

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2016-07
April 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.

CALL TO ORDER

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

OPENING PRAYER

Councilman Schneckenburger introduced Pastor Phil Meekins from New Beginnings Christian Fellowship in Elkton who delivered 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 April 5, 2016. Motion carried unanimously.

PRESENTATION OF PROCLAMATION

The Council presented a proclamation in honor National Child Abuse Prevention Month to Barbra Smith, Chief, Division of Community Partnership, Community Services; Gregg Bortz, Public Affairs Officer, Cecil County Health Department; Jean-Marie Donahoo, Community Benefits Coordinator, Union Hospital; and Judi Rodemich, Director of Community Health Services, Cecil County Health Dept.

PUBLIC HEARINGS

Rezoning Application:

Council Manager Massey stated for the record:

File No. 2016-02; Applicant: Stephen B. Beiler; Location: East side of Jacob Tome Hwy, Colora; Election District 6; Tax Map: 10; Parcel: 25; Request: To rezone .9.9195 acres from Rural Residential (RR) to Business General (BG).

Notice of the public hearing was published on March 16, 2016 and March 23, 2016.

Witnesses presenting testimony were sworn in by Council Manager Massey.

Stephen B. Beiler, applicant, presented his request for rezoning, based on a mistake in the Comprehensive Rezoning.

Eric Sennstrom, Director of Planning and Zoning, stated that the Planning Commission recommended disapproval because of no demonstration of a mistake in the 2011 Comprehensive Rezoning.

Stephen O'Connor, Zoning Administrator, presented the staff report of findings of facts, which recommended disapproval due to no demonstrated mistake in the 2011 Comprehensive Rezoning.

Council questions and comments ensued. Mr. O'Connor was asked to show the current zoning map for this property.

Council President Hodge opened the public hearing for public comments. Jill Sherrard, Perryville, testified in opposition to the rezoning request. Roxanne Sturdy, Colora, testified of her concern for noise and the proximity of this property to her home.

Mr. Beiler made closing remarks about his intention for the property.

Council President Hodge concluded the public hearing and announced that the rezoning case may be considered at the next legislative session on April 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 March 15, 2016 as presented. Motion was unanimously approved.

PUBLIC COMMENTS

Mary Jo Carr, Elkton, commented on the proposed animal shelter, flooding at her home in the Town of Elkton and the dangerous intersection at Delancy Road and Route 40.

Jill Sherrard, Perryville, commented on the proposed animal shelter and puppy breeding.

Josh Mangold, Conowingo, commented in support of the public school's capital budget.

Tammy Pollard, Elkton, commented in support of Donna Caudell's appointment to the Ethics Commission and ideas for animal care and control.

Anke Masters, Elkton, commented on the proposed animal shelter, misinformation about the County's intentions for the animal shelter, and A Buddy for Life.

Harold McCanick, Elk Neck, commented in support of Donna Caudell's appointment to the Ethics Commission, construction progress for the new Elkton Wawa, Old Elk Neck Road speed limit, and the proposed animal shelter.

PRESIDENT AND COUNCIL COMMENTS

Councilman Schneckenburger commented on the proposed animal shelter, FY 2017 proposed budget, and the proposed changes in the tipping fees.

Councilwoman Bowsbey had no comments.

Councilman Patchell commented on the speed limit on Old Neck Road.

Vice President McCarthy had no comments.

Council President Hodge commented about the history of the Animal Care and Control services and asked the public to be patient as the County brings this service in-house. He also thanked the audience for attending the legislative session.

SPECIAL PRESENTATION

Eric Sennstrom, Director of Planning and Zoning, presented the 2015 Annual Report from the Department of Planning and Zoning. He stated that this report documents land activities that have occurred in 2015. Council questions and comments ensued.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2016-04 Annual Budget and Appropriation Ordinance

A Bill to adopt the County Budget including the Current Expense Budget, Capital Budget, Special Purpose Budgets and Grants Budget for the fiscal year ending June 30, 2017, and to appropriate funds for all expenditures for the fiscal year beginning July 1, 2016.

Al Wein, Director of Administration, provided introductory remarks. Council questions and comments ensued.

The public hearing for Bill No. 2016-04 will be advertised and scheduled on May 26, 2016 at the Elkton High School.

Council Manager Massey stated for the record:

Bill No. 2016-05 Capital Improvement Program FY2017-2021

A Bill to approve the Capital Improvement Program for Cecil County for Fiscal Years 2017 through 2021.

Al Wein, Director of Administration, provided introductory remarks.

The public hearing for Bill No. 2016-05 will be advertised and scheduled on May 26, 2016 at the Elkton High School.

Council Manager Massey stated for the record:

Bill No. 2016-06 Lease Purchase Agreement - Vehicle and Equipment Financing

A Bill authorizing and empowering Cecil County, Maryland to enter into a lease purchase agreement or similar arrangement in an aggregate principal amount not to exceed Two Million Dollars (\$2,000,000) for the purpose of financing the acquisition of certain necessary and essential vehicles and equipment for use in the County's governmental programs; providing that the obligations of the County under the

agreement shall not be a general obligation of the County, shall not constitute a pledge of the full faith and credit or the taxing power of the County and shall not constitute a debt of the County within the meaning of any statutory or constitutional provision, but shall be subject to appropriation in each and every fiscal year during the term of the agreement; empowering the County Executive to execute and deliver an executive order prior to the execution and delivery of the agreement in order to award the agreement to the successful bidder and to fix, prescribe and determine the details of such financing; and relating generally to such financing.

Winston Robinson, Director of Finance, provided introductory remarks. Council questions and comments ensued.

The public hearing for Bill No. 2016-06 will be advertised and scheduled on May 26, 2016 at the Elkton High School.

Council Manager Massey stated for the record:

Bill No. 2016-07 Fees- Transfer of Interest in Land

A Bill to reinstate a fee for recording no-consideration transfers of an interest in land with the Clerk of Court for Cecil County.

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

The public hearing for Bill No. 2016-07 will be advertised and scheduled on May 26, 2016 at the Elkton High School.

Council Manager Massey stated for the record:

Bill No. 2016-08 Disposal Fees - Central Landfill

A Bill to establish fees and rates for the Cecil County Solid Waste Management System (Central Landfill), on and after the effective date of this bill.

Al Wein, Director of Administration, provided introductory remarks. Council questions and comments ensued.

The public hearing for Bill No. 2016-08 will be advertised and scheduled on May 26, 2016 at the Elkton High School.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 14-2016 Appointment—Commission on Aging— Jamie McCloskey

A Resolution to confirm the County Executive's appointment of Jamie McCloskey to the Cecil County Commission on Aging, term to expire on June 30, 2017.

There were no Council questions and comments.

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

Council Manager Massey stated for the record:

Resolution No. 15-2016 Adoption of Property Tax Rate - FY 2017

A Resolution to levy and impose a property tax for the fiscal year beginning July 1, 2016 and ending June 30, 2017; setting the tax rates for property and providing for the collection of property tax.

Al Wein, Director of Administration, provided introductory remarks for this Resolution. There were no Council questions or comments.

Introduced, read first time, order posted on April 5, 2016. The public hearing for Resolution No. 15-2016 will be advertised and scheduled on May 26, 2016 at Elkton High School.

Council Manager Massey stated for the record:

Resolution No. 16-2016 Old Elk Neck Road - Speed Limit

A Resolution approving implementation of the change in the speed limit from 25 Miles Per Hour to 35 Miles Per Hour on a portion of Old Elk Neck Road.

Scott Flanigan, Director of Public Works, provided introductory remarks for this Resolution. There were no Council questions or comments.

Introduced, read first time, order posted on April 5, 2016. The public hearing for Resolution No. 16-2016 will be advertised and scheduled on May 3, 2016.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 11-2016 Appointment - Compensation Review Commission

A Resolution to appoint members to the Compensation Review Commission who will review the compensation and allowances of the County Executive, County Council and Sheriff, in accordance with Local Government Article, Section 10-302 of the Annotated Code of Maryland

The Resolution was introduced and posted on March 15, 2016.

There were no Council questions or comments.

On motion made by Vice President McCarthy, seconded by Councilman Schneckeburger, the Council moved to approve Resolution No. 11-2016.

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



Council Manager Massey stated for the record:

Resolution No. 12-2016 Budget Amendment - Information Technology Internal Fund - State's Attorney Office

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 the Information Technology Internal Services Fund with \$150,000 of capital expenditure authority; and \$15,000 of operating revenue and expense appropriation authority in order to acquire case management software for the States Attorney's Office which will result in the need to appropriate \$15,000 of General Fund balance to provide the departmental expenditure by the States Attorney's Office. The need for this software is due to a State mandate to convert the current case management system to an Integrated Court Management System this year.



The Resolution was introduced and posted on March 15, 2016.

Council questions and comments ensued.

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

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - N, Patchell - Y, Hodge - Y. The motion was approved by a vote of 4 to 1. Councilman Schneckenburger was opposed.

Council Manager Massey stated for the record:

Resolution No. 13-2016 Appointment—Cecil County Ethics Commission-Donna Caudell

A Resolution to confirm the appointment of Donna Caudell made by the County Executive to the Ethics Commission, term to expire in December 2020.



Mr. Wein provided comments on this Resolution. There were no Council questions or comments.

The Resolution was introduced and posted on March 15, 2016.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 13-2016.

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. 2016-02 Budget Transfer - Roads and Bridges Capital Improvement Program- Waibel Road Bridge and Road Improvement Projects

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to transfer \$250,000 of existing bond budget authority within the Roads and Bridges Capital Improvement Program budget from the completed Replacement of Baron



Road Bridge over CSX Project to the Replacement of Waibel Road Bridge (\$175,000) and Waibel Road Improvement (\$75,000) Projects.

The Bill was introduced on February 16, 2016 and public hearing held on March 15, 2016.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Bill No. 2016-02.

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

Councilman Patchell commented that this bridge had been out for ten years, it serves as a route for the public to use Woodlawn Transfer Station, and praised the Department of Public Works for their efforts.

Council Manager Massey stated for the record:

Bill No. 2016-03 Budget Amendment - Capital Budget - Animal Care and Control Facility

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 that will increase bond budget authority within the Approved General Fund Capital Improvement Program budget by \$500,000 in order to purchase real property and existing improvements, and acquire necessary equipment for, an animal care and control facility and further, for the purpose of providing financial savings versus the existing rental arrangement.

The Bill was introduced on February 16, 2016 and public hearing held on March 15, 2016.

Mr. Wein provided comments on this Bill.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2016-03.

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

NEW BUSINESS

Cecil County Public Schools - Budget Amendment #27

Councilman Schneckenburger recommended approval because most of the revenue was related to grants and donations.

Councilman Schneckenburger made a motion, seconded by Councilwoman Bowsbey, to approve Budget Amendment #27.

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

ADJOURNMENT

President Hodge adjourned the meeting at 9:14 p.m.

The next Council Legislative Session is scheduled for Tuesday, April 19, 2016 in the Elkton Town Hall, 100 Railroad Avenue, Elkton, Maryland.

Attest:


James Massey, Council Manager

Approved:


Robert Hodge
President