

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2014-17
September 2, 2014**

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:

Dr. Alan McCarthy, Vice President
Joyce Bowsbey, Council Member
Diana Broomell, Council Member
Michael Dunn, 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 of September 2, 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 Hal Chaffee of Five Rivers Church, Elkton, who led the opening prayer.

APPROVAL OF AGENDA

On motion made by Council Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the agenda as presented. Motion carried unanimously.

PUBLIC HEARING

Council Manager Massey stated for the record:

Bill No. 2014-24 Approval – Agricultural District – Harnish Property. A Bill to approve the petition of John & Marcia Harnish for the property located on Liberty Grove Road, Colora, MD 21917 (Tax Map 16, Grid 12, Parcel 10) requesting the establishment of an agricultural preservation district.

Steve O'Connor, Plans Reviewer II, provided information relevant to bill. Discussion ensued.

Charles Herzog, Colora, spoke in support of bill.
Joe Carabetta, Perryville, spoke in support of bill.
Diane Carabetta, Perryville, spoke in support of bill.
Harold McCannick, Elk Neck, spoke against bill.

Council Manager Massey stated for the record:

Bill No. 2014-25 Approval - Maryland Agricultural Land Preservation Foundation - Dudkewitz Property. A Bill to approve the petition of David & Charlotte Dudkewitz for the property located at 1777 Appleton Road Elkton, MD 21921 (Tax Map 14, Grid 12, Parcel 26) requesting a recommendation of

approval to submit an application for the purchase of an easement to the Maryland Agricultural Land Preservation Foundation.

Steve O'Connor, Plans Reviewer II, provided information relevant to bill.

Joe Carabetta, Perryville, spoke in support of bill.

Charles Herzog, Colora, spoke in support of bill.

Diane Carabetta, Perryville, spoke in support of bill.

Council Manager Massey stated for the record:

Bill No. 2014-26 Approval - Maryland Agricultural Land Preservation Foundation - Reisler Property. A Bill to approve the petition of J. David Reisler Sr. and J. David Reisler Jr. for the property of 80 Lombard Road, Rising Sun, Elkton, MD 21911 (Tax Map 12, Grid 1, Parcel 1) requesting a recommendation of approval to submit an application for the purchase of an easement to the Maryland Agricultural Land Preservation Foundation.

Steve O'Connor, Plans Reviewer II, provided information relevant to bill.

Joe Carabetta, Perryville, spoke in support of bill.

Charles Herzog, Colora, spoke in support of bill.

Harold McCannick, Elk Neck, spoke against bill.

Diane Carabetta, Perryville, spoke in support of bill.

John Mackie, Elkton, commented on bill.

APPROVAL OF MINUTES

On motion made by Councilwoman Broomell, the Council moved to include in Public Comments whether the constituent is for or against a bill or resolution. Motion failed for lack of a second.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the August 19, 2014 as presented. Motion carried unanimously.

PUBLIC COMMENTS

Diane Carabetta, Perryville, supports Bill No. 2014-20 Homestead Tax Credit. She commented on sewer along Route 40.

Harold McCannick, Elk Neck, commented the farm preservation bills.

Joe Carabetta, Perryville, commented on the discussions during the legislative meeting on August 19, the Land Preservations Program Presentation held on August 21 by Steve O'Connor, and the sewer along Route 40.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Broomell stated the Maryland Agricultural Land Preservation Foundation data should be available to Council Members to assist in their decisions on upcoming bills. She commented on the Purchase of Development Rights program, and Queen Anne's County joining the Clean Chesapeake Coalition.

Councilwoman Bowsbey commented on the fiscal impact of Bill No. 2014-20 Homestead Tax Credit.

Councilman Dunn had no comments.

Vice President McCarthy had no comments.

President Hodge thanked everyone for coming to the meeting.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2014-27 Budget Transfer - Capital Projects - Cecil County Public Schools. A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2015 to transfer existing bond appropriation authority within the Board of Education Capital Projects Budget in the amount of \$770,288.48 from completed School Capital Projects to the New School of Technology Renovations Project, and to carryover the pay-go small capital funding balance in the amount of \$61,322.21 in order to complete the Bohemia Manor High School Water and Wastewater.

Al Wein, Director of Administration, provided information relevant to bill.

Questions and comments ensued.

President Hodge advised the public that Bill No. 2014-27 would be scheduled for a public hearing October 7, 2014 and tentative consideration at the October 21, 2014 Council Legislative Session.

Council Manager Massey stated for the record:

Bill No. 2014-28 Budget Amendment - General Fund Grants Budget - Circuit Court and Human Services Agency. A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2015 in order to provide \$85,429 in additions to the General Fund Grants Budget awarded to the Circuit Court and the Cecil County Human Services Agency.

Al Wein, Director of Administration, provided information relevant to bill.

President Hodge advised the public that Bill No. 2014-28 would be scheduled for a public hearing October 7, 2014 and tentative consideration at the October 21, 2014 Council Legislative Session.

Council Manager Massey stated for the record:

Bill No. 2014-29 Budget Amendment - Solid Waste Enterprise Fund Grant Budget - Electronic Recycling Program. A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2015 in order to provide \$35,600 in additions to the Solid Waste Enterprise Fund Grants Budget for a grant from the Maryland Department of the Environment.

President Hodge advised the public that Bill No. 2014-29 would be scheduled for a public hearing October 7, 2014 and tentative consideration at the October 21, 2014 Council Legislative Session.

Council Manager Massey stated for the record:

Bill No. 2014-30 Budget Amendment - Solid Waste Enterprise Fund Grant Budget - Electronic Recycling Program. A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2015 in order to provide \$35,600 in additions to the Solid Waste Enterprise Fund Grants Budget for a grant from the Maryland Department of the Environment.

Al Wein, Director of Administration, provided information relevant to bill.

Questions and comments ensued.

President Hodge advised the public that Bill No. 2014-30 would be scheduled for a public hearing October 7, 2014 and tentative consideration at the October 21, 2014 Council Legislative Session.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 52-2014 Roads - Truck Restrictions – Slicers Mill Road. A Resolution approving the implementation of a 35-ton Gross Vehicle Weight Rating limit on Slicers Mill Road.

Scott Flanigan, Director of Public Works, provided information relevant to the resolution.

Questions and comments ensued.

President Hodge advised the public that Resolution No. 52-2014 would be scheduled for a public hearing October 7, 2014 and tentative consideration at the October 21, 2014 Council Legislative Session.

Council Manager Massey stated for the record:

Resolution No. 53-2014 Appointment—Cecil County Watershed Implementation Plan (WIP) Advisory Committee. A Resolution to confirm the appointment by the County Executive of W. Scott Flanigan, Kordell Wilen, Charlie Hayes, Eric Sennstrom, Fred Von Staden, Perry Willis, Jeanne Minner, Michael Paraeskewich, Jr., William Baker, Jr., Adam Gould, Emmett Duke, Rupert Rosetti, Robert Hodge and Joyce Bowlsbey for a two (2) year term to expire on June 30, 2016.

President Hodge advised the public that Resolution No. 53-2014 would be scheduled for consideration at the September 16, 2014 Council Legislative Session.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 50-2014 Approval - Maryland Agricultural Land Preservation Foundation - Application Finalists - FY 2015. A Resolution to approve the applications of Balderston Farm LLC at 1265 Colora Road, James and Julia Corder at 300 Cherry Grove Road, David and Charlotte Dudkewitz at 1777 Appleton Road, Palmarino Maccari at 3568 Telegraph Road, Joseph and Andrea Mahoney at 252 Wilson Road, Douglas McGlothlin at 371 McCauley Road, J. David Reisler Sr. and J. David Reisler Jr. at 80

Lombard Road, and The Knoll, LLC at 57 Wade Lane as FY 2015 Applications Finalists to be submitted to the Maryland Agricultural Land Preservation Foundation.

On motion made by Councilwoman Broomell, seconded by Councilwoman Bowsbey the Council moved to postpone a decision on resolution until September 16, 2014. Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 51-2014 Appointment – Electrical Inspection Agencies. A Resolution to confirm the re-appointment by the County Executive of Bay Area Inspection Agency, American Inspection Agency, Inc., and First State Inspection Agency to be electrical inspection agencies in Cecil County.

Al Wein, Director of Administration, provided information relevant to bill.

A motion was made by Vice President McCarthy, seconded by Councilwoman Bowsbey, to approve Resolution No. 51-2014.

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. 2014-20 Homestead Property Tax Credit - Maximum Assessment Increase. An Act to reduce the percentage limitation of Homestead Property Tax Credit from 108% to 104%, which would reduce the maximum allowable assessment increase.

Councilwoman Broomell provided information relevant to bill.

On motion made by President Hodge, the Council moved to amend the tax credit rate from 104% to 106%. Motion failed for the lack of a second.

Discussion ensued.

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

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. 2014-21 Amendments – Electrical Code – Update - Compliance Requirements. A Bill to amend Part II, Chapter 191 (Electrical Standards), Section 191-3 (Compliance Required), of the Cecil County Code; updates Code by adopting addendums to the National Fire Protection Association (NFPA) 70, 2014 of the National Electrical Code (NEC); including wireless low voltage systems, gas piping systems, ground bar for utilities, aluminum conductors, small appliance circuits, stairway illumination, temporary service, exceptions, color code, underground conductors and vacuum systems.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-21.

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. 2014-22 Budget Amendment - Capital Budget - Cecil College - Engineering and Math Building. A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2015 in order to provide expenditure appropriation authority of \$200,000 in the Capital Budget in order to allow acquisition of the necessary complement of engineering and research equipment to complete Cecil College's Engineering and Math Building project.

Discussion ensued.

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Bill No. 2014-22.

Discussion ensued.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – N, Hodge – Y. Motion carried by a vote of 4 to 1, with Councilwoman Broomell opposed.

Council Manager Massey stated for the record:

Bill No. 2014-23 Budget Amendment - General Fund - Cecil County Public Library - Elkton and Rising Sun Library Parking lots. A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2015 in order to provide the Cecil County Public Library's budget within the General Fund expenditure appropriation authority with \$104,900 of unexpended FY2014 expenditure authority to be carried forward, allowing for the Elkton Parking Lot/Culvert Repair and for the Rising Sun Parking Lot small capital projects to be completed.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-23.

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

ADJOURNMENT

President Hodge adjourned the meeting at 8:23 p.m. by general consensus.

The next Council Legislative Session is scheduled for Tuesday, September 16, 2014 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Approved:

Robert Hodge
Council President

Attest:

James Massey
Council Manager