

**CECIL COUNTY COMPREHENSIVE PLAN CITIZEN OVERSIGHT COMMITTEE**  
**MEETING MINUTES**  
**15 July 2009**

**Present:** Bennett, John; Broomell, Diana; Butler, Eileen; Cairns, Ed; Clewer, Jeff; Derr, Dan; Denver, John; Doordan, B. Patrick; Duckett, Vernon; Edwards, Sandra; Folk, Patricia; Gell, Robert; Gilley, Paula; Jackson, Ann; Lane, Diane; Priapi, Vic; Pugh, Mike; Rossetti, Rupert; Smyser, Chuck; Stewart, Gary; Strauss, Vicky; Tapley, Donna; Thorne, Owen; Walbeck, Carl; Whiteman, Will; Wiggins, Kennard; Bayer, Michael – ERM; Graham, Clive – ERM; Sennstrom, Eric

**Absent:** Buck, Walter; Bunnell, John; Colenda, Sarah; Day, Shawn; Deckard, Donna; Ellerton, Vaughan; Kilby, Phyllis; Polite, Dan; Shaffer, Henry; Snyder, Linda; Whitehurst, Dan; Di Giacomo, Tony

**Observers:** Helton, Art; Martinuk, Joe

**Call to Order:** Dr. Lane called the meeting to order at 4:09 p.m.

**Approval of Minutes:** Motion was made by John Bennett to approve the 8 July 2009 meeting minutes. Motion was seconded by Kennard Wiggins.

Vic Priapi questioned the motions as contained on page 9 of the minutes. Paula Gilley noted that on page 12 the word perennial needs to be inserted in the 3<sup>rd</sup> paragraph. Discussion ensued on the proper level of specificity required in the Comprehensive Plan versus the implementation documents that will follow. Paula Gilley questioned the wording on page 15, number 6 relative to green infrastructure.

Twenty one (21) members voted in favor of motion to approve the 8 July 2009 minutes. Three (3) members voted in opposition. Two (2) members did not vote. Motion approved.

**New Business:** Dr. Lane announced that we will be commencing the evening's agenda with the community facilities section. She asked Clive Graham to provide a summary of where we left off after Craig Whiteford's presentation and where we need to get to tonight. Mr. Graham reminded the COC that contemplation was required on whether the plan is affordable with certain actions being taken, whether the needs of the plan are affordable, the need to find funding for anticipated growth or the need to manage growth to stay within the County's means.

Dr. Lane asked if there was any discussion. Ann Jackson asked if it was possible for the County to front fund projects as Harford County does. Clive Graham presented an overview of the County's debt affordability model that exists to properly manage debt. Ed Cairns posited that the costs are not properly accounted for and that future taxes won't cover future costs. Mr. Cairns was of the opinion that alternatives (special taxing districts, impact fees, cut plan's cost, more taxes, more businesses) would be required to cover costs. He stated that Vernon Duckett's plan to direct all the future density in a smaller growth area would be the best way to move forward. Clive Graham reminded the COC that

the implementation section contains a discussion of potential fiscal and growth management options. Will Whiteman stated that Mr. Whiteford said that the plan was affordable. B. Patrick Doordan remarked that Craig Whiteford said there was no issue with funding the needs identified in the table. Diana Broomell inquired as whether there are more commercial areas on the proposed land use map than exist on the current map. She was also interested in the amount of current commercial/industrial acreage versus the potential future commercial/industrial acreage. Dr. Lane noted that is too finite an item to be considered at this time and the COC did not need to focus on such minutia. Paula Gilley reflected on the Towns control of a significant portion of the U.S. Route 40 corridor where there is a lot of commercial land. Gary Stewart stated that the County could zone all the land it wanted as commercial and industrial without result due to market demand, the key was providing the tools to attract business to those zones. Kennard Wiggins said that Gary Stewart's comments align with Ed Cairn's comments. He felt it comes down to a question of affordability. Dr. Lane summarized Mr. Whiteford's commentary from last week. Will Whiteman ruminated on the impossibility of predicting future tax increases or decreases. Owen Thorne vehemently proffered that it is the COC's responsibility to state the cost of the plan and provide suggestions for its funding. Vernon Duckett stated that the cost of infrastructure is known and that unbuilt houses would pay \$50,000 per house to offset their future impact on County services.

Paula Gilley reminisced that a former Board of County Commissioners attempted to place water and sewer infrastructure in the growth area and was rebuffed due to allegations of excessive cost. Owen Thorne was of the opinion that the plan and its associated accoutrements such as future schools, roads, water and wastewater would not be affordable. He felt that the numbers just don't add up – 1 billion in projected expenses versus 0.6 billion in projected budgets. B. Patrick Doordan said he believed that it was not in the COC's purview to do Craig Whiteford's job or the Board of Education's job. Will Whiteman suggested that underlying this discussion was a surreptitious effort afoot to revisit earlier votes for the map and the numbers relating thereto. Mr. Whiteman stated that the man that does the budget said the costs associated with this plan are affordable. Clive Graham noted that it was not the job of the COC to write the County's budget or to do Mr. Whiteford's job. Mr. Graham continued by saying that the role of the COC was to assess whether the plan was reasonably affordable and were tools in the plan to meet the funding needs over the next twenty (20) years. Diana Broomell stated that it comes down to Mr. Whiteford's definition of affordable and the COC's definition of affordable and the interpretation of what was in the information the COC has received and hasn't received. Vicky Strauss noted that crystal balls are fuzzy and that a best guess for the future was all that was possible. She continued that the COC needs to recommend options to the Commissioners and the Commissioners can decide.

John Bennett noted that the forward funding language was limited to schools and asked if it should also include U.S. 40 improvements. Michael Bayer reported that conversations have occurred with SHA regarding a potential County funded planning study of the US 40/MD 213 intersection. The SHA responded that it may or may not move the process forward. Ed Cairns stated that the approval of the plan depends on the best available information and that the process was iterative. Discussion ensued on requirements to obtain state funding for school construction projects.

Motion was made by Mike Pugh to approve the community facilities section and the community facilities needs table and projects list. Motion was seconded by Jeff Clewer.

Vicky Strauss noted that revisions need to be made to certain fire projects on the needs table. Mr. Pugh acquiesced to the amendment.

Nineteen (19) members voted in favor of the motion. Six (6) members voted in opposition to the motion. 1 member did not vote. Motion was approved.

Clive Graham presented an overview of the Housing section of the Concept Plan. He stated that this was a general rather than specific section and that more specificity would be provided in the full plan. There would be information provided on change in housing stock, proportion of housing in County and in Towns, housing mix, owner occupied versus rental, affordable housing, special needs, and general housing. Major policies and actions will identify housing needs, target affordable housing, senior needs and mixed use options. Mr. Graham noted that recommendation number 4 under policies and actions was a result of the sub-committee recommendation to encourage private sector participation. Kennard Wiggins queried as to how Cecil County matches up with the state relative to the mix of housing and values. Clive Graham responded that that data has not yet been compiled but will be. Discussion ensued on housing needs, mix of housing types, affordability issues, special needs housing, recreational opportunities, and market needs.

Motion was made by John Bennett to adopt the housing element with a recreation component. Motion was seconded by Mike Pugh. Twenty three (23) members voted in favor of the motion. No members voted in opposition to the motion. Three (3) members did not vote. Motion was approved.

Michael Bayer presented a synopsis of the implementation section. Mr. Bayer stated that the section in the full plan will go beyond tools and look at policies and actions and assign responsibility for each. Dan Derr noted a need to address the lack of water and sewer infrastructure in the implementation section and recommended measures be listed to address the void. Discussion ensued on whether that topic was previously discussed in water resources. Dan Derr questioned as to how the County would finance the costs. B. Patrick Doordan stated that it is not the COC's responsibility to come up with funding methods. Kennard Wiggins stated that raising property taxes was not listed, he inquired as to whether that meant the COC opposes higher taxes. Discussion ensued on the issue of taxes and whether the COC needs to take a position on the rate to be imposed. Discussion continued on whether it was proper to raise an issue not associated with a goal from a sub-committee, whether it was in the COC's purview to discuss taxes, and whether the issue should be left to others.

Ann Jackson asked for a definition of the developers rights and responsibilities agreements tool cited in the concept plan. Clive Graham responded that it was similar to a Public Works agreement with the exception that it goes a step further by attempting to streamline the process by putting it in the public hearing venue. Ms. Jackson questioned whether that would actually have the intended effect. Diana

Broomell pleaded that Mr. Wiggins' recommendation be revisited. Dr. Lane reminded Ms. Broomell that since the issue did not come from a subcommittee, it cannot be voted on in accordance with the adopted rules and procedures of the COC. Kennard Wiggins demanded to know if the Chairperson was afraid of listening to the peoples opinion and if she was trying to stifle dialogue. Ed Cairns said that not acting on Mr. Wiggins' recommendation was not good sense. B. Patrick Doordan noted that we need to follow the voted upon procedure and we cannot deviate at this point. Eileen Butler reflected that tax dollars come from property taxes. Gary Stewart cautioned against providing a refuge to politicians that would enable taxes to rise. Carl Walbeck reiterated that no committee has brought this issue up and therefore the COC does not need to bring up or mention. Diana Broomell posited that some may desire to raise taxes to avoid impact fees. Clive Graham suggested adding the phrase "several tools available in addition to traditional methods such as the property tax and municipal bonds" to the discussion section of the chapter. Fifteen (15) members voted in favor of adding Mr. Graham's language. Four (4) members opposed the language. Seven (7) members did not vote.

Discussion resumed on developers rights and responsibilities agreements. Issues relative to how it would work, whether it would streamline the process, whether it would be a hindrance, who presently uses them, how negotiations may occur, the enabling language, rules of procedure, and advantages and disadvantages were examined.

Motion was made by Dan Derr to include developers rights and responsibility agreements in the implementation section and to form a committee to come up with a process to make it work. After a brief discussion, Mr. Derr amended his motion to include appointing a committee to explore each implementation recommendation. Motion was seconded by Mike Pugh. Discussion ensued on the amended motion.

Seven (7) members voted in favor of motion. Sixteen (16) members voted in opposition to the motion. Three (3) members did not vote. Motion denied.

Motion was made by Gary Stewart to adopt the implementation section with the removal of the last sentence in paragraph 4 under discussion("The comprehensive plan will recommend a suite of different tools and actions to meet the County's future needs."). Motion was seconded by Eileen Butler. Owen Thorne noted that the APFO was not limited to schools in the sub-committee recommendation and that the word "schools" should be stricken from 3<sup>rd</sup> bullet on page 24. Mr. Stewart concurred with Mr. Thorne and amended his motion accordingly.

Twenty three (23) members voted in favor of the motion. No members opposed the motion. Three (3) members did not vote. Motion approved.

Dr. Lane distributed an article from Vernon Duckett relative to high speed rail initiatives being pursued by the federal government.

Dr. Lane opened discussion on the protocol for conducting the public forum by distributing a “ground rules” sheet. Kennard Wiggins asked what will happen to the written comments received from the public. Dr. Lane said comments will be transcribed and sent to the COC. She said the COC should reconvene to peruse the written comments and include them in their transmittal to the Planning Commission and Board of County Commissioners. Vicky Strauss asked about how responses to the public comment will be disseminated. Dr. Lane said various avenues will be used such as publishing in the *Cecil Whig*, posting on the County’s website. Discussion ensued on the anticipated crowd size and whether question and answer would be feasible. Clive Graham noted that the concept plan will be on the county’s website on Monday, 20 July 2009. Dr. Lane said there will also be an article in the *Cecil Whig*, a link to the document from the newspaper’s website, and a mass e-mailing to address lists such as the Chamber of Commerce and citizen activist groups. B. Patrick Doordan inquired as to who will handle facilitation of the meeting. Dr. Lane will perform a brief (5-7 minutes) introduction and ERM will present the concept over the ensuing 30 minutes.

Dr. Lane set a tentative date of 19 August 2009 at 4:00 p.m. to meet in Room 208 of the Technology Center at Cecil College to review public comment from the public forum. She also indicated that two (2) September meetings may need to be held on 16 September 2009 and a date yet to be determined in Room 208 of the Technology Center of Cecil College.

**Adjournment:** Dr. Lane adjourned the meeting at 7:44 p.m.

Next meeting: 29 July 2009, 6:00 p.m., Elk Room, County Administration Building, 200 Chesapeake Boulevard, Elkton, Maryland.

Respectfully Submitted:

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Eric S. Sennstrom, AICP  
Director – Planning & Zoning