

**COUNTY COUNCIL OF CECIL COUNTY**  
**LEGISLATIVE MEETING MINUTES**  
**LSD 13-07**  
**April 2, 2013**

County Council of Cecil County met in regular session at the County Administration Building, 200 Chesapeake Blvd., Suite 1009, Elkton, MD. The following members of the Council were present:

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

Constituting a full Board

**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, April 2, 2013 was called to order by President Robert Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

**PRESENTATION OF PROCLAMATIONS/CERTIFICATES**

Council members and County Executive Moore presented a Proclamation for the American Heart Association – National Walking Day to Donna Nichols and Larry Dickerson from the Human Resources Department.

**APPROVAL OF MINUTES**

On motion made by Vice President McCarthy, seconded by Councilwoman Bowlsbey, the Council moved to approve the minutes of the March 19, 2013 Council Legislative Meeting, LSD 13-06. Motion carried unanimously.

**PUBLIC COMMENTS**

Joe Carabetta, Perryville, commented on the budget for the public school system and proposed sewer rate increases.

Al Resin, Conowingo, commented on the State maintenance of effort and proposal to video record Council meetings.

Harold McCanick, Elk Neck, commented on several issues relative to decisions made by a Council member.

Chris Gregory, Elkton, commented on the proposed Council internal auditor position.

Diane Carabetta, Perryville, commented on the information provided to the public for the Resolutions.

#### **PRESIDENT AND COUNCIL COMMENTS**

Councilman Dunn thanked the public for attending the meeting.

Vice President McCarthy had no comments.

Councilwoman Bowsbey had no comments.

Councilwoman Broomell commented on the next Drug Awareness Forum at Cecil College, update on legislation considered in Annapolis, response to issues raised by a member of the public, and misleading information posted **in the Guardian. on a website** (as amended).

President Hodge welcomed the public to the meeting and commented on the ongoing process to develop a procedure for Council Bills and Resolutions.

#### **SPECIAL PRESENTATIONS**

Health Department Update – Health Officer Stephanie Garrity briefed the Council on the rabies vaccination clinic scheduled in May, wet season testing for septic systems, Health Resources in Action study being conducted in the county, well testing being conducted in the Pearce Creek area, Public Health Week Outstanding Community Service Award presentations, a meeting scheduled in June in the Elk Room with experts from the State of Maryland on the Health Benefit Act, and flu activity in the county.

#### **INTRODUCTION and CONSIDERATION OF RESOLUTIONS**

##### **Introduction:**

**Resolution 19-2013 - Appointment – Public Safety Pension Plan Board** - Council Manager Massey read for the record: Resolution 19-2013 is a Resolution to confirm the appointment of Raymond Heidel, MS, CFP from the County Executive to the Public Safety Pension Plan Board of Trustees, introduced by the Council President on behalf of the County Executive, and tentative consideration scheduled for April 16, 2013.

**Resolution 20-2013 – Amendment – Zoning Ordinance – Home Occupation** - Council Manager Massey read for the record: Resolution 20-2103 is a Resolution to amend the Cecil County Zoning Ordinance, Article II, Section 12 Definition of Basic Terms and Article V, Part III, 79, Home Occupations, introduced by the Council President on behalf of the County Executive, and scheduled for public hearing 5/7/13.

David Black from the Office of Planning and Zoning advised the Council that the Planning Commission and Planning and Zoning staff recommended approval of the amendment to the Zoning Ordinance.

**Resolution 21-2013 – Amendment – Budget Ordinance FY2013 – Neighborhood Youth Panel Grant** - Council Manager Massey read for the record: Resolution 21-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive an increase in State grant funds for the FY2013 Neighborhood Youth Panel Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

Finance Director Robinson reviewed the proposed Resolutions on the agenda relative to proposed amendments to the Annual Budget and Appropriations Ordinance for Fiscal Year ending June 30, 2013.

**Resolution 22-2013 – Amendment Budget Ordinance FY2013 – Senior Center Operating Grant** - Council Manager Massey read for the record: Resolution 22-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the Senior Services and Community Transit Fund with the additional expenditure appropriation authority to receive an increase in State grant funds for the FY2013 Senior Center Operating Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 23-2013 – Amendment Budget Ordinance FY2013 – State Homeland Security Program** - Council Manager Massey read for the record: Resolution 23-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive Federal grant funds for the FY2013 State Homeland Security Program, introduced by the Council President on behalf of the County Executive and tentative consideration scheduled for April 16, 2013.

**Resolution 24-2013 – Amendment Budget Ordinance FY2013 – Bryne Justice Assistance Grant** - - Council Manager Massey read for the record: Resolution 24-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive Federal grant funds for the FY 2013 Bryne Justice Assistance Grant, introduced by the Council President on behalf of the County Executive and tentative consideration scheduled for April 16, 2013.

**Resolution 25-2013 – Amendment Budget Ordinance FY2013 – Subsidized Group Assistance Housing Grant** - Council Manager Massey read for the record: Resolution 25-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the Senior Services and Community Transit Fund with the additional expenditure appropriation authority to receive an increase in State grant funds for the FY2013 Subsidized Group Assistance Housing Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 26-2013 – Amendment Budget Ordinance FY2013 – Protective Order Advocacy and Representation Project** - Council Manager Massey read for the record: Resolution 26-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive Maryland Department of Family Administration grant funds for the FY2013 Protective Order Advocacy and Representation Project, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 27-2013 – Amendment - Budget Ordinance FY2013 – Liquor Board Project Crossroads Grant** - Council Manager Massey read for the record: Resolution 27-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive an increase in State grant funds for the FY2013 Liquor Board Project Crossroads Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 28-2013 – Amendment - Budget Ordinance FY2013 – Wastewater Fund** - Council Manager Massey read for the record: Resolution 28-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the Wastewater Fund with the additional expenditure appropriation authority to increase the amount expended on equipment rental and sludge disposal, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

Finance Director Robinson and Public Works Deputy Director Hollenbaugh reviewed the proposed appropriation for the Wastewater Fund.

Council members provided their comments relative to the proposed amendment to the Wastewater Fund.

**Resolution 29-2013 – Amendment Budget Ordinance FY2013 – Byrne Justice Assistance Grant** - Council Manager Massey read for the record: Resolution 29-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive carryover of Federal grant funds for the FY2011 Byrne Justice Assistance Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 30-2013 – Amendment - Budget Ordinance FY2013 – Volunteer Recognition Event** - Council Manager Massey read for the record: Resolution 30-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for

the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to increase the amount expended on the 2013 Volunteer Recognition Event, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 31-2013 – Amendment - Budget Ordinance FY2013 – Sheriff’s Office Project Crossroads Grant** - Council Manager Massey read for the record: Resolution 31-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive State grant funds for the FY2013 Sheriff’s Office Project Crossroads Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 32-2013 – Amendment - Budget Ordinance FY2013 – Foreclosure Prevention Grant** - Council Manager Massey read for the record: Resolution 32-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the Housing Fund with the additional expenditure appropriation authority to receive an increase in State grant funds for the FY2013 Foreclosure Prevention Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 33-2013 – Amendment - Budget Ordinance FY2013 – Comprehensive Counseling Grant** - Council Manager Massey read for the record: Resolution 33-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive a carryover of Federal grant funds for the FY2012 Comprehensive Counseling Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Resolution 34-2013 – Amendment - Budget Ordinance FY2013 – Mortgage Modification and Scams Assistance Grant** - Council Manager Massey read for the record: Resolution 34-2013 a Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with the additional expenditure appropriation authority to receive a carryover of Federal grant funds for the FY2010 Mortgage Modification and Mortgage Scams Assistance Grant, introduced by the Council President on behalf of the County Executive and tentative consideration is scheduled for April 16, 2013.

**Consideration:**

**Resolution 04-2013 - Amendment - Master Water & Sewer Plan, Artesian Water Maryland, Inc.** – Resolution 04-2013 is a Resolution to amend the Cecil County Master Water & Sewer Plan, Chapter 3, §3.2.11 Artesian Water Maryland, Inc., Section B. to add service to properties on the east side of Singerly Road. The Resolution was introduced on February 19, 2013 and a public hearing was held on March 19, 2013.

On motion made by Vice President McCarthy, seconded by Councilman Dunn, the Council moved to approve Resolution 04-2013 – Amendment – Master Water & Sewer Plan, Artesian Water Maryland, Inc. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

**Resolution 09-2013 – Enterprise Zone – Re-designate and Expand Enterprise Zone.** Resolution 09-2013 is Resolution to re-designate and expand the existing Cecil County Enterprise Zone for an additional 10 years. The Enterprise Zone provides real property and income tax credits to businesses located within the designated geographic area. The proposed Zone is comprised of 6,793 acres and encompasses nine business parks. The Resolution was introduced on March 5, 2013 and a public hearing was held on March 19, 2013.

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Resolution 09-2013 – Enterprise Zone – Redesignate and Expand Enterprise Zone. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

**Resolution 18-2013 – Appointments – Cecil County Plumbing Board.** Resolution 18-2013 is a Resolution to confirm the appointments of Ronald Dixon, Melvin Reburn and Thomas Vaughn, Sr. from the County Executive to the Cecil County Plumbing Board. The Resolution was introduced on March 19, 2013.

On motion made by Vice President McCarthy, seconded by Councilwoman Broomell, the Council moved to approve Resolution 18-2013 – Appointments – Cecil County Plumbing Board. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

#### **CALL FOR FINAL READING OF BILLS**

##### **BILL 2013-01- Purchase of Development Rights - Agricultural Preservation Districts**

Bill 2013-01 is an act to repeal and reenact Chapter A385 Purchase of Development Rights, §A385-3 Standards of the Code of Cecil County to establish Cecil County Agricultural Preservation Districts. Bill 2013-01 was introduced on February 19, 2013 and a public hearing was held on March 19, 2013.

Eric Shertz from the Office of Planning and Zoning reviewed Bill 2013-01 – Purchase of Development Rights – Agricultural Preservation Districts.

**Bill 2013-01 – Bill Amendment No. 1** - On motion made by Councilwoman Broomell, seconded by Vice President McCarthy, the Council moved to approve the amendment to Bill 2013-01 to change the following:

Page 3, Line 39: FIVE (5) YEAR ~~THREE (3) YEARS~~

Page 5, Line 103: FIVE (5) YEARS ~~THREE (3) YEARS~~

Roll call vote: Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y.  
Motion carried unanimously.

On motion made by Vice President McCarthy, seconded by Councilwoman Broomell, the Council moved to enact Bill 2013-01, as amended – Purchase of Development Rights – Agricultural Preservation Districts. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

**BILL 2013-02 - Agricultural Tax Credit - Agricultural Preservation Districts**

Bill 2013-02 is an act to amend Chapter 337 Taxation, Article II Agricultural Tax Credit, §337-4 Land qualifying for credit to add Cecil County Agricultural Preservation Districts to the provision for a tax credit. Bill 2013-02 was introduced on February 19, 2013 and a public hearing was held on March 19, 2013.

Eric Shertz from the Office of Planning and Zoning reviewed Bill 2013-02 – Agricultural Tax Credit – Agricultural Preservation District.

On motion made by Vice President McCarthy, seconded by Councilman Dunn, the Council move to enact Bill 2013-02 - Agricultural Tax Credit – Agricultural Preservation District. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

The Council President enrolled Bill 2013-01, as amended and Bill 2013.02.

**NEW BUSINESS**

Council Department Budget Transfer – James Massey, Council Manager

On motion made by VP, seconded by Dunn, the Council moved to approve the Council Department budget transfer as presented. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

**ADJOURNMENT**

On motion made by Vice President McCarthy, seconded by Councilman Dunn, the Council moved to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 8:37 p.m.

The next Council Legislative Meeting is scheduled for Tuesday, April 16, 2013 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.