

**PROCEEDINGS OF LEGISLATIVE SESSION DAY 12-21
OF THE COUNTY COUNCIL OF HARFORD COUNTY, MARYLAND**

June 19, 2012

COUNCIL CHAMBERS

7:30 P.M.

CALL TO ORDER – Legislative Session Day 12-21 was called to order at 7:54 p.m. by Vice President Richard Slutzky, with Council Members Guthrie, Woods, McMahan, Shrodes and Lisanti present. Council President Boniface was absent.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Council Member Lisanti.

OPENING PRAYER – The Opening Prayer was delivered by Council Member Lisanti.

PRESENTATION OF PROCLAMATIONS - None

CITIZEN INPUT – None

SPECIAL PRESENTATIONS – None

APPROVAL OF MINUTES – The minutes of Public Hearing (June 12, 2012) and LSD 12-20 (June 12, 2012) were approved by general consent.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

Resolution No. 16-12 (Harford County Traffic Safety Task Force) was introduced by Council Member Shrodes:

A RESOLUTION establishing a Harford County Traffic Safety Task Force to review and make recommendations concerning policies and strategies for the implementation of a roadway safety plan, to provide for greater traffic safety and security of the traveling public; to appoint certain persons to serve on the Task Force; to provide for the duties of the Task Force, including the duty to submit an interim and final report with its findings and recommendations on or before certain dates; and generally relating to the Harford County Traffic Safety Task Force.

Harford County Sheriff Jesse Bane, Commander Charles Moore of the Maryland State Police, and Susan Kelly, Harford County Health Officer, offered support of this Resolution.

Resolution No. 16-12 was approved, on motion was made by Mr. Shrodes and seconded by Mr. McMahan, by a vote of 6-0. Council President Boniface was absent.

INTRODUCTION OF BILLS – None

INTRODUCTION AND CONSIDERATION OF AMENDMENTS

Amendment Nos. 1 - 3 to Bill No. 12-28 (Charter Amendment – Vacancy in the Office of the County Executive) were introduced by Council Members Lisanti and Guthrie:

Amendment No. 1

On page 1, beginning on line 10, strike “A MAJORITY OF THE COUNTY COUNCIL SHALL, WITHIN THIRTY CALENDAR DAYS THEREAFTER, APPOINT A PERSON QUALIFIED UNDER SECTION 305 OF THIS ARTICLE TO FILL THE VACANCY FROM AMONTH THOSE WHO APPLY TO THE COUNTY COUNCIL FOR THE POSITION. IF AN APPOINTEE IS TO SUCCEED A MEMBER OF A POLITICAL PARTY, THAT INDIVIDUAL SHALL BE A MEMBER OF THE PARTY TO WHICH THE FORMER COUNTY EXECUTIVE BELONGED AT THE TIME OF HIS OR HER ELECTION. EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN” and on line 18 before “APPOINTEE” insert “THE,” and after “APPOINTEE” insert “S” and after “TERM” insert “S” and on line 19 strike “THE APPOINTEE’S” and before “PREDECESSOR” insert “THEIR”.

Amendment No. 2

On page 1, strike lines 20-23 and on page 3, strike lines 1-4.

Amendment No. 3

On page 1, in line 8, after “VACANCY,” insert “TO ENSURE THE COUNTINUITY OF GOVERNMENT, THE COUNTY COUNCIL PRESIDENT WILL IMMEDIATELY ASSUME THE POSITION OF COUNTY EXECUTIVE. THE VICE PRESIDENT OF THE COUNTY COUNCIL WILL THEN IMMEDIATELY ASSUME THE ROLE OF THE PRESIDENT OF THE COUNCIL. THE RESULTING COUNCIL VACANCY WILL BE FILLED PURSUANT TO ARTICLE II SECTION 209 OF THE CHARTER.”

Council Members Lisanti and Guthrie provided testimony.

Amendment Nos. 1 - 3 to Bill No. 12-28 (Charter Amendment – Vacancy in the Office of the County Executive) failed on motion made by Mr. McMahan, seconded by Ms. Lisanti, with votes of “no” cast by Mr. Woods, Mr. McMahan, Mr. Shrodes and Mr. Slutzky (2-4). Ms. Lisanti and Mr. Guthrie voted “yes”. Council President Boniface was absent.

Amendment Nos. 1 - 3 to Bill No. 12-29 (Charter Amendment- Public Notice Posting Requirements) were introduced by Council Member Lisanti:

Amendment No. 1

On the title page, after “requirements for posting of public notice” strike “of documents and events”.

Amendment No. 2

On page 1, in line 18, strike “PUBLISHED” and insert “WIDELY CIRCULATED”. On page 2, in line 5, strike “PUBLISHED” and insert “WIDELY CIRCULATED”. On page 2, in line 11, strike “PUBLISHED” and insert “WIDELY CIRCULATED”. On page 2, in line 18, strike “PUBLISHED” and insert “WIDELY CIRCULATED”. On page 3, in line 6, strike “PUBLISHED” and insert “WIDELY CIRCULATED”. On page 3, in line 12, strike “PUBLISHED” and insert “WIDELY CIRCULATED”. On page 4, in line 1, strike “PUBLISHED” and insert “WIDELY CIRCULATED”.

Amendment No. 3

On page 3, in line 10, strike "OF DOCUMENTS AND EVENTS" and in lines 10 and 11 strike "THE NOTICE AND ANY PERTINENT Documents PROMINENTLY".

Amendment Nos. 1 - 3 to Bill No. 12-29 (Charter Amendment – Public Notice Posting

Requirements) were approved on motion made by Mr. McMahan, seconded by Mr. Lisanti, and unanimously approved (6-0). Council President Boniface was absent.

Amendment Nos. 1 - 7 to Bill No. 12-33 (Charter Amendment- Zoning Board of Appeals) were introduced by Council Members Guthrie and Lisanti:

Amendment No. 1

On title page, in bill description, strike "OR" after "Examiner, County Council," and insert "AND/OR THE COURT OF APPEALS" following the Circuit Court for Harford County.

Amendment No. 2

On title page in bill description, strike "correct" and insert "CLARIFY".

Amendment No. 3

On page 1, in line 9-10, strike "Board of Appeals".

Amendment No. 4

On page 1, in line 11-12, strike "Board of Appeals" and insert after "COUNTY COUNCIL," "SITTING AS THE ZONING BOARD OF APPEALS".

Amendment No. 5

On page 1, in line 14, after "AND" insert "/OR".

Amendment No. 6

On page 1, in line 15, after "COUNCIL," strike "OR" and on line 16 after "COUNTY" insert "AND/OR COURT OF APPEALS".

Amendment No. 7

On page 1, in line 18-19, strike "Board of Appeals".

Amendment Nos. 1 - 7 to Bill No. 12-33 (Charter Amendment – Zoning Board of Appeals)

were approved on motion made by Mr. McMahan, seconded by Mr. Guthrie, and unanimously approved (6-0). Council President Boniface was absent.

Amendment Nos. 1 - 3 to Bill No. 12-34 (Charter Amendment- Classified and Exempt Services) were introduced by Council Member Lisanti:

Amendment No. 1

On the title page, after "to provide for the addition of the" insert "CHIEF OF STAFF POSITION, THE".

Amendment No. 2

On page 1, in line 13, strike "CLERK OR" and insert "ADMINISTRATIVE".

Amendment No. 3

On page 1, on line 11, after (4) insert "CHIEF OF STAFF;" and renumber lines 11-20 accordingly.

Amendment Nos. 1 - 3 to Bill No. 12-34 (Charter Amendment – Classified and Exempt Services) were approved on motion made by Mr. McMahan, seconded by Ms. Lisanti, and unanimously approved (6-0). Council President Boniface was absent.

CALL FOR FINAL READING OF BILLS

Bill No. 12-28 (Charter Amendment – Vacancy in the Office of County Executive) was approved on motion made by McMahan, seconded by Mr. Woods, with votes of “yes” made by Mr. Woods, Mr. McMahan, Mr. Shrodes and Mr. Slutzky (4-2). Ms. Lisanti and Mr. Guthrie voted “no”. Council President Boniface was absent.

Bill No. 12-29 as amended (Charter Amendment – Public Notice Posting Requirements) was approved on motion made by McMahan, seconded by Mr. Woods, with votes of “yes” made by Mr. Guthrie, Mr. Woods, Mr. McMahan, Mr. Shrodes and Mr. Slutzky (5-1). Ms. Lisanti cast the dissenting vote. Council President Boniface was absent.

Bill No. 12-30 (Charter Amendment – Submission of the County Budget) was unanimously approved (6-0) on motion made by McMahan and seconded by Mr. Woods. Council President Boniface was absent.

Bill No. 12-31 (Charter Amendment – Qualifications of Council Members) was unanimously approved (6-0) on motion made by McMahan and seconded by Mr. Guthrie. Council President Boniface was absent.

Bill No. 12-32 (Charter Amendment – Redistricting Procedure) was unanimously approved (6-0) on motion made by McMahan and seconded by Mr. Woods. Council President Boniface was absent.

Bill No. 12-33 as amended (Charter Amendment – Zoning Board of Appeals) was unanimously approved (6-0) on motion made by McMahan and seconded by Mr. Woods. Council President Boniface was absent.

Bill No. 12-34 as amended (Charter Amendment – Classified and Exempt Services) was unanimously approved (6-0) on motion made by McMahan and seconded by Ms. Lisanti. Council President Boniface was absent.

ENROLLMENT OF BILLS – Bill Nos. 12-28 (Charter Amendment – Vacancy in the Office of the County Executive), 12-29 as amended (Charter Amendment – Public Notice Posting Requirements), 12-30 (Charter Amendment – Submission of County Budget), 12-31 (Charter Amendment – Qualifications of Council Members), 12-32 (Charter Amendment – Redistricting Procedure), 12-33 as amended (Charter Amendment – Zoning Board of Appeals), and 12-34 as amended (Charter Amendment – Classified and Exempt Services) were certified and accepted for enrollment.

UNFINISHED BUSINESS - None

NEW BUSINESS

FY 2013 Audit Plan – Chrystal Moore, County Auditor, presented the Audit Plan.

Harford County Traffic Safety Task Force Membership – Motion to approve Sheriff Jesse Bane, Joseph Ryan, Lieutenant Charles Moore, Lieutenant Daniel Fairburn, David Peake, Robert Cooper, Charlie Taibi, Tom Gianni, Henry Trabert, Sargent Robert Pfarr, Theresa Walter, Bill Dousa, Senator Barry Glassman, Councilman Chad Shrodes, Lawrence A. Richardson, Esquire, Debbie Hardy, Tina Greer, Russell Hurd, and a member of the Youth Commission was made by Mr. McMahan, seconded by Mr. Woods, and unanimously approved (6-0). Council President Boniface was absent.

Executive Appointments - Director of the Department of Public Works – A motion to approve the appointment of Timothy F. Whittie, was made by Mr. McMahan, seconded by Mr. Woods, and approved by votes of “yes” cast by Mr. Guthrie, Mr. Woods, Mr. McMahan, Mr. Shrodes and Mr. Slutzky (5-1). Ms. Lisanti voted “no”. Council President Boniface was absent.

BUSINESS FROM THE PRESIDENT

The **annual evaluations** for Pamela Meister, Council Administrator; Chrystal Moore, County Auditor; Robert F. Kahoe, Jr., Zoning Hearing Examiner; Charles Kearney, Council Attorney; Lisa Sheehan, People’s Counsel; and Susan Kelly, Health Officer, were approved by general consent.

Contracts for Michael Daney, Robert F. Kahoe, Jr., Charles Kearney and Lisa Sheehan were renewed for July 1, 2012 – June 30, 2013 on motion made by Mr. McMahan, seconded by Mr. Woods, and unanimously approved (6-0). Council President Boniface was absent.

BUSINESS FROM COUNCIL MEMBERS

Remarks were offered by Council Members Guthrie, Woods, McMahan, Shrodes, Slutzky and Lisanti.

COMMENTS FROM ATTENDING CITIZENS

Joe Fortier, 3112 Preakness Drive, Fallston, and **Sandra Tracy**, 1931 Park Beach Drive, Aberdeen, offered remarks.

ADJOURNMENT

The Legislative Session Day was adjourned at 9:21 p.m. by general consent.

APPROVED Richard C. Slutzky 7/10/12
Vice President Date