

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 14-03
February 18, 2014

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:

Dr. Alan McCarthy, Vice President
Joyce Bowsbey, Council Member
Michael Dunn, Council Member
Diana Broomell, Council Member
Robert J. Hodge, President

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 for February 18, 2014 was called to order by President Robert Hodge at 7:14 p.m. and opened with the Pledge of Allegiance.

MOMENT OF SILENCE

The Council observed a moment of silence.

CHANGES TO THE AGENDA

On motion made by, Council President Hodge, seconded by Councilwoman Bowsbey, the Council moved to amend the agenda to add two Letters of Support under New Business. Discussion and questions ensued. Motion carried unanimously.

APPROVAL OF MINUTES

On motion made by Council Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the February 4, 2014 Council Legislative meeting, as presented. Motion carried unanimously.

PUBLIC COMMENTS

David Neff, Elkton, Conowingo, commented on the passing of his grandfather and prayed for the Council.

Harold McCannick, Elk Neck, commented on the passing of Betty Maresca.

Ron Lobos, Elkton, commented on President Hodge recusing himself from the vote regarding Bill 2014-01.

Nancy Valentine, North East, commented on the rezoning case.

CH Herzog, Colora, commented on the rezoning case.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Broomell encouraged the audience to listen to the Work Session audio. Ms. Broomell commented on the Local Drug and Alcohol Council.

Councilman Dunn had no comments.

Vice President McCarthy submitted a letter for review from the Maryland Department of Mental Health and Hygiene regarding the states response to County Executive Moore.

Councilwoman Bowsbey had no comments.

President Hodge commented on the drug issues in Cecil County and asked the community to be patient.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2014-05 Emergency Legislation - Amendment - Budget Ordinance FY 2014 - Snow Removal
An emergency bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2014 in order to provide the Road's Maintenance Department's budget within the General Fund expenditure appropriation authority to authorize \$400,000 to be expended for County snow removal.

Director of Administration Al Wein and Director of Finance Winston Robinson provided information relevant to Bill No. 2014-05. Questions and comments ensued.

President Hodge advised the public that Bill No. 2014-05 would be scheduled for a public hearing and consideration at the March 4, 2014 Council Legislative meeting.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 07-2014 Appointments—County Personnel Board
A Resolution to confirm the appointment of Toni Shivery, as an alternate to the County Personnel Board for a two (2) year term to expire June 2016.

Director of Administration Al Wein provided information relevant to Resolution No. 07-2014.

President Hodge advised the public that Bill No. 2014-05 would be scheduled for consideration at the March 4, 2014 Council Legislative meeting.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution 01-2014 Roads - Truck Restrictions – Dr. Jack Road
A Resolution approving the implementation of a 35-ton Gross Vehicle Weight Rating limit on a portion of Dr. Jack Road.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 01-2014.

Questions and comments ensued.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 02-2014: Roads - Truck Restrictions – Rock Run Road

A Resolution approving the implementation of a 10-ton Gross Vehicle Weight Rating limit on a portion of Rock Run Road.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 02-2014.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 03-2014: Roads - Truck Restrictions – Rogers Road

A Resolution approving the implementation of a 10-ton Gross Vehicle Weight Rating limit on a portion of Rogers Road.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 03-2014.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 04-2014: Roads - Truck Restrictions –Stevenson Road

A Resolution approving the implementation of a 35-ton Gross Vehicle Weight Rating limit on a portion of Stevenson Road.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 04-2014.

Questions and comments ensued.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 06-2014: Appointments—Board of Library Trustees

A Resolution to confirm the appointment of Steven F. Pearson by the County Executive for a five (5) year term to expire March 2019 to the Cecil County Board of Library Trustees.

Director of Administration Al Wein provided information relevant to Resolution No. 06-2014.

Questions and comments ensued.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 06-2014.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2013-20: Budget Ordinance FY2014 - Appropriations - Emergency Services, Solid Waste Enterprise Fund and Maryland School for the Blind. A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 in order to provide \$38,012 in additions to the General Fund Grants Budget, to provide \$26,000 in additions to the Solid Waste Enterprise Fund Grants Budget, to provide \$3,400 in additions the Maryland School for the Blind Budget within the General Fund, and to provide additional appropriation authority for the fiscal year ending June 30, 2014.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2013-20.

Questions and comments ensued.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Bill No. 2013-21: Budget Ordinance FY2014 - Appropriation - Old Colora Medic Station
A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2014 in order to provide the Department of Emergency Service's budget within the General Fund expenditure appropriation authority to authorize ~~\$10,000~~ \$15,000 from the proceeds of sale of real property commonly known as 214 North Street, Elkton, Maryland 21921 to be expended for the improvement of the Old Colora Medic Station for use by the Department of Emergency Services of as a radio shop to replace the Department of Emergency Services radio shop formerly housed at the 214 North Street property.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2013-21 As Amended.

Roll Call Vote: McCarthy – Abstain, Bowsbey – Y, Dunn – N, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Bill No. 2014-01: Amendment - Budget Ordinance FY2014 - Capital Budget - Capital Improvement Program - Route 40 West Sanitary Sewer Interceptor. A Bill to amend the Capital Budget and Capital Improvement Program for Cecil County, Maryland for the fiscal year ending June 30, 2014 in order to provide the Wastewater Enterprise Fund's Capital Budget expenditure appropriation authority to authorize \$145,000 of FY2014 fund balance to be available for expenditure and decreasing an equal amount in FY2015 for construction of the Route 40 West Sanitary Sewer Sub-District Interceptor, Phases 1, 2, 3.

Questions and comments ensued.

Council President Hodge stated that he intended to recuse himself from voting on this legislation because of the perception of a conflict of interest.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-01.

Discussion and comments ensued.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – N, Broomell – N, Hodge – abstention. Motion failed by a vote of 2 to 2 with 1 abstention.

Council Manager Massey stated for the record:

Bill No. 2014-02: Amendment - Budget Ordinance FY 2014 - Information Technology Internal Service Fund. A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 in order to establish a new Information Technology Internal Services Fund and to provide \$1,516,974 in appropriation authority for the fiscal year ending June 30, 2014.

Questions and comments ensued. Director Department of Finance Winston Robinson provided information relevant to Bill No. 2014-02.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-02.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

OLD BUSINESS

Rezoning Case 2014-01: Carpenter Engineering, LLC. Attn: Ronnie B. Carpenter – 995 Turkey Point Road, North East – Eutace W. Mita.

Discussion and comments ensued.

On motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to deny the application of Carpenter Engineering, LLC. to rezone 5.2 acres at 995 Turkey Point Road, North East, MD, from Low Density Residential to High Density Residential because there has been no mistake in the zoning classification of the property during the last comprehensive rezoning. Discussion and comments ensued.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

NEW BUSINESS
Letter of Support

President Hodge stated that Delegate Smigiel has requested a letter of support for HB 870 - Income Tax - Subtraction Modification - Toll Charges Paid by Chesapeake Bay Bridge or Hatem Bridge commuters. Discussion and comments ensued.

On motion made by Councilwoman Bowsbey, seconded by President Hodge to support a letter support for HB 870. Motion carries by a vote of 4 to 0, with Vice President McCarthy abstaining.

President Hodge stated that Delegate Smigiel has requested a letter of support for HB 945 - Sewage Sludge - Permit Application and Public Hearing - Notification Requirements. Discussion and comments ensued.

On motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to support a letter of support for HB 945. Discussion and comments ensued. Motion carries unanimously.

ADJOURNMENT

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to adjourn the meeting by general consent. President Hodge adjourned the meeting at 8:40 p.m.

The next Council Legislative Meeting is scheduled for Tuesday, March 4, 2014 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.

Approved:

Robert Hodge
Council President

Attest:

James Massey
Council Manager