

**Board of County Commissioners  
Worksession Minutes  
September 27, 2011**

**PRESENT:** Commissioners Mullin, Moore, Dunn, Broomell and Hodge; County Administrator Wein; Public Works Director Scott Flanigan and staff; Planning and Zoning Director Eric Sennstrom; Manager Craig Whiteford; Executive Office Administrator Vicky Rinkerman; Agricultural Coordinator Joann Young; 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](http://www.ccgov.org).

**OPEN SESSION**

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

**Economic Development Commission Agricultural Advisory Board** – Steve Connolly, Farm Bureau, Wayne Stafford, President of the Farm Bureau and EDCAAB members provided the Board an update on the economic impact of agricultural businesses in Cecil County.

Discussion ensued regarding:

- . Current economic outlook for agriculture in the county;
- . PlanMaryland impact on sustainability of local agricultural businesses;
- . Cost and regulations for farming operations;
- . Support for Economic Development Department and Agricultural Coordinator position;
- . Update on Equine industry in the county;
- . Plans to proceed with an agricultural summit in the county;
- . Comments from the agricultural community on PlanMaryland; and
- . Watershed Implementation Plan impact on agriculture

The Board concurred to direct staff to schedule quarterly meetings with the Economic Development Commission Agricultural Advisory Board.

**Correspondence from Artesian Relating to proceedings toward closing on Water Asset Purchase Agreement** – County Administrator Wein advised the Board that the county has received a request from Artesian for assistance relating to proceeding toward closing on the Water Asset Purchase Agreement on or before October 21, 2011.

The Board concurred to authorize staff to proceed with providing assistance to Artesian relative to closing the Water Asset Purchase Agreement as necessary.

**Proposal to Mutually Terminate Wastewater Asset Purchase Agreements** - County Administrator Wein reviewed documents for the Board submitted by Artesian relative to the proposal to mutually terminate the

Wastewater Asset Purchase Agreements. Pursuant to Chapter 160 of the Cecil County Code, all Board members must agree to authorize this as an emergency action in order to proceed with a decision.

Counsel Wilson advised the Board that Artesian has submitted a request to terminate the Wastewater Asset Purchase Agreements; however, they have conveyed that they would like to retain the wastewater franchise. He negotiated an agreement that Artesian would agree to terminate their wastewater franchise agreement provided the County terminates the wastewater asset purchase agreements.

On motion made by Commissioner Dunn, seconded by Commissioner Broomell, the Board moved to consider this matter as an emergency item for action at this worksession meeting. Motion carried unanimously.

Board members provided their comments relative to the franchise agreement with Artesian throughout the discussion.

On motion made by Commissioner Dunn, seconded by Commissioner Broomell, the Board moved to mutually terminate the wastewater asset purchase agreements, franchise agreement, and the parent guaranty.

Counsel Wilson advised the Board that the contract states Artesian has the right to terminate the wastewater asset purchase agreement at their discretion. In his opinion, if the purchase agreement is terminated with Artesian, they should not retain the franchise.

Discussion ensued regarding the use of the general funds or VLT funds toward the wastewater enterprise fund.

Motion carried by a vote of 3 to 2: Mullin - Y, Broomell - Y, Moore - N, Dunn - Y, Hodge - N.

**Board of Electrical Examiners Report** - Members of the Board of Electrical Examiners provided the Board an update on the process relative to implementing the changes with respect to electrical inspections in the county.

Discussion ensued regarding:

- . Recommendation for third party inspectors;
- . Establishing inspection prices and fee schedules;
- . Request for additional time to complete the review of the new regulations;
- . Timeline relative to terminating the current inspection contract; and
- . Electrical inspection agencies vs. in house electrical inspectors

The Board concurred to terminate the current contract for electrical inspections and proceed with a month-to-month contract until the Board of Electrical Examiners has completed their review.

**Old Elk Neck Road Improvements** – This item was postponed and will be rescheduled.

**Introduction of the Memorandum of Understanding between Harford County and Board of Cecil County Commissioners for the JARC grant** – County Administrator Wein advised the Board that this item is being introduced at this worksession.

Director David Trolio reviewed the proposed project and memorandum of understanding.

Discussion ensued regarding:

- . Potential transportation to Cecil College relative to time constraints;
- . Impact on ridership relative to the length of the route; and

Bus stop locations at Perry Point and the casino

County Administrator Wein advised the Board that legal counsel would review the MOU and it will be scheduled for action at the October 4, 2011 Commissioners meeting.

**Cecil County Watershed Implementation Plan (WIP) Phase II timeline** – Director Flanigan provided the Board an update on the timeline and requirements to comply with the WIP.

Discussion ensued regarding:

- . Potential deadlines for compliance with the regulations;
- . Proposed submission process for documents;
- . Completing project milestones for the next worksession meeting;
- . Potential cost for implementation of regulations; and
- . Public involvement in the WIP process

The Board concurred that County officials need to continue trying to meet the deadlines and seek assistance from our federal and state officials and local municipalities relative to issues with meeting the deadlines.

**Draft RFP 12-14 Engineer Services, On-call Consultant Contract for Real Estate Services** – Director Flanigan reviewed for the Board draft 12-14 Engineer Services contract for real estate services relative to right-of-way acquisitions.

The Board concurred to authorize the Public Works Department to proceed with advertising RFP 12-14 Engineer Services.

**Road Code Waiver Variance Process** – Director Flanigan requested a deferral of discussion on this item.

### **Commissioner Items**

Commissioner Dunn commented on a request to postpone the meeting with Perryville officials scheduled for this evening, September 27 in Perryville Town Hall relative to the VLT grants.

President Mullin advised the Board that the meeting with Perryville officials would not be postponed.

Commissioner Broomell commented on the Drug Awareness Forum, meeting relative to Perry Point, 5k Walk sponsored by Drug and Alcohol Council, and toll increases.

Commissioner Moore commented on the progress for the informal meeting and a tour of correctional facility.

Commissioner Hodge commented on the correctional facility tour.

President Mullin commented on the letter for Habitat for Humanity and kick-off for Breast Cancer Awareness Month.

The Board concurred to authorize President Mullin to sign the letter for Habitat for Humanity.

## **CLOSED SESSION**

**11:25 A.M.** On motion made by Commissioner Moore, seconded by Commissioner Dunn, the Board moved to convene in closed session pursuant to the Maryland Annotated Code - State Government 10-508 (a) (1) Personnel Matters (request to fill position – OSA Public Works Development Services, Senior Services and Community Transit Bud Driver); and (8) To consult with staff, consultants, or other individuals about pending or potential litigation (potential litigation associated with Cecil County Correctional Facility addition/renovation project).

The Board convened in closed session

## **ADJOURNMENT CLOSED SESSION**

**12:05 P.M.** On motion by Commissioner Hodge, seconded by Commissioner Moore, the Board voted unanimously to adjourn the closed session meeting.

>