

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE SESSION MINUTES  
LSD 2016-01  
January 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 Bowsbey, 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](http://www.ccgov.org).

**CALL TO ORDER**

The meeting of the County Council of Cecil County of January 5, 2016 was called to order by President Hodge at 7:00 p.m. The Pledge of Allegiance was led by Scout Thomas Ream of Troop 131.

**OPENING PRAYER**

Councilman Schneckenburger introduced Pastor Harold Phillips from Pleasant View Baptist Church of Port Deposit, who lead the opening prayer.

**APPROVAL OF AGENDA**

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

**PUBLIC HEARINGS**

**Rezoning Application:**

Council Manager Massey stated for the record:

File No. 2015-09; Applicant: C.I. Contractors LLC and Maryland Beer Company, LLC; Location: 41 Cherry Hill Road, Elkton, MD 21921; Election District 3; Tax Map: 20; Parcel: 221; Request: To rezone .73 acres from Rural Residential (RR) to Business Intensive (BI).

Notice of the public hearing was published on December 30, 2015 and January 4, 2016.

Witnesses presenting testimony were sworn in by Council Manager Massey.

Dwight Thomey, representing the applicant, presented the applicant's request for rezoning, based on a mistake in the Comprehensive Rezoning and substantial change in the neighborhood. Mr. Thomey introduced Exhibit 1, a 24-page presentation, which included maps of the property and references to

beer making. Mr. Thomey interviewed the applicants, Kevin Taylor, Scott McCardell and Jessica Fincham.

Eric Sennstrom, Director of Planning and Zoning, stated that the Planning Commission recommended approval because of a mistake in the 2011 Comprehensive Rezoning.

Cliff Houston, Zoning Administrator, presented the staff report of findings of facts, which recommended approval due to a mistake in the 2011 Comprehensive Rezoning.

Council questions and comments ensued.

Council President Hodge opened the public hearing for public comments. Ron Lobos, Elkton, testified in support of the rezoning request.

Mr. Thomey presented closing remarks on behalf of the applicant.

Council President Hodge concluded the public hearing and announced that the rezoning case may be considered at the next legislative session.

#### **APPROVAL OF MINUTES**

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the legislative session minutes of December 15, 2015 as presented. Motion was carried unanimously.

#### **PUBLIC COMMENTS**

Ron Lobos, Elkton, commented on the next County budget and a school survey.

Harold McCanick, Elk Neck, commented on his New Year's resolution and new federal taxes.

#### **PRESIDENT AND COUNCIL COMMENTS**

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

Council President Hodge wished everyone a Happy New Year.

#### **INTRODUCTION OF BILLS**

Council Manager Massey stated for the record:

##### **Bill No. 2016-01 Amendment - Zoning Code - Sawmills**

An Act to amend the Zoning Ordinance, Article V, Part XII Industrial Uses, Section 144 - Sawmills to eliminate the three year limitation on Special Exception for Sawmills.

Introduced and order posted on January 5, 2016. The public hearing for Bill No. 2016-01 will be advertised and scheduled on the Council legislation session of February 2, 2016.

Eric Sennstrom, Director of Planning and Zoning, provided introductory comments. Council questions and comments ensued.

### **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey stated for the record:

#### **Resolution No. 01-2016 Supplemental Appropriation - Fund Balance - Animal Control**

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to provide an additional \$24,000 from the Fund Balance to the General Fund for Animal Control.

Al Wein, Director of Administration, reviewed a summary provided to the Council on this legislation. There were no questions or comments.

Introduced, read first time, order posted on January 5, 2016 and scheduled for consideration on January 19, 2016.

Council Manager Massey stated for the record:

#### **Resolution No. 02-2016 Termination - Agricultural Preservation District - 300 Cherry Grove Road**

A Resolution to release and terminate the Agricultural Land Preservation District established under the provisions of COMAR 15.15.01.04 on August 2, 2001 for a 48.983 acre property owned by James and Julia Corder at 300 Cherry Grove Road (Tax Map 52, Grid 13 Parcel 5), which is recorded among the Land Records of Cecil County in Liber 1064, folio 501.

Steve O'Connor, Agricultural Preservation Administrator, provided introductory remarks about this legislation. Steve Parker, representing the owners, was also present for any questions. Council questions and comments ensued.

Introduced, read first time, order posted on January 5, 2016 and scheduled for consideration on January 19, 2016.

### **CONSIDERATION OF RESOLUTIONS**

Council Manager Massey stated for the record:

#### **Resolution No. 62-2015 Amendment - Personnel Policies and Procedures**

A Resolution to amend certain sections of the Cecil County Personnel Policies and Procedures, Section HR-02B Employment Types, Section HR-03A Pay Structures; Section HR-04A Payroll Period; Section HR-04B Overtime, Section HR-04C Holiday Pay; Section HR-04D Shift Differential; HR-012C Definitions; and Glossary.

The Resolution was introduced and posted on November 17, 2015. The public hearing was held and concluded on December 15, 2015.

Al Wein, Director of Administration, commented on the Resolution. There were no questions or comments from Council Members.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 62-2015.

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

Council Manager Massey stated for the record:

**Resolution No. 65-2015 Supplemental Appropriation - 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, 2016 in order to provide an additional appropriation of \$5,585 for the Maryland School for the Blind budget within the General Fund.

The Resolution was introduced and posted on December 15, 2015.

Al Wein, Director of Administration, provided comments on this Resolution. There were no questions or comments from Council Members.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 65-2015.

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

Council Manager Massey stated for the record:

**Resolution No. 66-2015 Supplemental Appropriation - Sheriff's Office - Grants - Sex Offenders Registry**

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to provide a total of \$5,250 in additions to the General Fund Grants Budget awarded to the Sheriff's Office – Law Enforcement from the Maryland Department of Public Safety and Correctional Services to update IT equipment in order to maintain substantial compliance with the federal Sex Offender Registration, Notification and Apprehension Act.

This Resolution was introduced and posted on December 15, 2015.

Al Wein, Director of Administration, provided comments on this legislation. Council questions and comments ensued.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 66-2015.

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

Council Manager Massey stated for the record:

**Resolution No. 67-2015 Property Management Enterprise Fund - 107 Chesapeake Blvd.**

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to create a department with two divisions and establish a revenue and expenditure budget within the Property Management Enterprise Fund Budget.

This Resolution was introduced and posted on December 15, 2015.

There were no comments from the administration. Council questions and comments ensued.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 67-2015.

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

Council Manager Massey stated for the record:

**Resolution No. 68-2015 Refunding Bonds of 2016**

A Resolution to authorize and empower Cecil County, Maryland to borrow, from time to time, not more than Nineteen Million Three Hundred Eighty Five Thousand Dollars (\$19,385,000) and to effect such borrowing by the issuance and sale of its general obligation bonds in one or more series, authorized by Section 19-207 of the Local Government Article of the Annotated Code of Maryland (2013 Replacement Volume), such bonds to be sold and issued for the purpose of refunding certain outstanding general obligation bonds of the County in order to realize savings to the County in the total cost of debt service; to empower the County Executive to execute and deliver one or more executive orders prior to issuing the bonds in order to fix, prescribe and determine certain matters relating to such bonds and the sale thereof, as hereinafter described; to provide for the levy and collection of taxes in rate and amount sufficient, together with funds from other sources, to pay the principal of and interest on such bonds as they mature; and to provide for and determine certain matters in connection with the sale, issuance and delivery of such bonds.

This Resolution was introduced and posted on December 15, 2015.

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

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 68-2015.

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

Council Manager Massey stated for the record:

**Resolution No. 69-2015 Appointment - Board of Parks and Recreation - Bernard Brown**

A Resolution to confirm the reappointment by the County Executive of Bernard Brown III to the Board of Parks and Recreation; term to expire on December 31, 2018.

This Resolution was introduced and posted on December 15, 2015.

There were no questions or comments.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 69-2015.

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

Council Manager Massey stated for the record:

**Resolution No. 70-2015 Appointment - Board of Library Trustees - Kennard Wiggins Jr.**

A Resolution to confirm the reappointment of Kennard Wiggins Jr. to the Cecil County Board of Library Trustees, term to expire on January 5, 2021.

This Resolution was introduced and posted on December 15, 2015.

There were no questions or comments.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 70-2015.

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

**NEW BUSINESS**

Cecil County Public Schools - Budget Amendment #24

Council President Hodge asked for any questions on the Budget Amendment. Councilwoman Bowsbey asked about reduction and loss in the details of this amendment. Winston Robinson, Director of Finance, stated that he was unable to contact the school system about this amendment. Councilwoman Bowsbey suggested that Tom Kappra or his designate should be asked to make a presentation on future budget amendments during the Council's work session.

Councilwoman Bowsbey made a motion to approve Budget Amendment #24, but the motion died by lack of a second. No action was taken on this amendment.

**ADJOURNMENT**

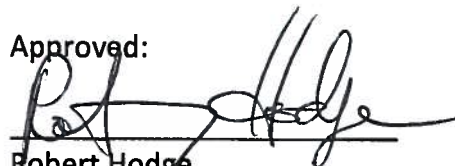
President Hodge adjourned the meeting at 8:22 p.m. by general consensus.

The next Council Legislative Session is scheduled for Tuesday, January 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