

**Board of County Commissioners  
Worksession Minutes  
April 19, 2011**

**PRESENT:** Commissioners Mullin, Moore, Dunn, Broomell and Hodge; County Administrator Al Wein, Public Works Director Scott Flanigan and staff; Planning and Zoning Director Eric Sennstrom; Economic Development Director Vernon Thompson and staff; Emergency Services Director Richard Brooks; Human Resources Director Donna Nichols; Permits and Inspections Director Patrick Conway, Office Administrator Vicky Rinkerman; Attorney Norman Wilson (arrived 10:25 am.); members of the press, and members of the public.

**NOTE:** Audio recording of this meeting is available on the County website [www.ccgov.org](http://www.ccgov.org).

**OPEN SESSION**

**9:00 a.m.** – President Mullin called the meeting to order.

**Citizen Budget Advisory Committee Report**

Mr. Jim Butkiewicz reviewed the report from the Citizen Budget Advisory Committee.

The Board thanked the Committee for their work and recommendations.

**Scotchman Creek Project – Acquisition and Restoration**

Mr. Rob Etgen, Eastern Land Conservancy, provided an overview of the organization and their role in the county and briefed the Board on a proposed project at Scotchman Creek. They are seeking a letter of support from the Board for acquisition of the property.

Discussion ensued regarding public ownership and using mitigation funding to proceed with restoration and public recreation use.

The Board deferred a decision on supporting the proposal pending due diligence regarding acquisition and ownership of the property.

**Cecil Partnerships for Children, Youth and Families – Local Management Board**

Cecil Partnership Executive Director Cynthia Pierce and Board member Dr. Ken Lewis reviewed the purpose of the organization and pending budget cuts proposed at the State level. Their programs serve the needs of at risk youth in the community. The organization is seeking additional funding of \$49,000 for administration in order to continue providing critical programs for youth.

**Wastewater rate study evaluation**

Public Works Director Flanigan provided an overview of the rate study evaluation relative to requested scenarios. He recommended that a new rate fee structure be adopted with an effective date of July 1, 2011.

Discussion ensued regarding expanding capacity at Seneca Point, required upgrades through DNR, and the capital expenditure time line based on demands for service. The Board deferred discussion on this item and requested to schedule a separate session relating to this matter.

### **Evening Meeting Agenda review**

County staff reviewed items listed on the evening meeting agenda for the Board.

Director Conway reviewed the proposed amendments to Chapter 200 relative to automatic fire sprinklers.

County Administrator Wein reviewed the action items on the agenda.

Director Flanigan reviewed Ordinance 2011-06 Chapter 253 Illicit Discharge and Connections to Storm Drainage Systems relative to proposed amendments and the remaining Public Works items on the agenda.

Budget Manager Whiteford reviewed the budget amendments.

### **Stormwater Management Ordinance**

Director Flanigan and Public Works Chief of Development Services Tim Whittie briefed the Board on proposed revisions to the ordinance based on recommendations from the committee. The Maryland Department of the Environment has reviewed and approved the ordinance.

County Administrator Wein advised the Board that another public hearing would be required if the revisions are substantial from the original ordinance.

Attorney Wilson advised the Board that a substantial number of meetings were held with the public through the committee process.

The Board concurred to proceed with placing the stormwater management ordinance as presented, on the May 3, 2011 meeting agenda.

### **RFP 11-15 Fuel management discussion**

Budget Manager Whiteford briefed the Board relative to the current fuel system and proposed upgrades to the fuel management system. The proposal would increase the cost for the system; however, the system would track and manage fuel use more effectively.

The Board requested more information relative to cost savings to be submitted with the RFP bid recommendation at the May 3, 2011 Commissioners meeting.

### **Draft RFP 11-18 Design, purchase and install up to 19 garage door openers on existing garage**

Director Flanigan reviewed the specifications of the RFP.

The Board authorized Public Works staff to proceed with advertising RFP 11-18.

### **Draft RFP 11-44 Tree trimming**

Director Flanigan reviewed the draft RFP.

The Board authorized Public Works staff to proceed with advertising RFP 11-44.

### **Legislative Report**

Commissioner Moore presented the legislative report.

### **Commissioners Items**

Commissioner Dunn commented on meetings and events he attended during the week.

Commissioner Broomell commented on the upcoming river sweep event.

Commissioner Moore congratulated the Teacher of the Year winner.

Commissioner Hodge advised the Board that other jurisdictions in the surrounding area have revised the mandated fire sprinkler provision.

### **Request to Fill**

The Department of Social Services has requested to fill a Program Eligibility Analyst grant funded position.

The Board concurred to authorize Human Resources advertise and fill the position as presented.

### **CLOSED SESSION**

**12:00 p.m.**

On motion made by Commissioner Hodge, seconded by Commissioner Moore, the Board moved to convene in closed session pursuant to Maryland Annotated Code-State Government 10-508 (a) (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

The Board convened in closed session.

### **ADJOURNMENT OF CLOSED SESSION**

**12:48 p.m**

On motion made Commissioner Hodge, seconded by Commissioner Broomell, the Board voted unanimously to adjourn from closed session.

### **OPEN SESSION**

**2:30 p.m.**

**PRESENT:** Commissioners Mullin, Moore, Dunn, Broomell and Hodge; County Administrator Al Wein, Economic Development Director Vernon Thompson and staff; Budget Manager Craig Whiteford; Treasurer Bill Feehley; Office Administrator Vicky Rinkerman; Attorney Norman Wilson; and members of the press.

### **Cecil County Multi-Year Plan Local Development Sub-committee recommendation discussion**

The following decisions were made regarding the recommendations from the Local Development Council:

Rising Sun High School Project - The Board concurred to proceed with this project in the plan.

Razor Strap Road Phases I and II and Bridge Project over Stony Run - The Board concurred to proceed with this project in the plan.

Video streaming for Commissioners meeting - The Board concurred to remove this project from the plan.

PDR and TDR Program - The Board concurred to proceed with this project for properties west of Route 272.

Road Overlay Program -The Board concurred to proceed with this project west of Route 272.

Small Business Program - The Board concurred to proceed with this project west of Route 272.

Community Grant Funding - Discussion ensued regarding the process and procedure for community grant projects. A recommendation was made to offer the community grants twice per year. A suggestion was made to rank the community grants relative to the proximity to the gaming facility. The Board concurred to proceed with this project in the plan.

Port Deposit area - Discussion ensued relative to adding the Town of Port Deposit as a line item for funding. The Board concurred that it would be unfair to provide a separate funding stream for Port Deposit at this time.

Reimbursement to Penn National - The County's share of the Route 222 infrastructure reimbursement request is \$1.88 million. Discussion ensued regarding options relative to finalizing the plan for approval and making a decision on the reimbursement to Penn National. The Board made a prior decision that they would reimburse Penn National and announced that they would make a decision at the April 19<sup>th</sup> meeting.

Discussion ensued relative to the intent of the letter for reimbursement to Penn National.

On motion made Commissioner Moore, seconded by President Mullin for discussion purposes, the Board considered reimbursing Penn National Gaming \$1.88 million for Route 222 off-site infrastructure costs over a seven-year period.

Commissioner Broomell stated that she **objects to the backroom manner used to approve the Penn National agreement, and pointed out that there was no vote recorded or reference made in the meeting minutes regarding the agreement.** (does not support the agreement or agree with the process for approval by the County) She represents the citizens of Cecil County and feels that Penn National should not be reimbursed for infrastructure costs.

Commissioner Hodge requested an amendment to the motion to decrease the amount of reimbursement to \$1.5 million.

Commissioner Moore declined to make the amendment to the motion.

Attorney Wilson advised the Board that he feels the County is obligated to reimburse Penn National. Penn National has reduced the amount of reimbursement and the reimbursement will be provided from revenue funds; not tax dollars.

Commissioner Broomell stated that she feels the casino has a negative impact on the area, and the school system is not going to benefit from the revenue funds.

VOTE: Mullin-Y, Broomell-N, Moore – Y, Dunn – N, Hodge – N. Motion failed 2 in favor and 3 against.

On motion made by Commissioner Hodge, seconded by Commissioner Moore, the Board considered reimbursing Penn National 1.6 million over six years.

Commissioner Hodge stated that he does not agree with the process; however, he feels the County is obligated to reimburse Penn National. He feels Penn National officials did not keep promises made to the County and requested special funding consideration.

VOTE: Mullin-Y, Broomell-N, Moore – Y, Dunn – N, Hodge – Y. Motion carried 3 in favor – 2 against.

## **ADJOURNMENT**

**4:15 p.m.** – The meeting was adjourned.

>