

**PROCEEDINGS OF LEGISLATIVE SESSION DAY 12-16
OF THE COUNTY COUNCIL OF HARFORD COUNTY, MARYLAND**

May 15, 2012

COUNCIL CHAMBERS

7:30 P.M.

CALL TO ORDER – Legislative Session Day 12-16 was called to order at 7:32 p.m. by Council President William K. Boniface with all Members present.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Council President Boniface.

OPENING PRAYER – The Opening Prayer was delivered by Mr. Guthrie.

PRESENTATION OF PROCLAMATIONS - None

CITIZEN INPUT – None

SPECIAL PRESENTATIONS – None

APPROVAL OF MINUTES – The minutes of Public Hearings (May 2, 2012 and May 9, 2012) were approved by general consent.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

INTRODUCTION OF BILLS

Bill No. 12-26 (Appropriation – Post Employment Health Plan) was introduced by Council President Boniface at the request of the County Executive:

AN ACT to make an appropriation of funds from the General Fund, the Highways Fund, the Parks & Recreation Fund, the Agricultural Preservation Fund, the Water & Sewer Fund and the Solid Waste Fund for the current fiscal year; to provide the necessary funding to cover estimated expenses incurred during FY2012 attributable to the Post Employment Health Plan (PEHP).

Public hearing is scheduled for June 12, 2012 at 7:00 pm.

Bill No. 12-27 (Land Purchase Appraisal Process) was introduced by Council Guthrie, Woods, McMahan and Shrodes:

AN ACT to repeal and reenact, with amendments, Subsection A, Acquisition of real property, of Section 1-29, County-owned property, of Article III, General Administration, of Chapter 1, General Provisions, of the Harford County Code, as amended; to require an appraisal process prior to purchase or acquisition of real property or interest therein; and generally relating to the acquisition of County real property.

Public hearing is scheduled for June 12, 2012 at 7:00 pm.

INTRODUCTION AND CONSIDERATION OF AMENDMENTS

Amendment Nos. 19-30 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) were introduced by Council President Boniface at the request of the County Executive:

Amendment No. 19

On page 15, in line 19, strike "413,370" and substitute "414,370".
(To correct a typographical error.)

Amendment No. 20

On page 7, in line 10, strike "13,286,097" and substitute "13,294,847".
(To increase Fund Balance Appropriated in the amount of \$8,750 for additional funds required to support the Maryland School for the Blind.)

Amendment No. 21

On page 13, in line 8, strike "71,250" and substitute "80,000".
(To increase the Maryland School for the Blind in the amount of \$8,750 to support increased enrollment and tuition costs.)

Amendment No. 24

On page 7, in line 10, strike "13,286,097" and substitute "13,375,097".
(To increase Fund Balance Appropriated in the amount of \$89,000 to provide for a grant for the Cedar Lane Sports Foundation.)

Amendment No. 25

On page 13, in line 12, strike "723,933" and substitute "812,933".
(To increase Parks and Recreation-Administration in the amount of \$89,000 to provide for a grant for the Cedar Lane Sports Foundation.)

Amendment No. 26

On page 7, in line 10, strike "13,286,097" and substitute "13,668,787".
(To increase Fund Balance Appropriated in the amount of \$382,690 to provide for salary increases for new Senior Deputy classification.)

Amendment No. 27

On page 10, in line 23, strike "7,164,685" and substitute "7,188,299".
(To increase Sheriff's Office-Administration in the amount of \$23,614 to provide for salary increases for new Senior Deputy classification.)

Amendment No. 28

On page 10, in line 24, strike "24,300,071" and substitute "24,530,934".
(To increase Sheriff's Office-Patrol Operations in the amount of \$230,863 to provide for salary increases for new Senior Deputy classification.)

Amendment No. 29

On page 10, in line 25, strike "7,928,206" and substitute "8,011,011".
(To increase Sheriff's Office-Investigative Services in the amount of \$82,805 to provide for salary increases for new Senior Deputy classification.)

Amendment No. 30

On page 10, in line 28, strike "5,149,043" and substitute "5,194,451".
(To increase Sheriff's Office-Court Services in the amount of \$45,408 to provide for salary increases for new Senior Deputy classification.)

Amendment Nos. 31 and 32 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) were introduced by Council President Boniface at the request of the County Executive, and Council Members McMahan, Shrodes and Woods:

Amendment No. 31

On page 7, in line 10, strike "13,286,097" and substitute "13,386,097".
(To increase Fund Balance Appropriated in the amount of \$100,000 to provide for Sunday hours at County Libraries.)

Amendment No. 32

On page 13, in line 10, strike "15,534,624" and substitute "15,634.624".
(To increase County Libraries in the amount of \$100,000 to provide for Sunday hours at three branches during the months of October thru April.)

Amendment Nos. 33 - 38 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) were introduced by Council President Boniface:

Amendment No. 33

On page 34, in line 11, strike "6,000,000" and substitute "5,675,000".
(To decrease the General Capital Project-Humane Society in the amount of \$325,000.)

Amendment No. 34

On page 33, in line 10, strike "35,870,000" and substitute "35,545,000".
(To decrease Future County Bonds in the amount of \$325,000 for the General Capital Project-Humane Society.)

Amendment No. 35

On page 34, in line 10, strike "2,600,000" and substitute "2,000,000".
(To decrease the General Capital Project-HMAN (Harford County Metro Area Network) in the amount of \$600,000.)

Amendment No. 36

On page 33, in line 10, strike "35,870,000" and substitute "35,270,000".
(To decrease Future County Bonds in the amount of \$600,000 for the General Capital Project-HMAN (Harford County Metro Area Network).)

Amendment No. 39 and 40 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) were introduced by Council President Boniface at the request of the County Executive and Council Member Woods:

Amendment No. 39

On page 34, between lines 28 and 29, insert the following:
"Public Safety Communication in School Buildings 100,000".
(To add the Sheriff/Emergency/Fire Capital Project-Public Safety Communication in School Buildings in the amount of \$100,000.)

Amendment No. 40

On page 33, in line 9, strike "15,128,321" and substitute "15,228,321".
(To increase Paygo funding in the amount of \$100,000 for the Sheriff/Emergency/Fire Capital Project-Public Safety Communication in School Buildings.)

Amendment Nos. 41 and 42 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) were introduced by Council President Boniface at the request of the County Executive:

Amendment No. 41

On page 36, in line 17, strike "3,500,000" and substitute "500,000".
(To decrease Solid Waste Capital Project-Solid Waste Transfer Station in the amount of \$3,000,000.)

Amendment No. 42

On page 33, in line 10, strike "35,870,000" and substitute "32,870,000".
(To decrease Future County Bonds in the amount of \$3,000,000 for the Solid Waste Capital Project-Solid Waste Transfer Station.)

Amendment Nos. 43 and 44 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) were introduced by Council President Boniface at the request of the County Executive, and Council Members Guthrie and Lisanti:

Amendment No. 43

On page 40, in line 11, strike "250,000" and substitute "650,000".
(To increase Parks and Recreation Capital Project – Oakington Farms – Tydings Park in the amount of \$400,000.)

Amendment No. 44

On page 39, in line 3, strike "1,662,904" and substitute "2,062,904"
(To increase Paygo funding in the amount of \$400,000 for the Parks and Recreation Capital Project-Oakington Farms-Tydings Park.)

Amendment Nos. 45 - 56 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) were introduced by Council President Boniface at the request of the County Executive:

Amendment No. 45

On page 39, in line 21, strike "750,000" and substitute "661,000".
(To decrease Parks and Recreation Capital Project-Cedar Lane Sports Complex Improvements in the amount of \$89,000.)

Amendment No. 46

On page 39, in line 3, strike "1,662,904" and substitute "1,573,904".
(To decrease Paygo funding in the amount of \$89,000 for the Parks and Recreation Capital Project-Cedar Lane Sports Complex Improvements.)

Amendment No. 47

On page 40, in line 13, strike "1,115,000" and substitute "615,000".
(To decrease Parks and Recreation Capital Project-Parkland Acquisition in the amount of \$500,000.)

Amendment No. 48

On page 39, in line 3, strike "1,662,904" and substitute "1,162,904".
(To decrease Paygo funding in the amount of \$500,000 for the Parks and Recreation Capital Project-Parkland Acquisition.)

Amendment No. 49

On page 40, between lines 9 and 10, insert the following:
"Northern Regional Park 500,000".
(To add the Parks and Recreation Capital Project-Northern Regional Park in the amount of \$500,000.)

Amendment No. 50

On page 39, in line 3, strike "1,662,904" and substitute "2,162,904".
(To increase Paygo funding for the Parks and Recreation Capital Project-Northern Regional Park in the amount of \$500,000.)

Amendment No. 53

On page 41, in line 4, strike "2,725,000" and substitute "2,550,000".
(To decrease Future County Bonds in the amount of \$175,000 for the Sewer Project-Harford WWTP Facility Improvements.)

Amendment No. 54

On page 41, in line 3, strike "1,245,000" and substitute "1,420,000".
(To increase Paygo in the amount of \$175,000 for the Sewer Project-Harford WWTP Facility Improvements.)

Amendment No. 55

On page 42, between lines 8 and 9, insert the following:
"700 MHz Wireless Radio System Equipment 546,000".
(To add the Water Capital Project- 700 MHz Wireless Radio System Equipment in the amount of \$546,000.)

Amendment No. 56

On page 42, in line 3, strike "4,662,000" and substitute "5,208,000".
(To increase Paygo funding in the amount of \$546,000 for the Water Capital Project- 700 MHz Wireless Radio System Equipment.)

Amendment No. 57 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

was introduced by Council Members McMahan and Woods:

Amendment No. 57

On page 11, in line 2, strike "3,919,113" and substitute "3,778,064".

Amendment No 58 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

was introduced by Council Members Woods and Guthrie:

Amendment No. 58

On page 36, in line 17, strike "3,500,000" and substitute "0".

Mary Chance, Director of Administration, and Kimberly Spence, Chief, Budget and Management Research, provided testimony.

Amendment No. 19 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) was approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 20 & 21 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance) were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 24 & 25 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 26 - 30 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 31 & 32 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. Shrodes, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 33 & 34 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 35 & 36 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 39 & 40 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 43 & 44 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 45 & 46 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 47 - 50 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. Shrodes, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 53 & 54 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment Nos. 55 & 56 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and unanimously approved (7-0).

Amendment No. 57 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

failed on motion made by Mr. McMahan, seconded by Mr. Woods, with votes of “yes” made by Mr. Woods, Mr. McMahan and Mr. Shrodes, and votes of “no” made by President Boniface, Mr. Guthrie, Mr. Slutzky and Ms. Lisanti (3-4).

Amendment No. 58 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

failed on motion made by Mr. McMahan, seconded by Mr. Guthrie, with votes of “yes” made by Mr. Guthrie, Mr. Woods and Ms. Lisanti, and votes of “no” made by President Boniface, Mr. McMahan, Mr. Shrodes and Mr. Slutzky (3-4).

Amendment Nos. 41 & 42 to Bill No. 12-24 (Annual Budget and Appropriation Ordinance)

were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, with votes of “yes” made by President Boniface, Mr. McMahan, Mr. Shrodes, Mr. Slutzky and Ms. Lisanti (5-2). Votes of “no” were made by Mr. Guthrie and Mr. Woods.

Memorandums of Change Nos. 15 - 18 to Resolution No. 13-12 (Adoption of Capital Program)

were introduced by Council President Boniface at the request of the County Executive:

MEMORANDUM OF CHANGE #15

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: DPW – Solid Waste

PROJECT: Waste to Energy Repairs

This memorandum of change eliminates out-year funding in the Fiscal Years 2016 and 2017 for the Solid Waste – Waste to Energy Repairs capital project.

MEMORANDUM OF CHANGE #16

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: General

PROJECT: HMAN (Harford County Metro Area Network)

This memorandum of change eliminates all out-year funding for the General – HMAN (Harford County Metro Area Network) Capital Project.

MEMORANDUM OF CHANGE #17

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: Highways

PROJECT: HMAN (Harford County Metro Area Network)

This memorandum of change eliminates all out-year funding for the Highways – HMAN (Harford County Metro Area Network) Capital Project.

MEMORANDUM OF CHANGE #18

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: Water and Sewer

PROJECT: HMAN (Harford County Metro Area Network)

This memorandum of change eliminates all out-year funding for the Water and Sewer – HMAN (Harford County Metro Area Network) Capital Project.

Memorandums of Change No. 19 to Resolution No. 13-12 (Adoption of Capital Program) was introduced by Council President Boniface:

MEMORANDUM OF CHANGE #19

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: Sheriff/Emergency/Fire

PROJECT: New Emergency Operations Center Complex

This memorandum of change decreases Future Bond funding in Fiscal Year 2014 to \$3,710,475; eliminates Future Bond funding in Fiscal Year 2015; and removes the following verbiage from the Project Schedule:

FY 15 begin construction of Phase II

FY 16 complete construction

Memorandums of Change Nos. 20 and 21 to Resolution No. 13-12 (Adoption of Capital Program) were introduced by Council President Boniface at the request of the County Executive:

MEMORANDUM OF CHANGE #20

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: Parks & Recreation

PROJECT: Emily Bayliss Graham Park

This memorandum of change changes the funding source in Fiscal Year 2015 from Future Bonds to Paygo.

MEMORANDUM OF CHANGE #21

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: Parks and Recreation

PROJECT: Northern Regional Park

This memorandum of change will add Paygo funding in Fiscal Year 2017 to the Parks and Recreation Capital Project – Northern Regional Park in the amount of \$650,000.

Memorandums of Change Nos. 23 - 25 to Resolution No. 13-12 (Adoption of Capital Program)

were introduced by Council President Boniface at the request of the County Executive:

MEMORANDUM OF CHANGE #23

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: General Capital

PROJECT: Countywide Facilities Master Plan Study

This memorandum of change revised the Countywide Facilities Master Plan Study, to include a more detailed project description, as follows: "This study will involve the use of an outside consulting firm to evaluate the current condition and future needs of the facilities of Harford County Government, Harford County Public School System, State's Attorney's office, Judicial System, Sheriff's office, Fire and ES System, Health Department and Harford Community College. This firm will produce a report which provides recommendations and a list of priorities that should be addressed as funding becomes available."

MEMORANDUM OF CHANGE #24

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: Board of Education

PROJECT: Havre de Grace High School Replacement

This memorandum of change revises the Havre de Grace High School Replacement capital project, removing 20,000,000 from FY 2014, \$20,000,000 from FY 2015, and removing \$16,000,000 from FY 2016, leaving \$4,000,000 in FY 2016 specifically allocated for engineering and design costs.

MEMORANDUM OF CHANGE #25

DATE: 15 - May-12

REFERENCE: Resolution 13-12 Capital Program Fiscal Years 2013- 2018

AGENCY: Solid Waste Projects

PROJECT: Solid Waste Transfer Station

This memorandum of change revised the Solid Waste Transfer Station, changing the site location from Joppa to TBD (to be determined) and also adds the following language at the end of the project description, "...in accordance with the Harford County Solid Waste Management Plan." It also eliminates funding for the Transfer Station in the amount of \$3,000,000 originally allotted for Fiscal Year 2013 and it also eliminates out-year funding of \$15,000,000 in Future Bonds for Fiscal Year 2014.

Memorandum of Change No. 15 to the Capital Program was approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and carried with unanimous votes of aye (7-0).

Memorandums of Change Nos. 16 - 18 to the Capital Program were approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and carried with unanimous votes of aye (7-0).

Memorandum of Change No. 19 to the Capital Program was approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and carried with unanimous votes of aye (7-0).

Memorandum of Change No. 20 to the Capital Program was approved on motion made by Mr. McMahan, seconded by Mr. Slutzky, and carried with unanimous votes of aye (7-0).

Memorandum of Change No. 21 to the Capital Program was approved on motion made by Mr. Shrodes, seconded by Mr. Slutzky, and carried with unanimous votes of aye (7-0).

Memorandum of Change No. 23 to the Capital Program was approved on motion made by Ms. Lisanti, seconded by Mr. Slutzky, and carried with unanimous votes of aye (7-0).

Memorandum of Change No. 24 to the Capital Program was approved on motion made by Mr. Slutzky, seconded by Mr. McMahan, and carried with votes of "aye" cast by President Boniface, Mr. Woods, Mr. McMahan, Mr. Shrodes and Mr. Slutzky (5-2). Votes of "nay" were cast by Mr. Guthrie and Ms. Lisanti.

Memorandum of Change No. 25 to the Capital Program was approved on motion made by Mr. Woods, seconded by Mr. Guthrie, and carried with unanimous votes of aye (7-0).

CALL FOR FINAL READING OF BILLS - None

ENROLLMENT OF BILLS - None

UNFINISHED BUSINESS – None

NEW BUSINESS - None

BUSINESS FROM THE PRESIDENT

County Executive Craig issued Executive Order No. 12-3. On motion by Mr. McMahan, and seconded by Mr. Woods, Executive Order 12-3 was disapproved (7-0).

BUSINESS FROM COUNCIL MEMBERS

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

COMMENTS FROM ATTENDING CITIZENS

Ryan Burbey, 15 Ridgdon Road, Aberdeen, **David Glenn**, 3020 Lewis Lane, Havre de Grace, and **Lee Crush**, Hollingsworth Road, Joppa, offered remarks.

ADJOURNMENT

The Legislative Session Day was adjourned at 10:03 p.m. by general consent.

APPROVED Billy Bonham 5/29/12
President Date