

**Board of County Commissioners
Worksession Minutes
August 2, 2011**

PRESENT: Commissioners Mullin, Moore, Dunn, Broomell and Hodge; Public Works Director Scott Flanigan and staff; Planning and Zoning Director Eric Sennstrom and staff; Housing Director Dave Mahaney; Human Resources Director Donna Nichols; Parks and Recreation Director Clyde Van Dyke; Information Technology Director Scott Mesneak; Economic Development Director Vernon Thompson; Facilities Manager Stafford Torgensen; Budget Manager Craig Whiteford; Executive Office Administrator Vicky Rinkerman; Counsel Norman Wilson; Treasurer Bill Feehley; members of the press, and members of the public.

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

OPEN SESSION

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

Proposal Boys and Girls Club Razor Strap Road – Mr. David Holden provided the Board an overview of a Boys and Girls Club proposal that would be in addition to a current affordable housing project in North East. He is seeking support and a partnership from the county for the proposal to permit the company to apply for state grant funds.

Discussion ensued regarding:

- . County liability relative to supporting the proposal;
- . Suitability of location for easy access to the Boys and Girls Club;
- . Concerns with county becoming an owner in the project;
- . Company would provide a copy of the financial information relative to the project;
- . County contribution to the project would be a waiver of building permit fees for the project;
- . Developer responsibility relative to traffic impact study; and
- . Due process for potential road improvements

Request for Waiver of purchasing code – Elk River Dredging project – Director Van Dyke provided the Board an overview of the request relative to a waiver of the purchasing code for the Elk River dredging project due to time constraints. The state is working with the county to get this project completed and the bid package would be sent to eight contractors for a proposal.

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board considered a motion to waive the formal bidding and advertisement requirements pursuant to Chapter 183 of the Code of Cecil County for the Elk River dredging project.

VOTE: Mullin - Y, Broomell - Y, Moore -Y, Dunn - Y, Hodge - Y. Motion carried unanimously.

MUNIS conversion proposal – Treasurer Feehley provided the Board an overview of the proposal relative to converting MUNIS to a different platform, which would allow the county to access information faster in the event of a server malfunction. The proposal would house the data off site; as opposed to the current situation where the data is housed on site. Director Mesneak advised the Board that the county has a plan to back up all data; however, the county does not have direct access to the MUNIS server and data, which would delay access to the county data.

Discussion ensued regarding:

- . Concerns relative to data access;
- . Budget discussions that occurred relative to the MUNIS program; and
- . Suggestion to bring the proposal forward in the next budget cycle

The Board concurred to direct Treasurer Feehley to proceed with this proposal in the FY2013 budget process.

Cecil County Forest Conservation Regulations – Amanda Paoletti from the Office of Planning and Zoning provided the Board an overview of the forest conservation regulations.

Discussion ensued regarding:

- . Procedures for responding to complaints regarding forest conservation regulations;
- . Reasons why a waiver from the regulations would be granted;
- . Violation monitoring by Planning and Zoning staff; and
- . Complaint process with regard to court cases

Brownfield Ordinance input committee – Director Sennstrom provided the Board a list of names relative to establishing a committee to review and provide recommendations for the proposed ordinance.

The Board concurred with the list of names provided by Director Sennstrom and provided additional names for the committee.

PlanMaryland letter – Plans Reviewer Tony DiGiacomo from the Planning and Zoning Department provided the Board an overview of the proposed letter outlining the issues with the PlanMaryland initiative.

Discussion ensued regarding:

- . State's interpretation and approach to Smart Growth regulations relative to centering the initiatives in larger urban areas;
- . Potential issues for rural counties that could lead to more urban sprawl;
- . Potential conflicts with County's Comprehensive Plan;
- . Error relative to not including Bainbridge property in the plan;

- . Clarifying in the letter that the county does not want PlanMaryland to supersede local regulations;
- . Including potential issues municipalities may experience with PlanMaryland; and
- . Providing a map of our growth areas as designated in our Comprehensive Plan

The Board concurred to direct Plans Reviewer DiGiacomo to revise the letter as discussed and forward to the Board for final review.

Road Code Variance Procedures – Director Flanigan and Chief Tim Whittie provided the Board an overview of the procedures for requesting a road code variance. The variance procedure was changed to send any grievances of approved road code variances to Circuit Court and not the Board of County Commissioners. Concerns were expressed relative to road code variances approved for Murphy's Run and Liberty Grove Road.

Discussion ensued regarding:

- . Adoption of revisions to the road code variance procedures relative to site distance to help reduce similar issues that occurred with the Murphy's Run subdivision;
- . Current requirements for ensuring developers obtain right-of-ways for off-site road improvements for developments;
- . New processes have been implemented in the subdivision process to allow the public to comment on potential road code variances;
- . Options available to designate a different appeal process for road code variances; and
- . Road code information provided to the Planning Commission during the subdivision process

Request to alter indoor space temperature guides – Facilities Manager Torgesen provided the Board an overview regarding the issue relative to the request from Circuit Court to alter the indoor temperature procedures.

Discussion ensued regarding:

- . Mechanical systems in the older section of the courthouse relative to regulating humidity in the rooms;
- . Potential costs for upgrades to the system;
- . Future CIP projects for courthouse renovations; and
- . Suggestion for use of dehumidifier when courtroom is not in use

Due to the age of the mechanical systems, the Board concurred to direct Facilities Manager Torgesen to purchase dehumidifiers to use when the older courtrooms are not in use to help regulate the humidity in the rooms. County Administrator Wein and Facilities Manager Torgesen were directed to convey the Board's decision to Circuit Court officials.

RFP 12-12 Design and installation of a solar photovoltaic system for the County Administration Building
– Facilities Manager Torgesen provided the Board an overview of RFP 12 -12.

The Board concurred to authorize staff to proceed with RFP 12-12.

Bid 12-10 One each Wemco/Muniflor sludge pump or approved equivalent – Water and Wastewater Chief Coale provided the Board an overview of the proposed bid to replace the sludge pump or approved equivalent.

Discussion ensued regarding:

- . Insurance requirements required relative to the project; and
- . Draft purchasing ordinance to address specific issues

The Board concurred to authorize staff to proceed with advertising bid 12-10 for sludge pump or approved equivalent as presented.

RFP 12-13 Purchase and install transit bus destination signs – Acting Director Bob Dermott provided the Board an overview of RFP 12-13.

The Board concurred to authorize staff to proceed with RFP 12-13 to purchase and install transit bus destination signs as presented.

County Government Advertising and Legal Notices – President Mullin provided the Board an overview of additional requirements for government advertising and legal notices relative to Charter government.

Discussion ensued regarding:

- . Correspondence from the Guardian relative to being designated as a newspaper of general circulation in the county;
- . Competition relative to advertising legal notices; and
- . Suggestion for exploring the possibility of advertising legal notices via the internet

Counsel Wilson advised the Board that the county received a letter from Mr. Bush of the Cecil Whig that the Guardian is not a newspaper of general circulation. However, the Board received a copy of an opinion from Circuit Court Judge Price that states the Guardian is a newspaper of general circulation in Cecil County.

Commissioner Items

Commissioner Dunn wished Commissioner Broomell a happy birthday.

Commissioner Broomell commented on discussions with the Drug and Alcohol Council.

Commissioner Moore commented on the Mayor's meeting and intention to proceed with the Council of Government meetings.

Commissioner Hodge commented on the timeline for the proposed Watershed Implementation plan. He recommended that the County request a deadline extension for submission of the plan to the state.

Discussion ensued regarding:

Timeline for submitting our plan; and

Sending a copy of the letter to the county delegation

The Board concurred to direct Director Flanigan to request a deadline extension on submitting a Watershed Implementation plan, and follow up with Delegate Mary-Dulany James on any action she has taken on this issue. A copy of the letter would also be sent to member of the Cecil County Delegation.

Commissioner Mullin commented on the MACo conference relative to scheduling a working lunch on the Broadband initiative.

Commissioner Broomell commented that a decision on the toll increase has been postponed. She suggested that county officials consider resubmitting alternatives for consideration.

The Board concurred to authorize Commissioner Broomell to draft a response from the county relative to proposed toll increase and forward to the Board.

CLOSED SESSION – Scheduled closed session was canceled.

ADJOURNMENT CLOSED SESSION

11:20 A.M. The meeting was adjourned.

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