

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2014-12
July 1, 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
Michael Dunn, Council Member
Diana Broomell, Council Member
Robert J. Hodge, President

Absent: Joyce Bowsbey, 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 for July 1, 2014 was called to order by President Robert Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

OPENING PRAYER

Councilwoman Broomell introduced Pastor Harold Phillips of Pleasant View Baptist Church who led the opening prayer.

CHANGES TO THE AGENDA

On motion made by Council Vice President McCarthy, seconded by Councilman Dunn, the Council moved to approve the agenda as presented. Motion carried 4-0.

PUBLIC HEARING

Council Manager Massey stated for the record:

Bill No. 2014-16 – Amendment - Refuse Haulers - Commercial

A Bill to amend Part II, Chapter 285 (Refuse Haulers - Commercial) of the Cecil County Code; to add definitions and requirements of Commercial Refuse Haulers to establish account with County, provide recycling information to customers annually, and provide report to multi-unit housing customers on amount of materials collected, as required by State law.

Scott Flanigan, Director of Public Works, and Pete Bieniek, Chief of Solid Waste Management Division, provided information relevant to Bill No. 2014-16.

Public Comments in Support and Opposition

Joe Carabetta, Perryville, commented on bill.
Diane Carabetta, Perryville, commented on bill.

President Hodge advised the public that Bill No. 2014-16 will be considered at the July 15, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Bill No. 2014-17 – Amendment – Solid Waste and Recycling

A Bill to amend Part II, Chapter 318 (Solid Waste and Recycling) of the Cecil County Code; to add definitions, specify vehicle account stickers, amend Recycling policies to require apartments or condominiums of 10 or more to provide recycling, amends Environmental Programs regarding materials accepted, specifies yard waste requirements and deletes tipping fee waiver for Cecil County Public Schools after June 30, 2015.

Scott Flanigan, Director of Public Works, provided information relevant to Bill No. 2014-17.

Questions and comments ensued.

Public Comments in Support and Opposition

Joe Carabetta, Perryville, commented on bill.

Diane Carabetta, Perryville, commented on bill.

President Hodge advised the public that Bill No. 2014-17 will be considered at the July 15, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Bill No. 2014-18 – Amendment – Recycling Plan – 2008-2017

A Bill to amend the Cecil County Recycling Plan for the period 2008-2017; updates plan and adds Apartment Building and Condominium Recycling Program.

Scott Flanigan, Director of Public Works, provided information relevant to Bill 2014-18. Questions and comments ensued.

Public Comments in Support and Opposition

Joe Carabetta, Perryville, commented on bill.

Diane Carabetta, Perryville, commented on bill.

President Hodge advised the public that Bill No. 2014-18 will be considered at the July 15, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Bill No. 2014-19 – Amendment – Capital Budget – Transfer of Appropriations – Courthouse Renovation Phase 2

An EMERGENCY Act to amend the Capital Budget and Capital Improvement Program for Cecil County, Maryland for the fiscal year ending June 30, 2014 in order to transfer \$38,000 of General Fund's Capital Budget bond expenditure appropriation from the Health Department Systemic Upgrades project to the Courthouse Phase II Renovation project for unforeseen asbestos abatement.

Al Wein, Director of Administration, provided information relevant to Bill 2014-19. Questions and comments ensued.

Public Comments in Support and Opposition

No public comments.

President Hodge advised the public that Bill No. 2014-19 will be considered tonight under Consideration of Resolutions.

APPROVAL OF MINUTES

On motion made by Vice President McCarthy, seconded by Councilman Dunn, the Council moved to approve the minutes of the June 17, 2014 Council Legislative meeting, as presented. Motion carried unanimously.

PUBLIC COMMENTS

Diane Carabetta, Perryville, commented on recycling, bonding of officials, and the charter amendment for removing Ethics Commission members for cause.

Joe Carabetta, Perryville, commented on wastewater plan, property tax cap and the charter amendment for removing Ethics Commission members for cause.

Dave Fordyce, Elkton, commented on traffic pattern on Route 40.

Bob Amato, Perryville, commented on the charter amendment for removing Ethics Commission members for cause.

PRESIDENT AND COUNCIL COMMENTS

Councilman Dunn had no comments.

Vice President McCarthy had no comments.

Councilwoman Broomell thanked the County Council for adopting opening prayer. She commented on a letter from Reverend Drew Christian of Janes United Methodist Church in support of prayer. Ms. Broomell commented that she hopes the Council will agree to introduce the Charter Amendment for removing Ethics Commission members for cause.

President Hodge commented on a notice from the Charlestown Fire Company for the public to have reflective house numbers. Mr. Hodge thanked everyone for attending the meeting.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 36-2014 Charter Amendment – Submission of County Budget - Deadline

A Resolution amending Article 5, Budget and Finance, Section 504, Preparation of the County Budget, of the Cecil County Charter to provide that the County Executive shall prepare and submit a proposed budget to the County Council for the ensuing fiscal year not later than April 1st of each year, instead of not later than March 1st; and to require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Jason Allison, County Attorney provided information regarding resolution. Discussion ensued.

President Hodge advised the public that Resolution No. 36-2014 would be scheduled for a public hearing at the July 29, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Resolution No. 37-2014 Charter Amendment – Adoption of County Budget - Deadline

A Resolution amending Article 5, Budget and Finance, Section 507(b), Action on the Budget by Council, of the Cecil County Charter to provide that the adoption of the Budget shall be by the affirmative vote of not less than three members of the Council in a law enacted not later than the third Tuesday in June, instead of not later than May 31, and to require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Jason Allison, County Attorney provided information on an amendment to Resolution No. 37-2014 requested by the administration. Council President Hodge asked that this item be included on the next Council work session agenda. Questions and comments ensued.

President Hodge advised the public that Resolution No. 37-2014 would be scheduled for a public hearing at the July 29, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Resolution No. 38-2014 Charter Amendment – Budget Amendment Process - Resolution

A Resolution amending Article 5, Budget and Finance, Section 507, Action on the Budget by Council, of the Cecil County Charter to add a new subsection (c) authorizing amendment to the Annual Budget and Appropriation by resolution approved by the affirmative vote of not less than three members of the Council; and to require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Jason Allison, County Attorney provided information relevant to resolution. Discussion ensued.

President Hodge advised the public that Resolution No. 38-2014 would be scheduled for a public hearing at the July 29, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Resolution No. 39-2014 Charter Amendment – Bonding of Officers – Bonding Amount

A Resolution amending Article 6, Miscellaneous, Section 605, Bonding of Officers, of the Cecil County Charter to provide that officers of the County who have possession of or control over any County funds shall be bonded for the faithful performance of their duties in an amount that equals or exceeds \$500,000; instead of an amount that equals or exceeds two percent of the County's total budgeted expenditures for a given year; and to require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Jason Allison, County Attorney, provided information relevant to resolution. Questions and comments ensued. Council President Hodge requested to see the Finance Department's internal control procedures.

President Hodge advised the public that Resolution No. 39-2014 would be scheduled for a public hearing at the July 29, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Resolution No. 40-2014 Appointment – Local Drug and Alcohol Council

A Resolution to appoint Vice President Alan McCarthy as the County Council representative to the Cecil County Drug and Alcohol Council.

President Hodge provided information relevant to resolution. Discussion ensued.

President Hodge advised the public that Resolution No. 40-2014 would be scheduled for consideration at the July 15, 2014 Council Legislative meeting.

On motion made by Councilwoman Broomell, the Council moved to adopt the revised agenda. The motion failed for lack of a second.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 31-2014 Economic Relief – Multi-Axle – Hatem Bridge

A Resolution to request Maryland Transportation Authority to implement an option to the Hatem Discount Plan A or B for multi-axles on Hatem Bridge.

Councilwoman Broomell provided information relevant to the resolution and proposed amendments.

On motion made by President Hodge, the Council moved to postpone consideration of resolution. Motion failed for lack of a second.

On motion made by Councilwoman Broomell, seconded by Councilman Dunn the Council moved to adopt Resolution No. 31-2014 with amendments 1, 2, and 3. Discussion ensued.

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

President Hodge tabled consideration of the resolution for further discussion at the next work session.

Council Manager Massey stated for the record:

Resolution No. 34-2014 - Appointments—Board of Library Trustees

A Resolution to confirm the reappointment of Anthony LoRusso to the Cecil County Board of Library Trustees, term to expire on May 19, 2019.

On motion made by Vice President McCarthy, seconded by Councilman, the Council moved to approve Resolution No. 34-2014.

Roll Call Vote: McCarthy – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried by a vote of 4 to 0.

Council Manager Massey stated for the record:

Resolution No. 35-2014 - Appointment—Board of License Commissioners

A Resolution to confirm the appointment by the County Executive of Herrel Curry, Jr. to the Board of License Commissioners, terms to expire in June 2017.

On motion made by Vice President McCarthy, seconded by Councilman Dunn, the Council moved to approve Resolution No. 35-2014.

Roll Call Vote: McCarthy – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried by a vote of 4 to 0.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2014-19 Amendment – Capital Budget – Transfer of Appropriations – Courthouse Renovation Phase 2

An EMERGENCY Act to amend the Capital Budget and Capital Improvement Program for Cecil County, Maryland for the fiscal year ending June 30, 2014 in order to transfer \$38,000 of General Fund's Capital Budget bond expenditure appropriation from the Health Department Systemic Upgrades project to the Courthouse Phase II Renovation project for unforeseen asbestos abatement.

Questions and comments ensued.

On motion made by Vice President McCarthy, seconded by Councilman Dunn, the Council moved to approve Bill No. 2014-19.

Roll Call Vote: McCarthy – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried by a vote of 4 to 0.

NEW BUSINESS

Special Legislative Day Session – Tuesday, July 29, 2014

Council Manager Massey provided information relevant to the Special Legislative Session Day.

On motion made by Vice President McCarthy, seconded by Councilman Dunn the Council moved to approve a Special Legislative Session on Tuesday, July 29, 2014 at 7 p.m.

Roll Call Vote: McCarthy – Y, Dunn – Y, Broomell – N, Hodge – Y. Motion carried by a vote of 3 to 1.

ADJOURNMENT

President Hodge adjourned the meeting at 8:52 p.m. by general consensus.

The next Council Legislative Meeting is scheduled for Tuesday, July 15, 2014 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.

Approved:

Robert Hodge
Council President

Attest:

James Massey
Council Manager