

**COUNTY COUNCIL OF CECIL COUNTY**  
**LEGISLATIVE SESSION MINUTES**  
**LSD 2014-08**  
**May 6, 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](http://www.ccgov.org).

**CALL TO ORDER**

The meeting of the County Council of Cecil County for May 6, 2014 was called to order by President Robert Hodge at 7:00 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 Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the agenda as amended. Motion carried unanimously.

**PRESENTATIONS OF PROCLAMATIONS/CERTIFICATES**

National Safe Boating Week

Council members presented a proclamation in honor of National Safe Boating Week to Andy Kelly, Flotilla Commander, and members of the U. S. Coast Guard.

Cecil County Tourism Month

Council members presented a proclamation in commemoration of Cecil County Tourism Week to Sandy Turner, Tourism Coordinator, Department of Economic Development.

Building Safety Month

Council members presented a proclamation in recognition of Building Safety Month to William Funk, Supervisor of Building Construction, Department of Permits and Inspections.

**APPROVAL OF MINUTES**

On motion made by Council Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the April 15, 2014 Council Legislative meeting, as presented. Motion carried unanimously.

## **PUBLIC COMMENTS**

David Neff, Conowingo, commented on National Teachers Week and full funding for the school budget.

Harold McCannick, Elk Neck, commented on the field hearing held by Senator Cardin and on the county budget.

Diane Carabetta, Perryville, commented on a pothole filled on her road, Resolution No. 07-2014 public/private partnerships, the MACo Drug Symposium, and holding the line on the budget.

Donna Caudill, Elkton, commented on meetings held by the Patriots, and on the public/private partnerships.

Randy Sibold, Perryville, commented in opposition to the MARC layover facility location.

Kevin Howe, Perryville, commented in opposition to the MARC layover facility location.

## **PRESIDENT AND COUNCIL COMMENTS**

Councilman Dunn had no comments.

Vice President McCarthy had no comments.

Councilwoman Bowsbey commented on the "Expressions of Healing", Upper Bay Counseling Art Exhibit on Main Street in Elkton.

Councilwoman Broomell commented on Supreme Court decision on public prayer and her intention to introduce legislation. She participated in a phone conference with Bruce Gartner, Executive Secretary of the Maryland Transportation Authority, regarding third axle discounts on the Hatem Bridge. She attended a meeting with Senator Cardin regarding the Conowingo Dam and Chesapeake Bay. Ms. Broomell commented on the MACo symposium on substance abuse, the public/private partnerships and bringing back a light pollution ordinance.

President Hodge commented on MARC layover station.

## **INTRODUCTION OF BILLS**

Council Manager Massey stated for the record:

**Bill No. 2014-15 – Amendment – Forest Conservation Regulations**

An Act to amend the Cecil County Forest Conservation Regulations, Article II, Forest and Tree Conservation Definitions, to add Section 2.58 "Stream Restoration Project"; and Article III.

Applications, to add exemptions for maintenance for retrofitting stormwater management structures and for stream restoration projects to Section 3.2K.

Eric Sennstrom, Director of Planning and Zoning, provided information relevant to the bill. Discussion ensued.

President Hodge advised the public that Bill No. 2014-15 would be scheduled for a public hearing June 3, 2014 and consideration at the June 17, 2014 Council Legislative meeting.

## **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey stated for the record:

**Resolution No. 21-2014** – Surplus Property – Near Big Elk Creek Bridge – State Highway Administration

A resolution conveying land, easements and rights in and to the outermost lines designated “Right of Way Line” as shown and/or indicated on SHA Plat No. 54830.

Mr. Wein provided information relevant to the resolution. Questions and comments ensued.

President Hodge advised the public that Resolution No. 21-2014 would be scheduled for a public hearing June 3, 2014 and consideration at the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

**Resolution No. 22-2014** – Amendment – Master Water and Sewer Plan – Chesapeake City

A Resolution to amend the Cecil County Master Water and Sewer Plan, Chapter 4, §4.1.4B Chesapeake City, to add text regarding the consolidation of the existing wastewater facilities on the north side of town and to amend the sewer service area map to add tax map: 43, Parcel: 26 as an S-2 service area.

Mr. Sennstrom provided information relevant to the resolution.

President Hodge advised the public that Resolution No. 22-2014 would be scheduled for a public hearing June 3, 2014 and consideration at the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

**Resolution No. 23-2014** – Amendment – Master Water and Sewer Plan – 438 Red Toad Road, North East

A Resolution to amend the Cecil County Master Water and Sewer Plan, to add tax map: 25, Parcel: 84 to the Sewer Service Areas as a S-2 service area; for property located at 438 Red Toad Road, North East, owned by Mike McCormick and Marlene Matosky.

Mr. Sennstrom provided information relevant to the Resolution No. 23-2014. Discussion ensued.

President Hodge advised the public that Resolution No. 23-2014 would be scheduled for a public hearing June 3, 2014 and consideration at the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

**Resolution No. 24-2014** – Designation – Historic District – Keiffer Brick House

A Resolution to establish and designate the property located at One Old Farm House Road, Elkton, MD, District 3, Tax Map 309, Parcel 444 known as the Keiffer Brick House as a Historic District.

Mr. Sennstrom provided information relevant to the resolution. Questions and comments ensued.

President Hodge advised the public that Resolution No. 24-2014 would be scheduled for a public hearing June 3, 2014 and consideration at the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

**Resolution No. 25-2014** – Council Policies and Procedures – Invocation

A Resolution to amend the Council's Policies and Procedures to repeal and reenact Section 3-9 Invocation, pursuant to Section 303(e) of the Charter of Cecil County.

Councilwoman Broomell provided information relevant to the Resolution No. 25-2014. Discussion ensued.

President Hodge advised the public that Resolution No. 25-2014 would be scheduled for a public hearing and consideration at the June 17, 2014 Council Legislative meeting.

### **CONSIDERATION OF RESOLUTIONS**

Council Manager Massey stated for the record:

**Resolution No. 12-2014** – Electrical Fees – As Amended

A resolution establishing new fees related to electrical permits, electrical licensing, electrical examination, appeals, special inspections, proceeding without proper inspections or permits, and late fees, in accordance §191-19 of the Cecil County Code.

Council President Hodge introduced Amendment 1 and 2 to Resolution No. 12-2014.

Amendment 1 to Res. No. 12-2014 Active Out-of-State License

On page 2, line 21, delete "\$175.00" and insert "\$150.00".

Amendment 2 to Res. No. 12-2014 Inactive Out-of-State License

On page 2, line 28, delete "\$100.00" and insert "\$75.00"

On motion made by Councilwoman Bowsbey, seconded by President Hodge, the Council moved to approve Amendments Nos. 1 and 2 to Resolution No. 12-2014. Motion carries 4-1, with Vice President McCarthy opposed.

Comments ensued.

On motion made by Councilwoman Bowsbey, seconded by President Hodge, the Council moved to approve Resolution No. 12-2014, as amended.

Roll Call Vote: McCarthy – N, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carries 4-1, with Vice President McCarthy opposed.

Council Manager Massey stated for the record:

**Resolution No. 20-2014** – Appointment – Historic District Commission

A Resolution to confirm the County Executive's reappointment of Patricia Folk and Michael Dixon to the Historic District Commission.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 20-2014.

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. 2014-09** – Amendment – Electrical Standards

A Bill to amend Part II, Chapter 191 (Electrical Standards) of the Cecil County Code.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-09.

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. 2014-10** – Budget Ordinance FY2014 – Capital Project Budget – Storm Damage

A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 to provide additional appropriation authority from unassigned General Fund balance to the General Capital Projects Budget for (a) storm damage to County Roads; and, (b) storm damage to public school bus loops, and parking lots in Perryville High School, Rising Sun High School and North East High School, totaling \$2,000,000, for the fiscal year ending June 30, 2014, and to establish an ongoing policy of accounting for road resurfacing efforts in the Capital Budget.

Al Wein, Director of Administration, provided information relevant to the resolution. Questions and comments ensued.

Council President Hodge introduced Amendments Nos. 1-3 to Bill No. 2014-10 on behalf of the County Executive.

Amendment No. 1

On Page 1, under Synopsis, insert the following, "and parking lots in Perryville High School, Rising Sun High School and North East High School.

Amendment No. 2

On page 2, line 16, delete "and" and insert the following, "as well as "

On page 2, line 16, insert the following, "and parking lots at Perryville High School, Rising Sun High School and North East High School."

Amendment No. 3

On page 2, line 19, insert the following, "and parking lots at Perryville High School, Rising Sun High School and North East High School".

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Amendments 1-3 to Bill No. 2014-10. Motion carries unanimously.

Comments ensued.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-10, as amended.

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. 2014-11** – Budget Ordinance FY2014 – Grants Budget & General Fund – Various Agencies  
A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 in order to provide \$30,960 in additions to the General Fund Grants Budget, which includes a grant of \$20,000 from Maryland Administrative Office of the Court, a grant of \$4,500 from Project Crossroad/Maryland Strategic Prevention Framework, a grant of \$2,500 from Jerry Skrivanek VFW Post #8185 and a grant of \$3,960 from the Criminal Investigation Division; and an increase in the amount of private donations to \$2,000 for the 2014 Volunteer Recognition Event for fiscal year ending June 30, 2014.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-11.

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. 2014-12** – Capital Budget – Courthouse Renovation Project  
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 General Fund's Capital Budget expenditure appropriation authority to authorize \$85,000 of FY2014 fund balance to be added to the Courthouse Renovation project.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014.12.

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. 2014-13** – Amendment – Board of Education – Perryville High School Track Replacement  
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 increase the expenditure authority for the Cecil County Board of Education allocation within the General Fund, to provide for a \$250,000 front-funded grant to be expended for the Perryville High School Track Replacement project.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-13.

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

### **NEW BUSINESS**

Budget Amendment #09 – Cecil County Public Schools – FY2014 Operating Budget Revisions

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Budget Amendment #09.

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

Award of Auditing Services

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve awarding SB & Company to auditing services.

### **ADJOURNMENT**

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

The next Council Legislative Meeting is scheduled for Tuesday, May 20, 2014 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.

Approved:

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Robert Hodge  
Council President

Attest:

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James Massey  
Council Manager