

COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
October 6, 2015

PRESENT: Council Members: President Hodge, Vice President McCarthy, Joyce Bowsbey, George Patchell and Dan Schneckenburger; Jason Allison, County Attorney; Winston Robinson, Director of Finance; Scott Flanigan, Director of Public Works; Steve O'Connor, MALPF Administrator; Tony DiGiacomo, Principal Planner; James Massey, Council Manager; Terry Hale, Council Assistant; members of the press; and members of the public.

OPEN SESSION – Elk Room

9:00 a.m. – President Hodge called the meeting to order at 9:00 a.m. and determined a quorum.

NOTE: Audio recording of this meeting is available on the County website www.ccgov.org.

CLOSED SESSION

September 22, 2015

11.10 a.m.

On motion by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to convene in closed session, pursuant to the Annotated Code of Maryland, State Government 10-508(a) (7) to consult with counsel to obtain legal advice on a legal matter.

Roll Call Vote: McCarthy - Y, Bowsbey-Y, Schneckenburger - Y, and Hodge - Y. The motion was carried by a vote of 4 to 0. Councilman Patchell was absent.

Present: Council Members: Vice President McCarthy, Councilwoman Bowsbey, Councilman Schneckenburger, and President Hodge; Al Wein, Director of Administration; Jason Allison, County Attorney; Winston Robinson, Director of Finance; Craig Whiteford, Budget Manager; James Massey, Council Manager; Terry Hale, Council Assistant.

Mr. Allison discussed a recent court case that will affect Cecil County existing law. The administration will be introduce new legislation in order to comply with this court decision.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to adjourn the closed session at 11:35 a.m. The motion was carried by a vote of 4 to 0. Councilman Patchell was absent.

Approval of Minutes

On a motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the minutes of the Council work session of September 22, 2015. Motion was carried unanimously.

On a motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the minutes of the Council closed session of September 22, 2015. Motion was carried unanimously.

Review of Legislative Agenda

Mr. Allison provided comments on Rezoning Case 2015-05 Henry L. Ray. Questions and comments ensued. Mr. O'Connor explained permissible uses in M1 zoning designation.

Mr. Allison also provided comments on Bill No. 2015-19 Amendment - Parks and Recreation - Park Rules and Regulation for tonight's public hearing.

Mr. Massey summarized the effects of Resolution No. 49-2015 Amendment - Policies and Procedures of the Cecil County Council - Expedited Legislation, which is also scheduled for tonight's public hearing.

Mr. O'Connor described Bill No. 2015-20 Approval - Agricultural Preservation District - Quiet Acres Farm, which will be introduced at tonight's legislative session.

Mr. Robinson provided details of Bill No. 2015-21 Budget Amendment - Capital Budget - 107 Chesapeake Blvd., which will be introduced tonight.

Mr. Flanigan described Bill No. 2015-22 Budget Amendment - Waste Water Capital Budget - Principio Sanitary Sewer North and Mobile Package Waste Water Treatment Plant, which will be introduced tonight. The County and current contractor have reached a mutual agreement to terminate the construction contract. Mr. Flanigan and Mr. Allison offered to provide additional details regarding the Principio Sewer North project in closed session, if requested. Additionally, Mr. Flanigan explained that the original quote for the mobile package plant was underestimated and that additional funds are being requested.

Mr. Flanigan provided remarks regarding Bill No. 2015-23 Budget Amendment - Roads and Bridges Capital Improvement Program - Red Toad Road/Route 40 Intersection and Reservoir Road Culverts, which will be introduced tonight. He explained additional funds were needed because of an increase in construction costs.

Councilwoman Bowsbey requested that the administration revise the fiscal notes for these three Bills.

Mr. Allison explained the need for Bill No. 2015-24 Amendment - Interest in Land Transfer - First Time Home Buyers. Cecil County's current exemption for first time home buyers is not in agreement with a recent court decision in Charles County. This Bill will be introduced at tonight's session.

Mr. Robinson gave introductory remarks regarding Bill No. 2015-25 Bond Authorization - General Obligation Bond - Public Facilities. He distributed documents that illustrate his

procedure in sizing the bond based on two years' worth of projects, which have been approved for funding.

The Council reviewed Resolutions for introduction including Resolution No. 53-2015 Appointment - Economic Development Commission - Michael Lara and Resolution No. 55-2015 Appointment - Department of Social Services Board - Randy Bailey and Natalie Gentry.

Resolution No. 54-2015 Approval - Critical Area Growth Allocation - Recovery Center of America, Earleville was reviewed by Mr. DiGiacomo. He explained the growth allocation process and the history of the property, which was originally granted growth allocation of 40 acres from a request by Sassafras River Club. The Critical Area Commission had determined that Recovery Center of America, also known as 314 Grove Neck Road LLC, should be reauthorized for growth allocation by the County. Dr. DiGiacomo also clarified that 300 acres have been given growth allocation and 604.67 acres remain.

Resolution No. 51-2015 Appointment - Economic Development Commission - Dr. Mary Way Bolt and Dr. Carl Roberts and Resolution No. 52-2015 Supplemental Appropriation - Casino Impact Fund - Various Grants were reviewed without comments.

Council Manager Report

Mr. Massey reminded the Council that County Government will be closed Monday, October 12, for Columbus Day. Council Members are invited to tour the County Courthouse on Thursday, October 8 at 10am. The ribbon cutting for Calvert Regional Park was changed from October 17 to October 31 at 11am due to weather conditions. The Council Manager is participating in the redesign of the County's website.

Council Member Items

Councilman Schneckenburger will be attending the Economic Development Commission and Clean Chesapeake Coalition.

Vice President McCarthy attended the MACo Legislative Committee and opening of the Ben Cardin Trail.

Councilwoman Bowsbey, Councilman Patchell and President Hodge will provide their comments at tonight's legislative session.

CLOSED SESSION

10:58 A.M.

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to convene in closed session pursuant to the Maryland Annotated Code, State Government, Section 10-508(a) (4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the State. The motion was carried by a vote of 5 to 0.

Roll Call Vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y.

OPEN SESSION


11:45 A.M.

The presiding chair, Vice President McCarthy, reconvened the meeting at 11:45


Adjournment

Vice President McCarthy adjourned the meeting at 11:46 a.m.

Attest:


James Massey
Council Manager

Approved:


Robert J. Hodge, President
County Council of Cecil County