

COUNTY COUNCIL OF CECIL COUNTY
WORKSESSION MINUTES
December 18, 2012

PRESENT: Council Members Broomell, Dunn, McCarthy, and Hodge, Acting Director of Administration Wein, Planning & Zoning Director Eric Sennstrom, Parks & Recreation Director Clyde Van Dyke, Public Works Director Scott Flanigan, Chief Alcoholic Beverage Inspector Earl Bradford, Budget Manager Craig Whiteford, Attorney Norman Wilson, Treasurer Bill Feehley, Executive Office Administrator Vicky Rinkerman, Administrative Assistant Robin McCann, members of the press, and members of the public.

OPEN SESSION – Elk Room

9:00 a.m. – Executive Office Administrator Rinkerman called the meeting to order.

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

Approval of Minutes

On motion made by Councilman McCarthy, seconded by Councilman Dunn, the Council moved to approve the December 4, 2012 Worksession meeting minutes, as presented. Motion carried unanimously.

On motion made by Councilman McCarthy, seconded by Councilman Dunn, the Council moved to approve the December 11, 2012 Worksession meeting minutes, as presented. Motion carried unanimously.

Legislative Request Update

Acting Director Wein reviewed the 2013 Legislative request regarding the Cecil County Public Schools proposed legislation to amend the Education Article 7-804 of the Annotate Code to add Cecil County to the provisions whereby a school vehicle may be operated for up to 15 years, instead of the current 12 years.

Staff from the Cecil County Public Schools provided information to support their legislative request.

Council provided their comments regarding Cecil County Public Schools proposed legislation. On motion made by Councilman Hodge, seconded by Councilman McCarthy, the Council moved to approve the legislative letter and forward to the State, as presented.

Councilwoman Broomell moved to amend the motion and requested Council consider amendments to paragraph four to include language requesting legislation to improve urinalysis testing and counselor to client ratio in outpatient level one treatment facilities. Councilman Hodge seconded the motion provide Councilwoman Broomell would forward the proposed revision to the letter for consideration by the Council.

Councilwoman Broomell advised the Council that she would provide the language for the proposed revision to the legislative letter.

VOTE: 3 in favor and 1 abstention – McCarthy – abstained, Dunn – Y, Broomell - Y, Hodge – Y.

Tier Map Briefing

Acting Director Wein informed the Council that County Executive Moore issued a Press Release approving a Tier map for Cecil County in accordance with SB236.

Planning and Zoning Director Sennstrom provided the Council with an update regarding the approved Tier map for Cecil County.

Members of the Council provided their comments regarding the **administratively submitted** ~~approved~~ Tier map for SB236. (approved as amended 1/8/13)

Evening Meeting Agenda Review

Executive Office Administrator Rinkerman reviewed Resolution 01-2012 for consideration by the Council on the evening meeting agenda.

Budget Manager Whiteford reviewed the budget amendments for consideration by the Council.

Public Works Director Flanigan reviewed budget amendment #51, GPS tracking device system for the Roads Division.

Planning & Zoning David Black reviewed budget amendments #53 and #55.

Members of the Council provided their comments regarding the budget amendments.

Meeting Decorum

Councilwoman Broomell advised the Council that meeting decorum is not addressed in Robert's Rules of Order; however, this may be added to the Council Rules of Procedure.

Members of the Council provided their comments regarding meeting decorum.

District 2 Council Seat Appointment

Councilwoman Broomell provided comments relative to the Charter and seeking a legal opinion on the action taken by County Executive Moore with changing her party affiliation as it pertains to finding a replacement for the District 2 Council seat and the process for filling the District 2 seat. She requested the Council consider going into closed session to discuss the three names provided by the Republican Central Committee to fill the District 2 seat on the Council.

On a motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to seek an opinion from an attorney regarding the action taken by County Executive Moore relative to the District 2 Council seat.

Discussion ensued regarding the services provided by Attorney Wilson.

Counsel Wilson advised the Council that he does not have a contract with the County or the Council to provide legal opinions on matters.

Clarification on original motion: On motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to seek an opinion from Attorney Norman Wilson regarding the process and action taken by County Executive Moore relative to the District 2 seat.

Members of the Council discussed the motion and subsequent action if an opinion is provided by Counsel Wilson.

Councilwoman Broomell reviewed the questions. Counsel Wilson advised Councilwoman Broomell that he could not answer the questions on behalf of the Council and that she should seek a personal attorney for a legal opinion regarding the legality of the action taken by County Executive Moore.

Discussion ensued regarding language in the Charter relative to party affiliation, names provided by the Republican Central Committee, and the Council discussing candidates to fill the District 2 Council seat.

Members of the Council provided comments relative to past action to seek qualified candidates for the District 2 seat. Councilwoman Broomell advised the Council that in her opinion, the Republican Central Committee was the correct process to use to fill the District 2 seat vacancy.

VOTE on motion to seek a legal opinion from Counsel Wilson: McCarthy – N, Dunn – Y, Broomell – Y, Hodge – N. Motion failed by a vote of 2 in favor and 2 in opposition.

On a motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to convene in closed session to discuss the Republican Central Committee candidates for the District 2 Council seat. Motion failed by a vote of 2 in favor and 2 in opposition – McCarthy – N, Dunn – Y, Broomell – Y, Hodge – N.

Members of the Council provided their comments regarding the role of and process used by the Republican Central Committee to seek a qualified candidate for the District 2 Council seat.

Appointment Criteria for Appointment Confirmation

Councilman Hodge provided comments relative to the Council considering developing criteria they may need to confirm future appointments made by the County Executive.

Members of the Council provided their comments regarding the opinion from the Ethics Commission and suggestion for the Council to develop criteria to confirm future appointments.

Discussion ensued regarding the role of the Council vs. the role of the Ethics Commission relative to reviewing the Ethics form submitted by potential candidates for appointments as directors and/or board and committee members, and a previous Ethics complaint investigation.

Council Items

Councilman McCarthy informed the public of his position serving as a Councilman for District 1.

Councilman Hodge had no comments.

Councilman Dunn provided his comments regarding the District 2 Council seat and action on the Tier map.

Councilwoman Broomell commented on the process to adopt the Charter, the power and authority of the County Executive's position, and the holly tree lighting event in Perryville.

ADJOURNMENT

On motion made by Councilman Dunn, seconded by Councilwoman Broomell, the Council moved to adjourn the meeting. The meeting was adjourned at 10:54 a.m.

Attest:



Vicky Rinkerman
Executive Office Administrator