or to any subsequent amendments to a vested project, or to any development or construction project of which the filing date of one or more of the following has occurred prior to December 31, 2024: a concept plan; a request for limited exemption or waiver; a development plan or any subsequent amendments thereto; an application for a Planned Unit Development; or an application for a permit.”; in line 21, after “SECTION” strike “5” and substitute “6”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Ertel moved to amend this Bill with the following amendment:

On page 1, in the second line of the purpose paragraph, strike “interdepartmental” and substitute “public school capacity”. On page 2, in the fifth line of the first function paragraph, after “Subtitle 29 –“ strike “Interdepartmental Committee on School Overcrowding” and substitute “Committee on Public School Capacity”. On page 3, in line 6, after “SUBTITLE 29 –“ strike “INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “COMMITTEE ON PUBLIC SCHOOL CAPACITY”; in lines 9 and 10, strike “AN INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “A COMMITTEE ON PUBLIC SCHOOL CAPACITY”; in lines 13 and 14, strike “INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “COMMITTEE ON PUBLIC SCHOOL CAPACITY”. On page 4, in line 1, strike “INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “COMMITTEE”. On page 5, in lines 6 and 7, strike “INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “COMMITTEE”; in line 16, after “§ 3-3-2905.” insert “COMMITTEE” and after “DUTIES” strike “OF THE INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING”. On page 8, in lines 15 and 16, strike “INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “COMMITTEE ON

PUBLIC SCHOOL CAPACITY”. On page 9, after line 17, start a new line and insert “(7) “COMMITTEE” MEANS THE COMMITTEE ON PUBLIC SCHOOL CAPACITY, AS SET FORTH IN SUBTITLE 29 OF ARTICLE 3, TITLE 3 OF THE CODE.”. On page 14, in lines 4 through 5 and 16 through 17, strike “INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “COMMITTEE ON PUBLIC SCHOOL CAPACITY”. On page 16, in lines 7 and 8, strike “INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “COMMITTEE”. On page 17, in lines 17 and 18, strike “INTERDEPARTMENTAL COMMITTEE ON SCHOOL OVERCROWDING” and substitute “COMMITTEE ON PUBLIC SCHOOL CAPACITY”. On page 18, in line 17, strike “Interdepartmental Committee on School Overcrowding” and substitute “Committee on Public School Capacity”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Jones moved to amend this Bill with the following amendment:

On page 16, strike line 5 after “(E)” and strike lines 6 through 22, inclusive; on page 17, strike lines 1 through 15, inclusive, and in line 16, strike “(F)”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Kach moved to amend this Bill with the following amendment:

On page 6, in line 9, after “EVALUATING”, insert “PUBLICLY AVAILABLE”; in line 10, after “ENROLLMENTS”, insert “AND PROJECTED ENROLLMENTS”; in line 11, after “FACILITIES”, insert “AND CAPITAL PLANS”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Kach withdrew the following amendment:

On page 4, in lines 2 and 3, strike “11” and substitute “17”; in line 2, after “MEMBERS.” insert “ALL COUNCIL AND COUNTY EXECUTIVE APPOINTEES SHALL BE CONFIRMED BY THE COUNTY COUNCIL.”; in line 8, strike “COUNTY”; strike lines 9 and 10 inclusive; in line 11, strike “;” and substitute “WHO SHALL BE A REPRESENTATIVE OF THE MARYLAND BUILDING INDUSTRY ASSOCIATION; AND”; in line 12, strike “ONE MEMBER” and substitute “EIGHT MEMBERS”; in the same line, after “BE”, insert “JOINTLY”; in the same line, after “BY THE”, insert “BOARD OF EDUCATION OF BALTIMORE COUNTY AND THE”; in line 13, strike “A RESIDENT” and substitute “RESIDENTS”; in line 14, strike “; AND” and substitute “.”; strike lines 15 and 16, inclusive.

Councilman Marks moved to amend this Bill with the following amendment:

On page 7, in line 17, strike “AVAILABLE,” and substitute “APPROVED BY RESOLUTION OF THE COUNTY COUNCIL,”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Marks moved to amend this Bill with the following amendment:

On page 7, after line 22, start a new line and insert “(G) BY DECEMBER 31, 2024, AND EACH YEAR THEREAFTER, THE COMMITTEE, IN CONSULTATION WITH THE COUNTY ATTORNEY, SHALL ENTER INTO NEGOTIATIONS FOR A MEMORANDUM OF UNDERSTANDING WITH THE BOARD OF EDUCATION AND SUPERINTENDENT OF SCHOOLS TO GOVERN THE RESPECTIVE RESPONSIBILITIES AND REQUIREMENTS OF THE COMMITTEE, THE PUBLIC SCHOOL SYSTEM, AND THE BOARD OF EDUCATION, AS SET FORTH IN THIS SUBTITLE AND § 32-6-103 OF THE CODE.”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Marks moved to amend this Bill with the following amendment:

On page 4, in line 2, after “MEMBERS” insert “CONFIRMED BY THE COUNTY COUNCIL”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Young moved to amend this Bill with the following amendment:

On page 2, in line 3 of the Purpose Paragraph, strike “after” and substitute “before or concurrent with”, in line 5 of the Purpose Paragraph, strike “receive a building permit” and substitute “approve a development plan”. On page 6, in lines 4 and 5, strike “PROPOSED ISSUANCE OF BUILDING PERMITS FOR EACH APPROVED DEVELOPMENT SEEKING BUILDING PERMITS” and substitute “APPROVAL OF EACH PROPOSED DEVELOPMENT PLAN SEEKING DEVELOPMENT APPROVAL”, in line 7, after “THE TIME OF”, strike “BUILDING PERMIT ISSUANCE” and substitute “DEVELOPMENT PLAN APPROVAL”. On page 7, in line 7; on page 14, in lines 14, 18, and 20; on page 15, in lines 8 and 20; on page 16, in line 2; on page 17, in line 20; strike “AN APPROVED” and substitute “A”. On page 14, in lines 2 and 3, strike “BUILDING PERMITS SHALL NOT BE ISSUED FOR AN APPROVED DEVELOPMENT” and substitute “A PROPOSED DEVELOPMENT PLAN SHALL NOT BE APPROVED”. On page 15, in line 4, and in line 17, strike “ISSUANCE” and substitute “APPROVAL”, and strike “BUILDING PERMITS” and substitute “DEVELOPMENT PLAN”; on page 7, in line 3, on page 15, in lines 10 and 11, and on page 18, in line 7, strike “APPROVED”.

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

Aye - Young, Patoka, Kach, Jones
Nay – Marks, Ertel
Absent – Crandell

Councilman Jones motioned to reconsider the vote on the amendment just passed, Councilman Young seconded the motion and the motion to reconsider the amendment passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

The reconsidered amendment then failed by lack of motion.

Councilman Jones moved to amend this Bill with the following amendment:

On page 7, in line 22, after “HOUSING;” insert “AND”; in line 23, after “UNIT”, strike “; AND”. On page 8, in line 1, strike “(III) SQUARE FOOTAGE OF LIVING SPACE”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel

Nay – None

Absent – Crandell

Councilman Jones moved to amend this Bill with the following amendment:

a. On page 15, in line 3, strike “AND”; after line 3, insert the following.

“(II) THE CAPITAL BUDGET CONTAINS A CAPITAL PROJECT THAT HAS APPROPRIATIONS OR AUTHORIZATIONS SUFFICIENT TO FUND THE CONSTRUCTION OF A NEW SCHOOL, A SCHOOL ADDITION, OR A RENOVATION WHICH WOULD RESULT IN THE DISTRICT NOT BEING AN OVERCROWDED SCHOOL DISTRICT AFTER THREE YEARS;”.

Councilman Young seconded the motion and this amendment failed by the following roll call vote:

Aye - Young, Kach, Jones

Nay – Patoka, Marks, Ertel

Absent – Crandell

Councilman Jones moved to amend this Bill with the following amendment:

b. On page 15, in line 3, strike “AND”; after line 3, insert the following.

“(III) THE AVERAGE PROJECTED ENROLLMENT FOR THE SCHOOL DISTRICT SERVING THE DEVELOPMENT AND ALL ADJACENT SCHOOL DISTRICTS IS LESS THAN THE PERCENTAGE THAT CONSTITUTES AN OVERCROWDED SCHOOL DISTRICT DURING THE UPCOMING THREE YEARS;”.

This amendment failed for lack of second.

Councilman Jones moved to amend this Bill with the following amendment:

c. On page 15, in line 3, strike “AND”; after line 3, insert the following.

“(IV) THE COUNTY BOARD OF EDUCATION HAS APPROVED A PLAN THAT IMPLEMENTS, WITHIN THREE YEARS, EDUCATIONALLY SOUND PROGRAMS OR INITIATIVES THAT WILL PROVIDE ADEQUATE CAPACITY IN AN OVERCROWDED SCHOOL DISTRICT, INCLUDING:

1. GRADE REALIGNMENTS OR REASSIGNMENTS;
2. SCHEDULE CHANGES;
3. MAGNET SCHOOLS;
4. SPECIAL PROGRAM LOCATIONS;
5. WORK-STUDY PROGRAMS;
6. REGISTERED INTERNSHIP, APPRENTICESHIP, OR DUAL ENROLLMENT PROGRAMS;
7. EARLY GRADUATION; OR
8. OTHER PROGRAMS OR INITIATIVES;”.

This amendment failed for lack of second.

Councilman Jones moved to amend this Bill with the following amendment:

d. On page 15, in line 3, strike “AND”; after line 3, insert the following.

“(V) THE COUNTY ATTORNEY, IN CONSULTATION WITH THE DIRECTOR OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, ISSUES A WRITTEN LETTER ACCOMPANYING THE APPLICATION THAT THE APPROVED DEVELOPMENT PLAN OR A PORTION OF THE APPROVED DEVELOPMENT PLAN IS NECESSARY TO MEET THE COUNTY'S REQUIREMENTS UNDER THE CONCILIATION AND VOLUNTARY COMPLIANCE AGREEMENT, EFFECTIVE MARCH 9, 2016, BETWEEN THE COUNTY AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND”; in line 4, strike “(II)” and substitute “(VI)”.

Councilman Young seconded the motion and this amendment failed by the following roll call vote:

Aye - Young, Jones

Nay – Patoka, Kach, Marks, Ertel

Absent – Crandell

Councilman Jones moved to amend this bill with the following amendment:

On page 14, strike lines 2 through 5 and substitute “(1) AT ANY TIME AFTER DEVELOPMENT PLAN APPROVAL, AN APPROVED DEVELOPMENT MAY APPLY

FOR A SCHOOL CAPACITY APPROVAL CERTIFICATE. THIS CERTIFICATE IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS. THE COMMITTEE SHALL REVIEW AN APPLICATION AND MAKE A DETERMINATION WITHIN 30 DAYS”.

Councilman Kach moved to suspend the Rules to permit Councilman Patoka to offer an amendment to Councilman Jones’s amendment. Councilman Ertel seconded the motion and the motion to suspend the Rules passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Patoka moved to amend Councilman Jones’s amendment of this Bill with the following amendment:

On page 14, strike lines 2 through 5 and substitute “(1) AT ANY TIME AFTER DEVELOPMENT PLAN APPROVAL, AN APPROVED DEVELOPMENT MAY APPLY FOR A SCHOOL CAPACITY APPROVAL CERTIFICATE. THIS CERTIFICATE IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS. THE COMMITTEE SHALL REVIEW AN APPLICATION AND MAKE A DETERMINATION WITHIN ~~30~~ 90 DAYS OF RECEIPT OF THE APPLICATION BY THE DEPARTMENT OF PLANNING.”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

Councilman Jones moved to amend this Bill with the following amendment:

On page 14, in line 11, after “SHALL” insert “NOT”; in line 12, strike “THREE YEARS FROM ITS DATE OF ISSUANCE” and substitute “AS LONG AS A DEVELOPMENT PLAN REMAINS VALID. IF A DEVELOPMENT PLAN EXPIRES, THE ASSOCIATED SCHOOL CAPACITY APPROVAL CERTIFICATE SHALL EXPIRE”.

Councilman Young seconded the motion and this amendment failed by the following roll call vote:

Aye - Young, Jones
Nay – Patoka, Kach, Marks, Ertel
Absent – Crandell

Councilman Jones moved to amend this Bill with the following amendment:

On page 14, at the end of line 17, insert “IN ASSESSING AN APPLICATION FOR A SCHOOL CAPACITY APPROVAL CERTIFICATE, THE COMMITTEE SHALL MAKE ITS DETERMINATION BASED ON THE FOLLOWING:”.

This amendment failed for lack of second.

Councilman Jones withdrew the following amendment:

On page 15, strike lines 4 through 19; in line 20, strike “(3)” and substitute “(2)”; in the same line, after “THAT”, insert “DOES NOT PASS THE SCHOOL CAPACITY ADEQUACY TEST AND”; in lines 21 through 22, strike “UNDER PARAGRAPH (2) OF THIS SUBSECTION.”. On page 16, in line 2, strike “(4)” and substitute “(3)”.

Councilman Jones moved to amend this Bill with the following amendment:

On page 16, after line 4, insert “(5) NOTWITHSTANDING ANY PROVISION OF THESE REGULATIONS TO THE CONTRARY, THE EXPIRATION PERIOD FOR AN APPROVED DEVELOPMENT PLACED ON THE WAITING LIST QUEUE UNDER THIS SUBSECTION SHALL NOT BEGIN TO RUN UNTIL THE DEVELOPMENT IS ISSUED A SCHOOL CAPACITY CERTIFICATE.”.

This amendment failed for lack of second.

Councilman Jones moved to amend this Bill with the proposed redlined draft of the bill that had been suggested earlier by the Baltimore County Board of Education. The redlined draft of the bill was posted on the County Council’s Website prior to the meeting and the provisions of the redlined changes offered to the bill by Councilman Jones were explained by the Secretary.

This amendment failed for lack of second.

Councilman Jones moved to table this Bill, seconded by Councilman Young but the motion failed by the following roll call vote:

Aye - Young, Jones
Nay – Patoka, Kach, Marks, Ertel
Absent - Crandell

Thereafter, upon motion by Councilman Patoka, seconded by Councilman Kach, Bill 31-24, as amended, passed by the following roll call vote:

Aye - Patoka, Kach, Marks, Ertel
Nay – Young, Jones

Absent - Crandell

Bill 36-24, The 2023-2024 CEB – 001-A0161604-CC160400, was called. Chief Rund testified. There being no discussion, upon motion by Councilman Ertel, seconded by Councilman Jones, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Bill 37-24, Community Reinvestment and Repair Commission: and Community Reinvestment and Repair Special Revenue Fund, was called. Brad Kroner testified. Councilman Young moved to amend this Bill with the following amendments:

1. On page 4, in line 13, after “COUNTY” insert “AND CONFIRMED BY THE COUNTY COUNCIL”; in line 15, strike “9” and substitute “2”; in line 16, strike “AND” and substitute “(II) EACH MEMBER OF THE COUNTY COUNCIL SHALL APPOINT ONE MEMBER WHO SHALL RESIDE IN THE APPOINTING COUNCILMEMBER’S DISTRICT; AND”; in line 17, strike “(II)” and substitute “(III)”.
2. On page 5, in lines 18 and 19, strike “COUNTY EXECUTIVE” and substitute “APPOINTING AUTHORITY”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Thereafter, upon motion by Councilman Young, seconded by Councilman Patoka, Bill 37-24, as amended, passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Bill 38-24, Comprehensive Zoning Map Process (CZMP) – Withdrawal of Issues, was called. Councilman Patoka commented. There being no further discussion, upon motion by Councilman Young, seconded by Councilman Patoka, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None

Absent - Crandell

Bill 39-24, Zoning Regulations – Elderly and Senior Housing Overlay District, was called. Councilmembers Kach and Young commented. There being no further discussion, upon motion by Councilman Young, seconded by Councilman Kach, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Bill 40-24, Employees’ Retirement System – County Council Members, was called. Councilman Kach moved to amend this Bill with the following amendment:

1. On page 2, in line 17, after “service.” insert “NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS SUBTITLE, A MEMBER WHO RECEIVES A RETIREMENT ALLOWANCE UNDER THIS PARAGRAPH SHALL BE ELIGIBLE FOR ANY PERMITTED COST-OF-LIVING ADJUSTMENTS TO THEIR RETIREMENT ALLOWANCE.”; in line 21, after “WHO” insert “RETIREES ON OR AFTER JANUARY 1, 2025 AND”.
2. On page 3, in line 10, after “UNDER” insert “PARAGRAPH (2) OF THIS”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent - Crandell

Thereafter, upon motion by Councilman Kach, seconded by Councilman Jones, Bill 40-24, as amended, passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks
Nay – Ertel
Absent - Crandell

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 28, 2024. 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 Patoka then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 4 and 6 through 11 and 13. Fiscal Matter 5 was withdrawn prior to the meeting. Fiscal Matter 12 was discussed separately.

1. Contract of Sale – The Harford Building, LLC – Sale of Perry Hall Mansion – 3930 Perry Hall Road, 21128 – PM

A contract of sale with The Harford Building, LLC, for sale of the Perry Hall Mansion, county-owned property located at 3630 Perry Hall Road, Perry Hall, Maryland 21128.

2. BAT – Fire Department

A budget appropriation transfer to cover higher than anticipated callback expenses to ensure necessary station coverage for the Fire Department.

3. BAT – Department of Corrections

A budget appropriation transfer to cover overages for food service, personnel costs, standby pay for maintenance staff and substitution pay, increased overtime, equipment/vehicle repairs, operational expenses, office supplies and uniform costs for Correctional Officers due to new recruitment training, for the Department of Corrections.

4. BAT – Office of Budget and Finance

A budget appropriation transfer to cover the shortage on the County’s share of the Social Security budget for the Department of Budget and Finance.

5. BAT – Baltimore County Public Schools

This BAT was withdrawn prior to the meeting.

6. Contract – Abilities Network, Inc. – Healthy Home Visiting Program – HHS

A contract with Abilities Network, Inc., for the delivery of the Healthy Families Home Visiting Program, which aims to reduce child maltreatment through focused interventions.

7. BAT – Department of Public Works and Transportation

A budget appropriation transfer to realign funds by category with planned projected year-end expenses. The proposed transfer are necessary for DPWT salaries for vacancies filled above the Step 3 budgeted and Solid Waste Management refuse collection.

8. Contracts – (2) – Minor mowing/Environmental Site Feature Clearance (ESF) services – DPWT

Two contracts with Classic lawn and Landscape, Inc. and Lorenz Lawn and Landscape, Inc., to provide minor mowing and Environmental Site Feature Clearance (EFS) services at areas within County-owned and/or operated solid waste management facilities.

9. Purchase Order – Itron, Inc. – Professional meter repair and inspection services – DPWT

A purchase order with Itron, Inc., to provide professional meter repair and inspection services.

10. Amendment to Agreement – TR Development Corporation – Towson Row

An amendment to the agreement with TR Development Corporation, to provide for a three-year extension of the agreement to June 30, 2027.

11. Amendment to Contract – Towson Row Statutory Trust – Towson Row

An amendment to the agreement with Towson Row Statutory Trust, to provide for a three-year extension of the agreement to June 30, 2027.

13. Contract – Grant & Eisenhofer, P.A/ Bekman Marder Hopper Malarkey & Perlin – Legal representation – Francis Scott Key Bridge collision

A contract with Grant & Eisenhofer, P.A., to provide legal representation of Baltimore County, with respect to damages, compensation and other relief as a result of litigation to be filed against the owner(s) and/or operator(s) of the vessel known as the DALI, and the resulting damage caused by its collision with Francis Scott Key Bridge.

There being no discussion, upon motion by Councilman Young, seconded by Councilman Kach, Fiscal Matters 1 through 4 and 6 through 11 and 13 were unanimously approved by the six Councilmembers present.

Chairman Patoka then called upon the Secretary to read the cover letter for Fiscal Matter 12.

12. Contract of Sale – Norman Anderson and Catherine Staszak – Acquisition of

parcel – Cuckold Point Road, 21219 – RP

A contract of sale with Norman Anderson and Catherine Staszak, to acquire a parcel of land located at Cuckold Point Road and 6th Street, Edgemere, Maryland 21219, to be used for Park and Open Space through the Department of Recreation and Parks. Bob Smith testified. Councilman Ertel questioned Mr. Smith. There being no further discussion, upon motion by Councilman Marks, seconded by Councilman Jones, Fiscal Matter 12 was unanimously approved by the six Councilmembers present.

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

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 April, 2024.

2. Res. 30-24 – Baltimore County Board of Education – Authorization for expenditure of non-local funds

At the direction of the Chairman, the Secretary read this Resolution concerning the Baltimore County Board of Education and the authorization for expenditure of nonlocal funds. Whit Tantleff and Chris Hartlove testified. There being no discussion, upon motion by Councilman Jones, seconded by Councilman Kach, this Resolution was unanimously approved by the six Councilmembers present.

3. Res. 31-24 – Properties in Design Review Area – Historic East Towson – Comprehensive Manual of Development Policies

At the direction of the Chairman, the Secretary read this Resolution of the Baltimore County Council to subject the properties in the design review area for Historic East Towson (as designated by Resolution 111-20 and the map attached at Exhibit “A” thereto) to all applicable standards and guidelines in the Comprehensive Manual of Development Policies, including those identified for Historic East Towson in Division IV, Section G (Special Areas & Procedures). Councilman Ertel commented. Councilman Ertel motioned to extend the Bill to be discussed at the Work Session on Tuesday, June 25, 2024. Final Reading and Vote to occur at the Legislative Session on Monday, July 1, 2024. Councilman Patoka seconded the motion and 31-24 was extended by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel

Nay – None

Absent – Crandell

5. Res. 33-24 – Reclassify county-owned land as public park land – Perry Hall and Carney areas

At the direction of the Chairman, the Secretary read this Resolution of the Baltimore

County Council to reclassify county-owned land in the Perry Hall and Carney areas as public parkland in order to extend existing public parks and create new public parks. Councilman Marks commented and moved to amend this Bill with the following amendments:

1. On page 1, after the third WHEREAS paragraph, insert “WHEREAS, the intent of this resolution is to preserve these parcels of land as passive open space, with minimal active uses and clearance of habitat; and”; in the first RESOLVED paragraph, in the second line of the first bulleted item, strike “and” and after “2300006060” insert “, and 2300006061”.
2. On page 2, in the second and third lines of the second bulleted item, strike “parcels 1102019006,” and substitute “parcel” and after “230006464” strike “, and 2300006465”; in the first line of the third bulleted item, strike “0913206562” and substitute “0913206560”; in the first RESOLVED paragraph, strike “the County Council encourages” and after “the County” strike “to” and substitute “shall” and after “location” insert “, make appropriate updates to social media, and make other relevant County public relations efforts to list the public parks or expanded park areas in this resolution”; after the second RESOLVED paragraph, insert “BE IT FURTHER RESOLVED, that this resolution notwithstanding, or to the extent practicable, the properties or parcels identified herein shall continue to be held to any environmental or land management standards currently in place; and”.

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

Aye - Young, Patoka, Kach, Jones, Marks, Ertel

Nay – None

Absent - Crandell

Councilman Jones moved to amend this Bill with the following amendment:

1. On page 2, following the third bullet point, insert “BE IT FURTHER RESOLVED that, this resolution notwithstanding, all properties identified herein shall retain their legal classifications and legal obligations associated with those classifications under any and all Federal, State and /or County law(s), regulation(s) and policy(s) and shall continue to be held to any environmental or land management standard currently in place.”

Councilman Young seconded the motion and this amendment failed by the following roll call vote:

Aye - Young, Jones

Nay –Patoka, Kach, Marks, Ertel

Absent - Crandell


Thereafter, upon motion by Councilman Marks, seconded by Councilman Patoka, Resolution 33-24, as amended, passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel
Nay – None
Absent – Crandell

6. **Res. 36-24 – Endorsement – Goals of 911 SAVES Act of 2023 (H.R. 6319)/Enhancing First Response Act (S.3556)**

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Marks, seconded by Councilman Young, the meeting was adjourned at 10:04 P.M.


Thomas H. Bostwick
Legislative Counsel/Secretary