

**COUNTY COUNCIL OF CECIL COUNTY**  
**LEGISLATIVE SESSION MINUTES**  
**LSD 2015-13**  
**July 7, 2015**

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 July 7, 2015 was called to order by President Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

**MOMENT OF SILENCE**

The Council observed a moment of silence.

**APPROVAL OF AGENDA**

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the legislative agenda of July 7, 2015, as presented. Motion carried unanimously.

**PUBLIC HEARING**

**Rezoning Application:**

Council Manager Massey stated for the record:

File 2015-03; Applicant: Charlestown Crossing LLC and Charlestown Crossing Apartments LLC; Property Location: Rte 40; Election District : 5; Tax Map: 30; Parcels: 141 and part of 142; Request: Rezone 6.706 acres from Light Industrial (M-1) to High Density Residential (RM).

Notice of public hearing published on June 24, 2015 and July 1, 2015.

Applicants presenting testimony were sworn in by Council Manager Massey.

Dwight Thomey, Esq., presented the applicant's request for rezoning, based on a mistake in the Comprehensive Rezoning of May 1, 2011. Mr. Thomey called for testimony from Sean Davis of MRA and Andy Freeman of Charlestown Crossing LLC. They presented a Power Point presentation, labeled as Exhibit 1. Mr. Thomey also entered a previous Charlestown Crossing rezoning case, dated August 10, 2010, as Exhibit 2.

Cliff Houston, Zoning Administrator, presented the findings of fact and Planning Commission recommendation for approval as supported by a mistake in the Comprehensive Rezoning.

Rupert Rossetti, Port Deposit, gave an oral and written testimony in opposition of this application. His written testimony was labeled as Exhibit 3.

Mr. Houston read a letter from Lisa Webb, Director of Economic Development, in support of the application. Her letter was labeled as Exhibit 4.

Mr. Thomey provided closing remarks.

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

**Legislation:**

Council Manager Massey stated for the record:

**Bill No. 2015-11 Approval - Agricultural Preservation District - Flying Plow Farm**

A Bill to approve the petition of Sarah Rider and Tom Paduano for property located at 96 Charles Johnson Farm Lane, Rising Sun, MD 21911, also known as Flying Plow Farm (Tax Map 10, Grid 14, Parcel 256) requesting the establishment of an agricultural preservation district.

Stephen O'Connor, MALPF Program Administrator, provided comments on the Bill.

Council President Hodge asked for any questions or comments from Council Members. There were no comments.

Council President Hodge opened the public hearing. Rupert Rossetti, Port Deposit, provided comments in support of the bill.

Council President Hodge concluded the public hearing on Bill No. 2015-11 and announced that final consideration of this Bill will be held on July 21, 2015.

**APPROVAL OF MINUTES**

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the legislative session minutes of June 16, 2015. Motion carried unanimously.

**PUBLIC COMMENTS**

Ron Lobos, Elkton, commented on school budget funding.

**PRESIDENT AND COUNCIL COMMENTS**

Councilman Schneckenburger attended the Change Maryland picnic and Salute to Veterans event.

Councilwoman Bowsbey congratulated Scott Flanigan for his presentation at the Chamber of Commerce. She attended the luncheon with Secretary Gill.

Councilman Patchell also attended the luncheon with Secretary Gill.

Vice President McCarthy and President Hodge had no comments.

#### **INTRODUCTION OF BILLS**

Council Manager Massey stated for the record:

**Bill No. 2015-12 Amendment - Subdivision Regulations - Appeal, Preliminary Plat and Concept Plat**  
An Act to amend the Subdivision Regulations, to provide the public with an additional appeal process, to allow Director of Planning and Zoning to grant extensions of concept plat and preliminary plat, and to change the deadline to request extensions of concept plat and preliminary plat approval.

Eric Sennstrom, Director of Planning and Zoning, provided information about this legislation. Question and comments ensued.

The public hearing for Bill No. 2015-12 will be advertised and scheduled on the Council legislative session of August 4, 2015.

Council Manager Massey stated for the record:

**Bill No. 2015-13 Amendment - Building Code**

A Bill to amend Sections 157-1 and 157-2, Chapter 157 (Building Construction) of the Cecil County Code in order to adopt the 2015 edition of IBC, add definitions, and providing additional building construction standards.

Al Wein, Director of Administration, provided information about this legislation. There were no questions or comments.

The public hearing for Bill No. 2015-13 will be advertised and scheduled on the Council legislative session of August 4, 2015.

Council Manager Massey stated for the record:

**Bill No. 2015-14 Amendment - Plumbing Code**

A Bill to amend Chapter 270, Building Construction of the Cecil County Code in Sections 270-3 Inspections, 270-6 Adoption of Standards by reference, 270-10 Safety devices, 270-12 Permits required, applications, exceptions; 270-14 Transfer; 270-17 Licensing, applications; 270-18 Nonresident Plumbers; and 270-20 Display of information, vehicles.

Al Wein, Director of Administration, provided information about this legislation. Questions and comments ensued.

The public hearing for Bill No. 2015-14 will be advertised and scheduled on the Council legislative session of August 4, 2015.

Council Manager Massey stated for the record:

**Bill No. 2015-15 Supplemental Appropriation - Board of Education Capital Projects - BTOP**

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 provide an additional \$580,000 of bond revenue and expenditure authority within the Board of Education Capital Projects fund to allow for the final phase of funding of the Broadband Technology Opportunities Program (BTOP) project.

Al Wein, Director of Administration, provided information about this legislation. There were no questions or comments.

The public hearing for Bill No. 2015-15 will be expedited at the request of the administration, advertised, and scheduled on the Council legislative session of July 21, 2015.

Council Manager Massey stated for the record:

**Bill No. 2015-16 Budget Transfer - Wastewater Capital Improvement Program - Construct Highlands Interceptor Sewer Project**

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 existing bond budget authority within the Wastewater Capital Improvement Program budget a total amount of \$699,513, of which \$693,555 comes from the Construct Elkton West Sanitary Sewer – Sub-district project, and \$5,958 from the North East Inflow and Infiltration elimination project, to the Construct Highlands Interceptor Sewer project.

Al Wein, Director of Administration, provided information about this legislation. There were no questions or comments.

The public hearing for Bill No. 2015-16 will be expedited at the request of the administration, advertised, and scheduled on the Council legislative session of July 21, 2015.

Council Manager Massey stated for the record:

**Bill No. 2015-17 Budget Transfer - General Fund Capital Improvement Program - Courthouse Roof Replacement Project**

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 unencumbered bond budget authority within the General Fund Capital Improvement Program budget to the Courthouse Roof Replacement Project, a total amount of \$59,378.70, of which \$37,203.57 comes from the Health Department Systemic Upgrade completed project and \$22,175.13 from the completed Fuel Management System project.

Al Wein, Director of Administration, provided information about this legislation. He stated that the administration requests that the public hearing for this bill be expedited because of the circumstance; in order for the public hearing to be scheduled on July 21, 2015, and consideration on August 4, 2015.

The Council agreed to expedite the scheduling of this bill by consensus.

The public hearing for Bill No. 2015-17 will be expedited at the request of the administration, advertised, and scheduled on the Council legislative session of July 21, 2015.

## **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey stated for the record:

**Resolution No. 35-2015 Budget Amendment - Board of Education Small Capital Budget - Holly Hall Elementary School Geothermal Systemic Repair**

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 Board of Education's small capital budget within the General Fund, \$200,000 of additional expenditure appropriation authority to allow for the repair to the Holly Hall Elementary School Geothermal Systemic Repair.

Mr. Wein provided comments on this Resolution. Questions and comments ensued. Council President Hodge asked the Council Manager to request a presentation by Perry Willis about this resolution at the next work session.

Introduced, read first time and order posted on July 7, 2015 and scheduled for consideration on July 21, 2015.

Council Manager Massey stated for the record:

**Resolution No. 36-2015 Budget Amendment - Cecil College - Campus Master Plan**

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 Cecil College budget within the General Fund, \$150,000 of unexpended FY2015 expenditure appropriation authority to be carried forward, allowing for the completion of the College's Campus Master Plan.

There were no comments or questions.

Introduced, read first time and order posted on July 7, 2015 and scheduled for consideration on July 21, 2015.

Council Manager Massey stated for the record:

**Resolution No. 37-2015 Budget Amendment - Grant Funds - Sheriff's Office - Medication Assisted Treatment/Reentry - Vivitrol**

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 \$47,500 in additions to the General Fund Grants Budget awarded to the Cecil County Sheriff's Office.

There were no comments or questions.

Introduced, read first time and order posted on July 7, 2015 and scheduled for consideration on July 21, 2015.

Council Manager Massey stated for the record:

**Resolution No. 38-2015 Budget Amendment - Grant Funds - Health Department - Drug Free Communities Coalition**

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 \$125,000 in additions to the General Fund Grants Budget awarded to the Health Department for the Drug Free Communities Coalition.

Questions and comments ensued. Mr. Wein was asked to report whether new staff were hired for this program.

Introduced, read first time and order posted on July 7, 2015 and scheduled for consideration on July 21, 2015.

Council Manager Massey stated for the record:

**Resolution No. 39-2015 Budget Amendment - Establish Special Revenue - Other Grants Fund**

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 establish a new fund called Special Revenue – Other Grants to transfer grant and similar project estimated revenues and budgeted expenditures from the General Fund into the Special Revenue – Other Grants Fund

Mr. Wein provided comments on this Resolution. Questions and comments ensued.

Introduced, read first time and order posted on July 7, 2015 and scheduled for consideration on July 21, 2015.

**CONSIDERATION OF RESOLUTIONS**

Council Manager Massey stated for the record:

**Resolution No. 33-2015 Junk Dealers and Scrap Metal Processors - Designated Enforcement Agency- Maryland State Police**

A Resolution to designate the Maryland State Police as the primary law enforcement unit in regards to individuals doing business as junk dealer or scrap metal processors in Cecil County.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 33-2015.

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. 34-2015 Appointments—Economic Development Commission**

A Resolution to confirm the reappointment of Robert Palsgrove, Bruce England, Dr. D'Ette Devine, Denise Davis, Woody Jackson, Linda Burris, Michael Ratchford, Bernard DeMarinis, Doris Mason, JoAnn Dawson, Grove Miller and Paula Gilley to the Economic Development Commission; terms to expire on June 30, 2018.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 34-2015.

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 8:32 p.m. by general consensus.

The next Council Legislative Session is scheduled for Tuesday, July 21, 2015 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Approved:

  
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Robert Hodge  
President

Attest:

  
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James Massey  
Council Manager

