

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE MEETING MINUTES  
LSD 13-10  
May 21, 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 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, May 21, 2013 was called to order by President Robert Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the May 7, 2013 Council Legislative meeting, as presented. Motion carried unanimously.

**PUBLIC COMMENTS**

June Reasin, Conowingo,  
Al Reasin, Conowingo,  
Chris Gregory, Elkton,  
Bill Spry, Elkton,  
Daniel Whitehurst, Clark Turner Homes,  
Fred Sheckelles, Clark Turner Homes,  
Kathleen O'Connell, Elkton,  
Mary Rodgers, Elkton,  
Michael Gatgax, Elkton,  
Ron Lobos, Elkton,  
Harold McCanick, Elk Neck,  
Jackie Gregory, Elkton,  
Donna Caudell, Elkton, and  
Michael W. Dawson, Elkton

**PRESIDENT AND COUNCIL COMMENTS**

Councilwoman Bowsbey commented on Resolution No. 44-2013 – Grant Request – Feasibility Study for Horse Park, and the original budget before the reductions were made by the County Executive and forwarded to the Council in the proposed budget.

Councilwoman Broomell commented on Resolution No. 44-2013 – Grant Request – Feasibility Study for Horse Park; budget recommendation from the Citizens Budget Advisory Committee to the proposed upgrades to the North East River Wastewater Treatment Plant; proposed budget cuts; Charter government relative to the budget and VLT grant process; and proposed Resolution for VLT Community grants.

Councilman Dunn thanked the public for attending the meeting.

Vice President McCarthy commented on the future of Cecil County relative to spending on infrastructure.

President Hodge thanked everyone for coming to the meeting.

## **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

### **Introduction:**

President Hodge opened the floor for the introduction of Resolutions.

Council Manager Massey stated for the record:

### **Resolution No. 42-2013**

**Title of Resolution:** Amendment - Cecil County Employee Manual

**Synopsis:** A Resolution to amend certain sections of the Cecil County Employee Manual, Section HR-001A – Cecil County Overview, HR-002B – Employment Types, HR-002E- Background Investigations, HR-002L – Separation, HR-006B – FMLA, HR-006C – Funeral Leave, HR-006H – Personal Floating Holiday, HR-006J – Sick Leave Insurance, HR-006L – Severe Weather Conditions & Unforeseen Designated Emergencies, HR-006M – Vacation Leave, HR-006N – Workers’ Compensation, HR-007H – Direct Deposit, HR007L – Health Care Coverage, and HR-007R – Sick Leave Bank. Resolution No. 42-2013 is being introduced by the Council President on behalf of the County Executive and will be scheduled for a public hearing at the June 18, 2013 Council Legislative meeting.

Human Resources Director Donna Nichols presented a summary of the proposed changes to the Cecil County Employee Manual.

Council Manager Massey stated for the record:

### **Resolution No. 43-2013**

**Title of Resolution:** Appointment – Council Attorney

**Synopsis:** A Resolution to appoint Jason Allison, Esquire as council attorney for general legal opinions and advice, and the law firm of Funk and Bolton for special counsel. Resolution No. 43-2013 is being introduced by Council President Hodge and will be scheduled for tentative consideration at the June 4, 2013 Council Legislative meeting.

Councilwoman Broomell provided her comment relative to the proposed Resolution.

Council Manager Massey stated for the record:

**Resolution No. 44-2013**

**Title of Resolution:** Agreement – Feasibility Study Maryland Horse Park

**Synopsis:** A resolution authorizing the County Executive to enter into an agreement between Cecil County, Maryland, the Maryland Stadium Authority, and the Maryland Department of Business and Economic Development to conduct a feasibility study for the establishment of a horse park in Maryland. Resolution No. 44-2013 is being introduced by the Council President on behalf of the County Executive and will be scheduled for tentative consideration at the June 4, 2013 Council Legislative meeting.

Members of the Council provided their comments relative to the Resolution.

Council Manager Massey stated for the record:

**Resolution No. 45-2013**

**Title of Resolution:** Agreement--Nutrient Credits—Conowingo Mobile Home Properties

**Synopsis:** A Resolution approving a Nutrient Credit Transfer Agreement between Cecil County, Maryland, a body corporate and politic, and Conowingo Mobile Home Properties, LLC, a Maryland limited liability company, in accordance with the Maryland Department of the Environment Water Management Administration's *Maryland Policy for Nutrient Cap Management and Trading in Maryland's Chesapeake Bay Watershed*, pursuant to which, and subject to approval of the Maryland Department of the Environment, Conowingo Mobile Home Properties, LLC will permanently relinquish 105 lbs/yr of TN, from which Cecil County, Maryland will accept 100 lbs/yr of TN, with 5 lbs/yr of TN retired, and Cecil County, Maryland will relinquish 50 lbs/yr of TP from the North East River Advanced Waste Water Treatment Plant, from which Conowingo Mobile Home Properties, LLC will accept 47 lbs/yr of TP to be applied solely toward compliance with the phosphorous load limit applicable to the Conowingo Waste Water Treatment Plant, with 3 lbs/yr of TP retired. Resolution No. 45-2013 is being introduced by the Council President on behalf of the County Executive and will be scheduled for tentative consideration at the June 4, 2013 Council Legislative meeting.

Public Works Director Scott Flanigan presented a summary of the proposed Resolution.

Council Manager Massey stated for the record:

**Resolution No. 46-2013**

**Title of Resolution:** Amendment--Land Purchase Agreement—Home Partnership—214 North Street

**Synopsis:** A Resolution amending a Land Purchase Agreement dated July 6, 2012 by and between the Board of County Commissioners of Cecil County (now the County Council of Cecil County) and Home Partnership of Cecil County for the sale of real property identified as Parcel 1204, Lot 1, Map 10, which is located in the Third Election District of Cecil County, containing 1.115 acres of land, more or less, together with the improvements thereupon. Resolution No.

46-2013 is being introduced by the Council President on behalf of the County Executive and will be scheduled for a public hearing at the June 18, 2013 Council Legislative meeting.

Director of Administration Al Wein presented a summary of the Resolution and provided a brief history of the proposed project.

Council Manager Massey stated for the record:

**Resolution No. 47-2013**

**Title of Resolution:** Policies and Procedures of Cecil County Council

**Synopsis:** A Resolution to adopt the Council's Policies and Procedures, pursuant to Section 303(e) of the Charter of Cecil County. Resolution No. 47-2013 is being introduced by the Council President on behalf of the Council Members and will be scheduled for a public hearing at the June 18, 2013 Council Legislative meeting.

**Consideration:**

Council Manager Massey read for the record:

**Resolution No. 20-2013**

**Title of Resolution:** Amendment – Zoning Ordinance – Home Occupations

**Synopsis:** A Resolution to amend the Cecil County Zoning Ordinance, Article II, §12 Definition of Basic Terms; and Article V, Part III, §79, Home Occupations. Resolution No. 20-2013 was introduced by the Council President on behalf of the County Executive at the April 2, 2013 Council Legislative meeting and a public hearing was held at the May 7, 2013 Council Legislative meeting.

President Hodge provided an explanation of the Resolution.

On motion made by Councilwoman Broomell, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 20-2013 - Amendment – Zoning Ordinance – Home Occupations. 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. 37-2013**

**Title of Resolution:** Appointment-Redistricting Commission

**Synopsis:** A Resolution to appoint C. Ewing McDowell as chair of the Redistricting Commission for 2013. Resolution No. 37-2013 was introduced by the Council President at the May 7, 2013 Council Legislative meeting.

President Hodge provided an explanation of the Resolution.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 37-2013 – Appointment – Redistricting Commission. 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. 39-2013**

**Title of Resolution:** Video Lottery Terminal (VLT) Local Community Grant Program

**Synopsis:** A Resolution to request that the VLT Local Community Grant Program continue to be administered through the County Council Office and the County Council shall continue to provide oversight for the community grant program in conjunction with the appointed Grant Review Committee and County Executive. Resolution No. 39-2013 was introduced by Councilwoman Broomell at the May 7, 2013 Council Legislative meeting.

Councilwoman Broomell provided an explanation of the Resolution.

Motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to approve Resolution No. 39-2013 – Video Lottery Terminal (VLT) Local Community Grant Program.

Council members provided their comments relative to the Resolution.

Roll Call Vote: McCarthy – N, Bowsbey – N, Dunn – Y, Broomell – Y, Hodge – N. Motion failed by a vote of 2 in favor and 3 in opposition.

Council Manager Massey stated for the record:

**Resolution No. 41-2013**

**Title of Resolution:** Agreement, First Amendment to Agreement for Payment in Lieu of Taxes (“PILOT”) with Old Dominion Electric Cooperative (“ODEC”) and Essential Power Rock Springs, LLC

**Synopsis:** A Resolution to approve an amendment to that certain PILOT agreement dated April 2, 2002 by and between Cecil County, Maryland, a body corporate and politic (formerly the Board of County Commissioners of Cecil County), and Old Dominion Electric Cooperative and Essential Power Rock Springs, LLC (successors in interest to Rock Springs Generation, LLC and Outwater Funding Limited Partnership, the original signatories), extending the term of the PILOT and modifying the payment schedule and payment amounts in the event that ODEC proceeds with construction of a combined-cycle project at the facility (the “Expansion”). Resolution No. 41-2013 was introduced by the Council President on behalf of the County Executive at the May 7, 2013 Council Legislative meeting.

Budget Manager Craig Whiteford presented a summary of the Resolution, and Lisa Johnson, Executive Vice President of Old Dominion Cooperative provided an overview of the proposed project.

Ms. Johnson advised the Council that the company is considering two water resources and the final determination will be made during the permitting process. Meetings will be scheduled for the public.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey , the Council moved to approve Resolution No. 41-2013 – Agreement, First Amendment to Agreement for Payment in Lieu of Taxes (“PILOT”) with Old Dominion Electric Cooperative (“ODEC”) and Essential Power Rock Springs, LLC. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

### **CALL FOR FINAL READING**

Council Manager Massey stated for the record:

#### **Bill No. 2013-03**

**Title of Bill:** Annual Budget and Appropriation Ordinance of Cecil County for FY2014

**Synopsis:** The Annual Budget and Appropriation Ordinance of Cecil County for FY2014 to adopt the County Budget, consisting of the Current Expense Budget for the fiscal year ending June 30, 2014, the Capital Budget for the fiscal year ending June 30, 2014, the Special Purpose Budgets for the fiscal year ending June 30, 2014, and the Grants Budget for the fiscal year ending June 30, 2014,; and to appropriate funds for all expenditures for the fiscal year beginning July 1, 2013 and ending June 30, 2014, as hereinafter indicated. Bill No. 2013-03 was introduced by the Council President on behalf of the County Executive on March 5, 2013 and a public hearing was held on May 7, 2013.

Discussion ensued regarding the order of consideration of the legislation relative to the FY2014 budget.

Finance Director Winston Robinson presented an overview and summary of the proposed FY2014 budget.

#### **First Motion**

On motion made Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to disapprove Bill No. 2013-03 – Annual Budget and Appropriation Ordinance of Cecil County for FY2014.

Council members provided their comments relative to the motion and the proposed budget submitted by the County Executive.

Roll call vote: McCarthy – Pass, Bowsbey – N, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried by a vote of 3 in favor, 1 in opposition, and 1 pass.

#### **Second Motion**

On motion made by President Hodge, seconded by Councilwoman Bowsbey, the Council moved to approve the Annual Budget and Appropriation Ordinance of Cecil County for FY2014, with amendments.

President Hodge advised the Council that the amendments to Bill No. 2013-03 Annual Budget and Appropriation Ordinance of Cecil County for FY2014 would be considered at this time.

Council Manager Massey stated for the record:

**Amendment No. 1 – Appendix A-1, Fund 111 County Council – delete “\$587,957” and insert “\$542,957”**- eliminates request for Internal Auditor from Salaries – Professional, which was proposed at \$70,000 and move \$25,000 to Professional Services account; which would decrease funding by \$45,000.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Amendment 1 to Bill No. 2013-03.

Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – N, Broomell – N, Hodge – Y. Motion carried by a vote of 3 in favor and 2 in opposition.

Council Manager Massey stated for the record:

**Amendment No. 2 – Appendix A-1, Fund 311 Law Enforcement, delete “\$9,353,878” and insert “\$9,228,878”** – reduces budget by \$125,000.

On motion made by President Hodge, seconded by Vice President McCarthy, the Council moved to approve Amendment No. 2 to Bill No. 2013-03.

Members of the Council provided their comments relative to the proposed Amendment No. 2 to Bill No. 2013-03.

Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – N, Hodge – Y. Motion carried by a vote of 4 in favor and 1 in opposition.

**Amendment No. 3 – Appendix A-1 – Sick Leave Buy Back Program**

On motion made by President Hodge, seconded by Councilwoman Bowsbey, the Council moved to approve Amendment No. 3 to reduce the Sick Leave Buy Back Program by 50% of the proposed budget.

Council Manager Massey stated for the record:

Amendment No. 3 – Appendix A-1 – Sick Leave Buy Back Program

In Appendix A-1, Fund 001 – Dept 121—Director of Administration, delete “\$332,424” and insert “\$327,215”.

In Appendix A-1, Fund 001 – Dept 141-Circuit Court, delete “\$2,158,734” and insert “\$2,157,547”.

In Appendix A-1, Fund 001 – Dept 151 - State’s Attorney Office, delete “\$1,897,662” and insert “\$1,896,042”.

In Appendix A-1, Fund 001 – Dept 192-Finance, delete “\$2,506,418” and insert “\$2,501,991”.

In Appendix A-1, Fund 001 – Dept 196-Purchasing, delete “\$229,073” and insert “\$225,926”.

In Appendix A-1, Fund 001 – Dept 211-Liquort Board, delete “\$206,688” and insert “\$204,019”.

In Appendix A-1, Fund 001 – Dept 221-Planning and Zoning, delete “\$1,129,568” and insert “\$1,118,037”.

In Appendix A-1, Fund 001 – Dept 243-Building Maintenance-Health Department Building, delete “\$127,777” and insert “\$125,726”.

A-1, Fund 001 – Dept 311-Law Enforcement, delete “\$9,228,878” and insert “\$9,198,061”.

In Appendix A-1, Fund 001 – Dept 331-Detention Center, delete “\$7,130,323” and insert “\$7,219,648”.

In Appendix A-1, Fund 333-County Work Release, delete “\$2,132,903” and insert “\$2,125,638”.

In Appendix A-1, Fund 341-Department of Emergency Services, delete “\$4,567,819” and insert “\$4,552,144”.

In Appendix A-1, Fund 352-Emergency Medical Services, delete “\$3,432,284” and insert “\$3,417,526”.

In Appendix A-1, Fund 361-Permits and Inspection, delete “\$921,565” and insert “\$913,544”.

In Appendix A-1, Fund 401-Public Works-Office of Director, delete “\$443,350” and insert “\$439,051”.

In Appendix A-1, Fund 402-Public Works—Development Services, delete “\$1,626,657” and insert “\$1,626,045”.

In Appendix A-1, Fund 403-Public Works—Engineering and Construction, delete “\$867,820” and insert “\$867,161”.

In Appendix A-1, Fund 412-Road-Administration, delete “\$3,455,674” and insert “\$3,441,382”.

In Appendix A-1, Fund 531-Social Services, delete “\$844,412” and insert “\$836,470”.

In Appendix A-1, Fund 533-Domestic Violence, delete “\$953,813” and insert “\$951,059”.

In Appendix A-1, Fund 731-Economic Development, delete “991,089” and insert “987,431”.

In Appendix A-1, Fund 711-Housing, delete “495,316” and insert “\$490,712”.

In Appendix A-1, Fund 523-Senior Services, delete “\$1,992,863” and insert “\$1,985,198”.

In Appendix A-1, Fund 421-Landfill, delete “5,868,897” and insert “\$5,864,831”.

In Appendix A-1, Fund 431-Waste Water-North East Sanitary District, delete “\$5,703,386” and insert “\$5,693,885”.

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

Council Manager Massey stated for the record:

**Amendment No. 4 – Appendix A-3 - Board of Education – Allocation, delete “\$74,606,292” and insert “\$74,356,292.”**

Correction made by Finance Director Robinson to rename this Amendment No. 4 – Appendix A-1 – Board of Education.

On motion made by President Hodge, seconded by Councilman Dunn, the Council moved to approve Amendment No. 4 to Bill No. 2013-03.

Members of the Council provided their comments relative to proposed Amendment No. 4 to Bill No. 2013-03.



Roll call vote: McCarthy – N, Bowsbey – N, Dunn – Y, Broomell – Y, Hodge – Y. The motion carried by a vote of 3 in favor and 2 in opposition.

Council Manager Massey stated for the record:

**Amendment No. 5 – Appendix A-1, Fund 001 – Dept 631 - Libraries, delete “\$4,683,920” and insert “\$4,583,920”.**

On motion made by President Hodge, seconded by Councilwoman Bowsbey, the Council moved to approve Amendment No. 5 – Appendix A-1, Fund 001 – Dept 631 – Libraries, delete \$4,683,920” and insert “\$4,583,920”.

Members of the Council provided their comments relative to proposed Amendment No. 5 to Bill No. 2013-03.

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

Finance Director Robinson advised the Council that there are two proposed amendments to the Capital Improvement Program FY2014-2018 that are part of the proposed Bill No. 2013-03 Annual Budget and Appropriation Ordinance for FY2014.

On motion made by President Hodge, seconded by Councilman Dunn, the Council moved to make an allowance in Bill No. 2013-03 FY 2014 Annual Budget and Appropriation Ordinance for FY2014 for proposed amendments to the Capital Improvement Program FY2014-2018 budget. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. The motion carried unanimously.

On motion made by Councilwoman Bowsbey, seconded by President Hodge, the Council moved to approve Bill No. 2013-03 Annual Budget and Appropriations Ordinance for FY2014, with amendments.

Members of the Council provided their comments relative to proposed Bill No. 2013-03 Annual Budget and Appropriations Ordinance for FY2014.

Roll call vote: McCarthy – Y, Bowsbey – N, Dunn – N, Broomell – Y, Hodge – Y. The motion carried by a vote of 3 in favor and 2 in opposition.

Council Manager Massey stated for the record:

**Resolution No. 16-2013 – Capital Improvement Program FY2014-2018**

**Title of Resolution:** Capital Improvement Program FY2014-2018

**Synopsis:** A Resolution to approve the Capital Improvement Program for Cecil County for Fiscal Years 2014 through 2018. Resolution No. 16-2013 was introduced by the Council President on behalf of the County Executive and ordered posted on March 5, 2013, and a public hearing was held on May 7, 2013.

On motion made by Councilwoman Bowsbey, seconded by President Hodge, the Council moved to approve Resolution No. 16-2013 Capital Improvement Program FY 2014-2018, with amendments.

Council Manager Massey stated for the record:

**Amendment No. 1 to Resolution No. 16-2013 – In the Parks and Recreation Capital Budget, Calvert Park – Turf Field/Parking Lot, delete “\$951,000” and insert “\$50,000” for the engineering and design of turf field.**

On motion made by President Hodge, seconded by Councilwoman Bowsbey, the Council moved to approve Amendment No. 1 – in the Parks and Recreation Capital Budget, Calvert Park – Turf Field/Parking Lot.

Council members provided their comments relative to proposed Amendment No. 1 to Resolution No. 16-2013.

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

Council Manager Massey stated for the record:

**Amendment No. 2 to Resolution No. 16-2013 – In the Capital Improvement Budget, Cecil College section, HVAC System, Building A; delete “\$148,000” and insert “\$125,000”.**

On motion made by President Hodge, seconded by Councilwoman Bowsbey, the Council voted to approve Amendment No. 2 – in the Capital Improvement Budget, Cecil College section of Resolution No. 16-2013.

Members of the Council provided their comments relative to proposed Amendment No. 2 to Resolution No. 16-2013.

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

Council members provided their comments relative to the proposed Capital Improvement Budget.

President Hodge called for the vote on the original Motion to approve Resolution No. 16-2013 – Capital Improvement Program FY 2014-2018 with amendments - Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – N, Broomell – N, Hodge – Y. The motion carried by a vote of 3 in favor and 2 in opposition.

Council President Hodge called a ten minute recess of the Council Legislative meeting at 9:37 p.m. The Council reconvened in session at 9:47 p.m.

Council Manager Massey stated for the record:

**Resolution No. 17-2013**

**Title of Resolution:** Disposal Fees – Central Landfill and Sanitary District

**Synopsis:** A Resolution to establish fees and rates for the Cecil County Solid Waste Management System including the Cecil County Central Landfill and the Cecil County Sanitary District on and after the effective date of this resolution. Resolution No. 17-2013 was introduced by the Council President on behalf of the County Executive on March 5, 2013 and public hearing was held on May 7, 2013.

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Resolution No. 17-2013 with amendments.

Council Manager Massey stated for the record:

**Amendment No. 1 to Resolution No. 17-2013 – in attached Solid Waste Management Division Fee Schedule, Scales in Service, item #5, Single Stream Recyclables (under 200 lbs), delete “\$2.00 per vehicle” and insert “\$1.00 per vehicle”.**

On motion made by President Hodge, seconded by Councilman Dunn, the Council moved to approve Amendment No. 1 to Resolution No. 17-2013.

In response to a question, Director Flanigan advised the Council that the intent of the proposal is to increase the fees over a three year period, and a reduction in the fee schedule to the Solid Waste Management Division would not close the budget deficient.

Members of the Council provided their comments relative to proposed Amendment No. 1 to Resolution No. 17-2013.

Roll call vote: McCarthy – N, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. The motion carried by a vote of 4 in favor and 1 in opposition.

Council Manager Massey stated for the record:

**Amendment No. 2 to Resolution No. 17-2013 – in the attached Solid Waste Division Fee Schedule, Scales in Service, item #3, Household refuse (under 200 lbs), delete “\$12 per vehicle” and insert “\$11 per vehicle”.**

On motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to approve Amendment No. 2 to Resolution No. 17-2013.

Council members provided their comments relative to proposed Amendment No. 2 to Resolution No. 17-2013.

Roll call vote: McCarthy – N, Bowsbey – N, Dunn – Y, Broomell – Y, Hodge – Y. The motion carried by a vote of 3 in favor and 2 in opposition.

**Amendment No. 3 to Resolution No. 17-2013** - President Hodge advised the Council that proposed Amendment No. 3 has been withdrawn and will not be considered at this time.

Council Manager Massey stated for the record:

**Amendment No. 4 – as amended – on page 1, line 23, insert the following:**

**“4. Major Facility Fees (connection fees) shall be due when billed, and unpaid connection fees shall be a lien upon the property served until paid in full. Upon application to, and approval by, the Department of Finance, connection fees may be paid in installments as follows: one third of the total connection fee to be paid when initially billed, and one-tenth of the balance due and owing to be paid annually with the property taxes assessed against the property, together with interest at the PRIME rate PLUS 2%, ADJUSTED ON AN ANNUAL BASIS ~~of 6% per annum~~ on the unpaid connection fee balance. In all instances, any unpaid connection fees and interest thereon will be payable in full on sale or transfer of the property, with the exception of the sale or transfer of the property to a spouse, son, or daughter.”**

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Amendment No. 4 to Resolution No. 17-2013.

Members of the Council provided their comments on proposed Amendment No. 4 to Resolution No. 17-2013.

Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – N, Broomell – Y, Hodge – Y. The motion carried by a vote of 4 in favor and 1 in opposition.

Council Manager Massey stated for the record:

**Amendment No. 5 – in the attached Wastewater Division Fee Schedule, Wastewater Major Facilities Fee (MFF), delete “\$16,100 per ELU” and insert “\$12,000 as of 7/1/13”.**

On motion made Councilwoman Bowsbey, seconded by President Hodge, the Council moved to approve Amendment No. 5 to Resolution No. 17-2013.

Members of the Council provided their comments on proposed Amendment No. 5 to Resolution No. 17-2013.

Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – N, Broomell – N, Hodge – Y. Motion carried by a vote of 3 in favor and 2 in opposition.

President Hodge called for the vote on the original motion to approve Resolution No. 17-2013 as amended. Roll call vote: McCarthy – N, Bowsbey – Y, Dunn – N, Broomell – N, Hodge – Y. Motion failed by a vote of 2 in favor and 3 in opposition.

Members of the Council provided their comments relative to proposed Resolution No. 17-2013 as amended.

President Hodge restated the original motion to approve Resolution No. 17-2013 – Disposal Fees, Central Landfill and Sanitary District with amendments and called for a reconsideration of the vote. Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – N, Broomell – N, Hodge – Y. The motion carried by a vote of 3 in favor and 2 in opposition.

Council Manager Massey stated for the record:

**Resolution No. 15-2013 – Adoption of Tax Rate**

**Title of Resolution:** Adoption of Property Tax Rate for FY2014

**Synopsis:** A Resolution to levy and impose a property tax for the fiscal year beginning July 1, 2013 and ending June 30, 2014; setting the tax rates for property and providing for the collection of the property tax. Resolution No. 15-2013 was introduced by the Council President on behalf of the County Executive on March 5, 2013 and public hearing was held on May 7, 2013.

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Resolution No. 15-2013 – Adoption of Property Tax Rate for FY2014.

Roll call vote: McCarthy – Y, Bowsbey – Y, Dunn – N, Broomell – N, Hodge – Y. The motion carried by a vote of 3 in favor and 2 in opposition.

**ADJOURNMENT**

On motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 10:20 p.m.

The next Council Legislative Meeting is scheduled for Tuesday, June 4, 2013 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.