

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2016-22
December 20, 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:

Joyce Bowsbey, Council President
Dan Schneckenburger, Vice President
Bob Meffley, Council Member
George Patchell, Council Member
Jackie Gregory, 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 December 20, 2016 was called to order by President Bowsbey at 7:00 p.m. and opened with the Pledge of Allegiance.

MOMENT OF SILENCE

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

APPROVAL OF AGENDA

On motion made by Vice President Schneckenburger, seconded by Councilman Meffley, the Council moved to approve the legislative agenda of December 20, 2016. Motion carried unanimously.

PUBLIC HEARING

Council Manager Massey stated for the record:

Resolution No. 56-2016 Amendment - Comprehensive Plan - Tier Map

An Expedited Resolution to approve the modification of the Cecil County Comprehensive Plan to incorporate the 2012 Growth Tier Map by the State's deadline of December 31, 2016.

The Resolution was introduced on December 6, 2016, advertised on December 7, 2016 and December 14, 2016, and scheduled for public hearing on December 20, 2016 as expedited legislation.

Eric Sennstrom, Director of Planning and Zoning, provided a summary of the legislation.

Council President Bowsbey opened the public hearing on Resolution No. 56-2016 for public comment. Emmett Duke, Chestertown, representing the Sassafras River Keepers Association, spoke in opposition to the legislation.

Ed Cairns, Elkton, commented that his farm is shown as Tier II on the map but should be in Tier IV. Rupert Rosetti, Port Deposit, spoke in opposition to the legislation.

Chuck Foster, Chesapeake City, representing the Friends of Bohemia, spoke in opposition to the legislation.
Laura Free, Chesapeake City, spoke in opposition to the legislation.
Maryanne Dolan, representing the Cecil Birdwatchers Club, spoke in opposition to the legislation.
Josh Hastings, representing Eastern Shore Land Conservancy, spoke in opposition to the legislation.
Nancy Valentine, representing the Cecil Land Use Association, spoke in opposition to the legislation.
George Kaplan, Colora, spoke in opposition to the legislation.
Eric Fisher, representing the Chesapeake Bay Foundation, spoke in opposition to the legislation.
Joann Burke, Elkton, spoke in support of the amendment.
Harold McCanick, Elk Neck, spoke in support of the legislation.
Al Reasin, Conowingo, commented on the legislation.
Jeremy Rothwell, representing the Cecil Land Trust, spoke in opposition of the legislation.
John Bolinski, North East, commented on the legislation and support of the amendment.
Jonathan Quinn, representing the Cecil County Farm Bureau, spoke in support of the legislation and amendment.
Bob Miller, North East, commented in support of the legislation
Robert Hodge, Elk Neck, spoke in support of the legislation and opposition to the amendment.

Eric Sennstrom, Director of Planning and Zoning, stated that the Planning staff had recommended approval of this legislation but the Planning Commission recommended tabling until a deliberative process has taken place to provide a tier map that meets requirements of the Comprehensive Plan.

Council questions and comments ensued. Councilwoman Gregory stated her opposition to this legislation because of the issue of property rights.

Council President Bowsbey concluded the public hearing on Resolution No. 56-2016. She stated that final consideration of this legislation will be held during tonight's consideration of Resolutions.

APPROVAL OF MINUTES

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve the minutes of the legislative session of December 6, 2016 as presented. Motion was unanimously approved.

PUBLIC COMMENTS

Tanya Emkey, Earleville, commented in opposition to Bill No. 2016-24 regarding campgrounds.
Brian Robinson, Baltimore, commented in opposition to Bill No. 2016-24 and stated that the Indian Acre property owners had hired an attorney to represent them.
Duane Maeser, Edgewood, commented in opposition to Bill No. 2016-24.
Harold McCanick, Elk Neck, commented on Calvert Park and the appointment to the Board of Parks and Recreation, and in support of Resolution No. 56-2016 and in opposition of Amendment No. 1 to Res. No. 56-2016.
Anna Maria Buehler, Elkton and Earleville, commented in opposition to Bill No. 2016-24.
Dwight Thomey, representing Bluewater Corporation, spoke in support of Bill No. 2016-24.

PRESIDENT AND COUNCIL COMMENTS

Councilman Patchell and Councilman Meffley had no comments.

Councilwoman Gregory wished everyone Merry Christmas and Happy New Year.

Vice President Schneckeburger wished everyone Merry Christmas and Happy New Year. He also commented on the public hearing scheduled on January 17, 2017 for Bill No. 2016-24.

Council President Bowsbey thanked the audience for attending, and wished everyone a Merry Christmas and Happy New Year.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

BILL NO. 2016-24 Amendment – Zoning Ordinance – Campgrounds and Recreational Vehicle Parks

An Act to amend the Cecil County Zoning Ordinance, Article V, Part V, Section 101

Campgrounds and Recreational Vehicle Parks in order to specify minimal parcel size, open space permitted uses, width of collector roads and permitted uses in Low Density Residential zones.

There were no introductory comments on this Bill. There were no Council questions or comments.

Introduced, read first time and posted on December 20, 2016.

The public hearing on Bill No. 2016-24 will be advertised and scheduled on the Council legislative session of January 17, 2017.

Council Manager Massey stated for the record:

BILL NO. 2016-25 Amendment – Zoning Ordinance – Communications Towers

An Act to amend the Cecil County Zoning Ordinance, Article V, Part VIII, Section 115

Communications Towers in order to allow Communication Towers in Open Space Districts (OS) under certain conditions.

There were no introductory comments on this Bill. There were no Council questions or comments.

Introduced, read first time and posted on December 20, 2016.

The public hearing on Bill No. 2016-25 will be advertised and scheduled on the Council legislative session of January 17, 2017.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 69-2016 Appointment—Board of Parks and Recreation—Jennifer Callaghan

A Resolution to confirm the appointment by the County Executive of Jennifer Callaghan to the Board of Parks and Recreation to fill the vacancy of George Raley; term to expire on January 3, 2020.

Al Wein, Director of Administration, provided introductory comments on this legislation.

There were no Council questions or comments.

Introduced, read first time and order posted on December 20, 2016, and scheduled for consideration on January 3, 2017.

Council Manager Massey stated for the record:

Resolution No. 70-2016 Supplemental Appropriation - Fund Balance - Maryland School for the Blind
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 an additional appropriation of \$2,050 for the Maryland School for the Blind budget within the General Fund.

Al Wein, Director of Administration, provided introductory comments on this legislation.
There were no Council questions or comments.

CONSIDERATION OF RESOLUTION

Council Manager Massey stated for the record:

Resolution No. 56-2016 Amendment - Comprehensive Plan - Tier Map
An Expedited Resolution to approve the modification of the Cecil County Comprehensive Plan to incorporate the 2012 Growth Tier Map by the State's deadline of December 31, 2016.

This Resolution was introduced and posted on December 6, 2016 as expedited legislation. The public hearing was held and concluded on December 20, 2016.

Jason Allison, County Attorney, provided comments on the procedure to amend the legislation.
Councilwoman Gregory stated her opposition to Amendment No. 1. There was further Council discussion regarding the procedural process to revise the Tier Map and Comprehensive Plan.

Council President Bowsbey introduced Amendment No. 1 to Resolution No. 56-2016.

AMENDMENT NO. 1 TO RESOLUTION NO. 56-2016

On page 3, line 48, insert the following:

"WHEREAS, pursuant to Cecil County Zoning Ordinance, Article XVI, Part I, Section 296. Advisory Committee, from time to time, the County Executive may appoint one or more individuals to help the Planning Commission carry out its planning responsibilities with respect to a particular subject area."

On Page 3, line 51, insert the following:

"AND, BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND, that the County Council requests the County Executive appoint a committee to review the current tier map with respect to the Comprehensive Plan and develop a revised Tier Map, if necessary."

Councilman Patchell made a motion to approve Amendment No. 1 to Resolution No. 56-2016, which was seconded by Vice President Schneckenburger.

Roll Call Vote: Meffley-Y, Schneckenburger-Y, Patchell-Y, Gregory-N, Bowsbey-Y. Motion was carried by vote of 4 to 1. Councilwoman Gregory was opposed.

Councilman Patchell made a motion to approve Resolution No. 56-2016 As Amended, which was seconded by Vice President Schneckenburger.

Roll Call Vote: Meffley-Y, Schneckenburger-Y, Patchell-Y, Gregory-N, Bowsbey-Y. Motion was carried by a vote of 4 to 1. Councilwoman Gregory was opposed.

Council Manager Massey stated for the record:

Resolution No. 62-2016 Appointment - Drug and Alcohol Council - Steven Kendrick

A Resolution to appoint Steven Kendrick to the Cecil County Drug and Alcohol Council to a four year term, term to expire on December 20, 2020.

This Resolution was introduced and posted on December 6, 2016 and scheduled for consideration on December 20, 2016.

There were no Council questions or comments.

Councilman Meffley made a motion to approve Resolution No. 62-2016, which was seconded by Councilman Patchell.

Roll Call Vote: Meffley-Y, Schneckenburger-Y, Patchell-Y, Gregory-Y, Bowsbey-Y. Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 63-2016 Appointment - Board of Library Trustees - Tiffany Lydon

A Resolution to confirm the appointment of Tiffany Lydon to the Cecil County Board of Library Trustees to a 5-year term, to expire on December 30, 2021.

This Resolution was introduced and posted on December 6, 2016 and scheduled for consideration on December 20, 2016.

There were no Council questions or comments.

Councilwoman Gregory made a motion to approve Resolution No. 63-2016, which was seconded by Vice President Schneckenburger.

Roll Call Vote: Meffley-Y, Schneckenburger-Y, Patchell-Y, Gregory-Y, Bowsbey-Y. Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 64-2016 Appointments - Susquehanna Workforce Network

A Resolution to confirm County Executive's appointments of Brian Heinbaugh and Jack Reitnauer to serve a 1 year term to expire June 30, 2017; Dr. Mary Way Bolt and Carrie Bender to serve a 2 year term to expire June 30, 2018; and Carol Rose to serve a 3 year term to expire June 30, 2019.

This Resolution was introduced and posted on December 6, 2016 and scheduled for consideration on December 20, 2016.

There were no Council questions or comments.

Vice President Schneckenburger made a motion to approve Resolution No. 63-2016, which was seconded by Councilman Meffley.

Roll Call Vote: Meffley-Y, Schneckenburger-Y, Patchell-Y, Gregory-Y, Bowsbey-Y. Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 65-2016 Budget Amendment - Information Technology Internal Services Fund - Systems Analyst

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 Information Technology Internal Services Fund \$46,700 of operating revenue and expense appropriation authority to hire and train a new systems analyst for the Information Technology Department primarily dedicated to the Public Safety Sungard System, which will result in a reduction of \$46,700 Transfer to the Debt Service Fund; and to appropriate General Fund expenditures of \$25,685 to Emergency Services and \$21,015 to Sheriff's Office, who are the system users.

This Resolution was introduced and posted on December 6, 2016 and scheduled for consideration on December 20, 2016.

Council questions and comments ensued. Winston Robinson, Director of Finance, responded to questions about the proposed position and responsibilities.

Vice President Schneckenburger made a motion to approve Resolution No. 65-2016. The motion died for lack of a second.

Council Manager Massey stated for the record:

Resolution No. 66-2016 Budget Amendment - Grants Funds - Fair Hill and Incubator Manager

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 a total of \$88,522 in additions to the Other Special Revenue Fund Budget awarded to the Department of Economic Development by the Maryland Department of Commerce (\$20,000) to fund support for Fair Hill and the Rural Maryland Prosperity Investment Fund (\$68,522) to fund an Incubator Manager.

This Resolution was introduced and posted on December 6, 2016 and scheduled for consideration on December 20, 2016.

There were no Council questions or comments.

Vice President Schneckenburger made a motion to approve Resolution No. 66-2016, which was seconded by Councilwoman Gregory.

Roll Call Vote: Meffley-Y, Schneckenburger-Y, Patchell-Y, Gregory-Y, Bowsbey-Y. Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 67-2016 Budget Amendment - Casino Local Impact Fund Budget - VLT Local Community Grant Funds

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 \$22,987 in carry forward expenditure authority for the Video Lottery Terminal (VLT) Local Community Grant Funds within the Casino Local Impact Fund Budget for the fiscal year ending June 30, 2017.

This Resolution was introduced and posted on December 6, 2016 and scheduled for consideration on December 20, 2016.

There were no Council questions or comments.

Councilwoman Gregory made a motion to approve Resolution No. 67-2016, which was seconded by Council Vice President Schneckenburger.

Roll Call Vote: Meffley-Y, Schneckenburger-Y, Patchell-Y, Gregory-Y, Bowsbey-Y. Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 68-2016 Budget Amendment - General Fund - Information Technology - Transition

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 appropriation of \$157,000 within the General Fund and \$20,000 of operating revenue and expense appropriation authority within the Information Technology Department for Cecil County's first transition to a new County Executive and County Council under the Charter form of government. It was the determination of the prior County Executive and County Council that transition costs would not be included in the original FY2017 Annual Budget but should instead be determined by the new County Executive and County Council.

This Resolution was introduced and posted on December 6, 2016 and scheduled for consideration on December 20, 2016.

Al Wein, Director of Administration, provided a summary of the legislation. Council questions and comments ensued. Council Members asked for additional details of the proposed expenses. Winston Robinson, Director of Finance, provided responses to Council Members.

Vice President Schneckenburger made a motion to approve Resolution No. 68-2016, which was seconded by Councilman Patchell.

Roll Call Vote: Meffley-Y, Schneckenburger-Y, Patchell-Y, Gregory-N, Bowsbey-Y. Motion was carried by a vote of 4 to 1. Councilwoman Gregory was opposed.

NEW BUSINESS

Cecil County Public Schools - Budget Amendment #35

Council President Bowsbey led discussion of the Cecil County Public School Budget Amendment # 35, in the amount of \$618,895. She stated that Tom Kappra, Chief Financial Officer of CCPS, had provided details at today's Council work session but he was present tonight for further questions.

There were no Council questions or comments.

Councilwoman Gregory made a motion to approve Budget Amendment #35, which was seconded by Councilman Meffley.

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

ADJOURNMENT

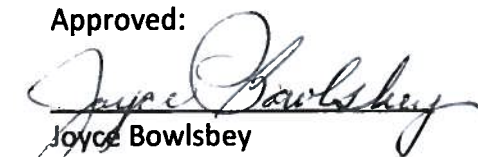
Council President Bowsbey adjourned the meeting at 9:02 p.m.

The next Council Legislative Session is scheduled for Tuesday, January 3, 2017 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:


James Massey
Council Manager

Approved:


Joyce Bowsbey
President