

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2016-13
July 5, 2016

The County Council of Cecil County met in legislative session at the County Administration Building, 200 Chesapeake Blvd., Elk Room, Elkton, MD. The following members of the Council were present:

Robert Hodge, Council President
Dr. Alan McCarthy, Vice President
Joyce Bowlsbey, Council Member
Dan Schneckenburger, Council Member
George Patchell, Council Member

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

CALL TO ORDER

The meeting of the County Council of Cecil County of July 5, 2016 was called to order by President Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

MOMENT OF SILENCE

Council President Hodge led the Council in a moment of silence.

APPROVAL OF AGENDA

On motion made by Vice President McCarthy, seconded by Councilwoman Bowlsbey, the Council moved to approve the legislative agenda of July 5, 2016. Motion carried unanimously.

PUBLIC HEARING

Council Manager Massey stated for the record:

Bill No. 2016-13 Agricultural Land Preservation District - Steven and Lindsay Haines

A Bill to approve the petition of Steven and Lindsay Haines for property located at 838 Nesbitt Road, Colora, MD 21917, (Tax Map 9, Grid 24, Parcel 131) requesting the establishment of an agricultural preservation district.

The Bill was introduced on June 7, 2016, advertised on June 22, 2016 and June 29, 2016, and scheduled for public hearing on July 5, 2016.

Steve O'Connor, Zoning Administrator, provided comments on this legislation.

Council questions and comments ensued. The Council requested a fiscal note be provided for this Bill.

Council President Hodge opened the public hearing for public comment.
June Reasin, Conowingo, commented on the Bill.

Harold McCanick, Elk Neck, spoke in opposition to the Bill.

Council President Hodge concluded the public hearing on Bill No. 2016-13 and announced that final consideration of this Bill will be held on July 19, 2016

Council Manager Massey stated for the record:

Resolution No. 24-2016 Amendment - Personnel Policies and Procedures

A Resolution to amend certain sections of the Cecil County Personnel Policies and Procedures, Section HR-003A Pay Structure(s); Section HR-003B Changes in Position

The Resolution was introduced on June 7, 2016, advertised on June 22, 2016 and June 29, 2016, and scheduled for public hearing on July 5, 2016.

Donna Nichols, Director of Human Resources, provided comments on this legislation.

There were no Council questions and comments.

Council President Hodge opened the public hearing for public comment. There were no public comments.

Council President Hodge concluded the public hearing on Resolution No. 24-2016 and announced that final consideration of this Resolution will be held on July 19, 2016

APPROVAL OF MINUTES

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the legislative session minutes of June 21, 2016 as presented. Motion was unanimously approved.

PUBLIC COMMENTS

There were no public comments.

PRESIDENT AND COUNCIL COMMENTS

Councilman Schneckenburger attended the Aberdeen Proving Ground Community Partnership luncheon and commented on their joint land use study. He also commented on Governor Hogan's visit to Cecil County including a dinner at Lee's Landing, tour of Kilby's Creamery and ribbon cutting at Warwick Mushroom Farm.

Council President Hodge also attended the Aberdeen Proving Ground luncheon and commented on their difficult process in hiring. He also thanked the audience for attending tonight's session.

Vice President McCarthy, Councilwoman Bowsbey, and Councilman Patchell had no comments.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2016-14 Approval - Maryland Agricultural Land Preservation Foundation - Eugene Mackie et al.

A Bill to approve the application of G. Eugene Mackie, Lynn H. Widener, Ann M. Widener, Elaine Mackie Bowman, & Frances L Mackie for the property of 3300 Telegraph Road (Tax Map 12, Grid 12, Parcels 34) requesting a recommendation of approval to submit an application for the purchase of an easement to the Maryland Agricultural Land Preservation Foundation.

Steve O'Connor, Zoning Administrator, provided introductory comments about this legislation.

There were no Council questions or comments.

Introduced, read first time and posted on July 5, 2016. The public hearing for Bill No. 2016-14 will be advertised and scheduled on the Council legislative session of August 2, 2016.

Council Manager Massey stated for the record:

Bill No. 2016-15 Approval - Maryland Agricultural Land Preservation Foundation - Losten's Dairy

A Bill to approve the application of Losten's Dairy for the properties of 1059 Biddle Street, 1195 Augustine Herman Highway, & 3777 Augustine Herman Highway, (Tax Map 38, 39, 44 & 48, Parcels 2, 5, 6, 266, 313, 406, 460, & 483) requesting a recommendation of approval to submit an application for the purchase of an easement to the Maryland Agricultural Land Preservation Foundation.

Steve O'Connor, Zoning Administrator, provided introductory comments about this legislation.

There were no Council questions or comments.

Introduced, read first time and posted on July 5, 2016. The public hearing for Bill No. 2016-15 will be advertised and scheduled on the Council legislative session of August 2, 2016.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 35-2016 Appointment—Cecil County Ethics Commission-L. Michelle Henson

A Resolution to confirm the appointment of L. Michelle Henson made by the County Executive to the Cecil County Ethics Commission, term to expire April 5, 2020.

Jason Allison, County Attorney, provided introductory remarks.

Vice President McCarthy commented in support of Ms. Henson's appointment.

Introduced, read first time, order posted on July 5, 2016 and tentatively scheduled for consideration at the Council legislative session of July 19, 2016.

Council Manager Massey stated for the record:

Resolution No. 36-2016 Appointment—Economic Development Commission- Richard C. Szumel
A Resolution to confirm the appointment of Richard C. Szumel, to the Economic Development Commission; term to expire July 19, 2019.

Jason Allison, County Attorney, provided introductory remarks.

Councilman Schneckenburger commented in support of Dr. Szumel's appointment.

Introduced, read first time, order posted on July 5, 2016 and tentatively scheduled for consideration at the Council legislative session of July 19, 2016.

Council Manager Massey stated for the record:

Resolution No. 37-2016 Appointment—Cecil County Ethics Commission-Robert J. Boonstoppel
A Resolution to confirm the reappointment of Robert J. Boonstoppel made by the County Executive to the Cecil County Ethics Commission, term to expire July 19, 2020.

Jason Allison, County Attorney, provided introductory remarks.

Council requested copies of Mr. Boonstoppel's resume.

Introduced, read first time, order posted on July 5, 2016 and tentatively scheduled for consideration at the Council legislative session of July 19, 2016.

Council Manager Massey stated for the record:

Resolution No. 38-2016 Appointment—Board of Appeals - Mark Saunders
A Resolution to confirm the reappointment by the County Executive of Mark Saunders to the Cecil County Board of Appeals for a three year term to expire on August 15, 2019.

Jason Allison, County Attorney, provided introductory remarks.

There were no Council comments or questions.

Introduced, read first time, order posted on July 5, 2016 and tentatively scheduled for consideration at the Council legislative session of July 19, 2016.

Council Manager Massey stated for the record:

Resolution No. 39-2016 Appointment—Agricultural Land Preservation Advisory Board- Robert W. Miller, Sr.

A Resolution to confirm the reappointment by the County Executive of Robert W. Miller, Sr., to the Agricultural Land Preservation Advisory Board, term to expire August 15, 2019.

Steve O'Connor, Zoning Administrator, provided introductory remarks.

There were no Council comments or questions.

Introduced, read first time, order posted on July 5, 2016 and tentatively scheduled for consideration at the Council legislative session of July 19, 2016.

Council Manager Massey stated for the record:

Resolution No. 40-2016 Supplemental Appropriation - Public Library - Elkton Parking Lot

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2017 in order to provide the Cecil County Public Library's budget within the General Fund expenditure appropriation authority with \$23,967 of unexpended FY2016 expenditure authority to be carried forward, allowing for the Elkton Parking Lot Improvement Project to be completed.

Winston Robinson, Director of Finance, provided introductory remarks.

Council comments and questions ensued.

Introduced, read first time, order posted on July 5, 2016 and tentatively scheduled for consideration at the Council legislative session of July 19, 2016.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 27-2016 Electrical Inspection Agencies - Bay Area Inspection Agency and American Inspection Agency

A Resolution to confirm the re-appointment by the County Executive of Bay Area Inspection Agency and American Inspection Agency, Inc. to be the electrical inspection agencies in Cecil County, term to expire on July 31, 2017.

The Resolution was introduced and posted on June 21, 2016 and tentatively scheduled for consideration on July 5, 2016.

Jason Allison, County Attorney, provided comments.

There were no Council comments and questions.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 27-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 28-2016 Appointment - Historic District Commission - Michael Dawson

A Resolution to confirm the reappointment of Michael Dawson made by the County Executive to the Historic District Commission, term to expire in March 1, 2019.

The Resolution was introduced and posted on June 21, 2016 and tentatively scheduled for consideration on July 5, 2016.

Jason Allison, County Attorney, provided comments.

There were no Council comments and questions.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 28-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 29-2016 Appointment—Department of Social Services Board

A Resolution to confirm the reappointment of Dianne Fox and Judith Cox to the Department of Social Services Board for three (3) year terms to expire June 30, 2019.

The Resolution was introduced and posted on June 21, 2016 and tentatively scheduled for consideration on July 5, 2016.

Jason Allison, County Attorney, provided comments.

There were no Council comments and questions.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 29-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 30-2016 Appointment—Planning Commission - Bill Miners and Wyatt Wallace

A Resolution to confirm the reappointment by the County Executive of Bill Miners and Wyatt Wallace to the Planning Commission; terms to expire on August 5, 2019.

The Resolution was introduced and posted on June 21, 2016 and tentatively scheduled for consideration on July 5, 2016.

Jason Allison, County Attorney, provided comments.

Council comments ensued.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 30-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 31-2016 Appointment—Board of Appeals - Willard Whiteman

A Resolution to confirm the appointment by the County Executive of Willard Whiteman to the Cecil County Board of Appeals for a three year term to expire on August 15, 2019.

The Resolution was introduced and posted on June 21, 2016 and tentatively scheduled for consideration on July 5, 2016.

Jason Allison, County Attorney, provided comments.

There were no Council comments and questions.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 31-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 32-2016 Appointment—Susquehanna Workforce Network Board - Dr. D'Ette Devine, Terrance Lovell and Dan Schneckenburger

A Resolution to confirm the reappointment by the County Executive of Dr. D'Ette Devine, Terrance Lovell and Dan Schneckenburger to the Susquehanna Workforce Network Board, to a three term to expire in June 30, 2019.

The Resolution was introduced and posted on June 21, 2016 and tentatively scheduled for consideration on July 5, 2016.

Jason Allison, County Attorney, provided comments.

Councilman Schneckenburger stated that he would recuse himself from voting on this Resolution.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 32-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - abstain, Patchell - Y, Hodge - Y. The motion was approved by a vote of 4 to 0. Councilman Schneckenburger abstained.

Council Manager Massey stated for the record:

Resolution No. 33-2016 Supplemental Appropriation - Animal Shelter Sales - FY 2017

Synopsis: A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2017 in order to establish an Animal Shelter Sales division with estimated fee revenue and equal expenditure of \$10,000 within the Animal Control Department of the General Fund.

The Resolution was introduced and posted on June 21, 2016 and tentatively scheduled for consideration on June 21, 2016.

Winston Robinson, Director of Finance, provided a summary on this Resolution.

Council President Hodge commented on this Resolution.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 33-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 34-2016 Transfer of Appropriations - Orphan's Court and Library BTOP - FY 2017

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2017 in order to provide additional expenditure appropriation of \$3,000 for the Orphan's Court, \$49,928 for the Library's BTOP maintenance cost; and to reduce the expenditure appropriation within the Emergency Medical Services by \$52,928 within the General Fund.

The Resolution was introduced and posted on June 21, 2016 and tentatively scheduled for consideration on July 5, 2016.

Winston Robinson, Director of Finance, provided a summary on this Resolution.

There were no Council comments or questions.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 34-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was unanimously approved.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2016-11 Amendment - Electrical Code

A Bill to amend certain provisions of the National Electric Code, as adopted pursuant to Cecil County Code, Chapter 191, Electrical Standards, Article I (General Provisions), Section 191-2 (Adoption of National Electric Code).

The Bill was introduced on May 17, 2016 and public hearing held and concluded on June 21, 2016.

Jason Allison, County Attorney, provided a summary of this Bill.

President Hodge on behalf of the County Executive introduced Amendment No. 1 to Bill No. 2016-11

AMENDMENT NO. 1

TO BILL NO. 2016-11

To correctly state that the Director of Permits and Inspections and the Electrical Board will recommend changes to the National Electric Code.

On page 2, line 13, delete "Planning and Zoning" and insert "Permits and Inspections"

There were no Council questions or comments.

On motion made by Councilwoman Bowsbey, seconded by Councilman Schneckenburger, the Council moved to approve Amendment No. 1 to Bill No. 2016-11.

Roll Call Vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, and Hodge - Y. The motion was carried unanimously.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Bill No. 2016-11 As Amended.

Roll Call Vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, and Hodge - Y. The motion was carried unanimously.

Council Manager Massey stated for the record:

Bill No. 2016-12 Amendment - Energy Conservation Standards

A Bill to amend Chapter 195, Energy Conservation Standards of the Cecil County Code in Sections 195-1 Adoption of Standards, and 195-4 Amendments, Additions and Deletions.

The Bill was introduced on May 17, 2016 and public hearing held and concluded on June 21, 2016.

Jason Allison, County Attorney, provided a summary of this Bill

Council President Hodge commented on this Bill.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2016-12.

Roll Call Vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, and Hodge - Y. The motion was carried unanimously.

ADJOURNMENT

President Hodge adjourned the meeting at 8:01 p.m.

The next Council Legislative Session is scheduled for Tuesday, July 19, 2016 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:


James Massey
Council Manager

Approved:


Robert Hodge
President