

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE MEETING MINUTES
LSD 13-15
August 6, 2013

County Council of Cecil County met in legislative 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
Diana Broomell, Council Member
Robert J. Hodge, President

ABSENT: Michael Dunn, 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 August 6, 2013 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 Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve the agenda, as presented. Motion carried unanimously.

PRESENTATIONS OF PROCLAMATIONS/CERTIFICATES

Council members presented a certificate to Dennis Reynolds, Jr. and Jake Ritter from the School of Technology for their accomplishments in the National Skills USA competition.

APPROVAL OF MINUTES

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the July 16, 2013 Council Legislative meeting, as presented. Motion carried unanimously.

PUBLIC COMMENTS

Harold McCanick, Elk Neck, commented on a previous discussion relative to a noise problem with off road vehicles in the county.

Robert Amato commented on the proposed purchase of the Basell building for a School of Technology, potential opportunities for business partnerships, and career options for students.

John Bolinski, North East, commented on the proposed purchase of the Basell building for the School of Technology, potential career training at the facility, employment opportunities for students, and impact on our society due to student participation in the program.

Linda Kleiner, North East, commented on the presentation by public school officials at the Council Worksession meeting.

Donna Caudell, Elkton, commented on limiting the time for speakers during Citizen's Corner to give everyone an opportunity to speak and meetings held by individual Council members.

Joe Carabetta, Perryville, commented on the drug statistics for the county; proposed General Obligation Bond Authorization Bill; Basell property purchase price, assessment, projections for the operating and maintenance cost, potential contamination of the property; and reviewing available options other than purchasing the property.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Bowlsbey reminded the public of the Senior Expo scheduled for Thursday at Elkton High School from 8:30 a.m. to 2:30 p.m.

Councilwoman Broomell commented on the next Drug Awareness Forum on August 25, 2013 at Grace Bible Chapel at 6:00 p.m.; opposition to the purchase of the Basell property; request for full disclosure of "who" is profiting from the sale of the property; potential solutions to the drug issues in Cecil County; and the next meeting of the Drug and Alcohol Council.

Vice President McCarthy commented on the resignation of Senator E.J. Pipkin and the meeting with Governor O'Malley scheduled for Friday.

President Hodge commented on the initiatives and partnerships being developed by the County Executive to address the drug issues in Cecil County.

SPECIAL PRESENTATIONS

Health Officer Stephanie Garrity reviewed the Executive Summary from the Cecil County Substance Abuse Assessment prepared by Health Resources in Action. The consultant's research provided anecdotal data and survey data, which defines the substance abuse problems in Cecil County, as well as recommendations for addressing the issues throughout the county. She advised the public that the report is available on the Cecil County Health Department website.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2013-07 - Budget Ordinance FY2014 – Appropriations – General Fund - Motor Vehicle Internal Service Fund. An Act to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 by transferring \$55,000 of appropriation authority between the General Fund and the Motor Vehicle Internal Service Fund for the fiscal year ending June

30, 2014. Bill 2013-07 will be scheduled for a public hearing for the September 3, 2013 Council Legislative meeting and tentative consideration will be scheduled for the September 17, 2013 Council Legislative meeting.

Finance Director Robinson advised the Council that the proposed legislation reallocates funding in the budget to the correct fund.

Council Manager Massey stated for the record:

Bill No. 2013-08 - Budget Ordinance FY2014 – Appropriations – General Fund – Grant Revenue. An Act to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 in order to provide \$160,795.31 in additions to the General Fund Grants Budget, to provide \$8,700.00 in additions to the Solid Waste Enterprise Fund, and to provide additional appropriation authority for the fiscal year ending June 30, 2014. Bill 2013-08 will be scheduled for a public hearing for the September 3, 2013 Council Legislative meeting and tentative consideration will be scheduled for the September 17, 2013 Council Legislative meeting.

Discussion ensued regarding the short title and the grant allocations listed in the Bill.

Finance Director Robinson advised the Council that the grants listed in the Bill are new grant awards for 2014. He reviewed the grants included in the Bill and explained the allocation of grants in the FY2014 budget process.

Council Manager Massey stated for the record:

Bill No. 2013-09 - Budget Ordinance FY2014 – Appropriations – Capital Budget. An Act to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 to provide additional appropriation authority to the Capital Budget for (a) grant funding of \$968,394; (b) funding a Capital Project for the Cecil County Public Schools known as the Cecil School of Technology in the amount of \$17,380,000; and, (c) funding a project known as the Broadband Technology Opportunities Program (BTOP) in the amount of \$688,000, for the fiscal year ending June 30, 2014. Bill 2013-09 will be scheduled for a public hearing for the September 3, 2013 Council Legislative meeting and tentative consideration will be scheduled for the September 17, 2013 Council Legislative meeting.

Finance Director Robinson reviewed the allocation for projects in Bill No. 2013-09.

Discussion ensued regarding the security enhancements for the Circuit Courthouse and appropriations for the public school projects.

Council Manager Massey stated for the record:

Bill No. 2010-10 - General Obligation Bond Authorization. An Act authorizing and empowering Cecil County, Maryland, from time to time, to borrow not more than Seventy Million Dollars (\$70,000,000) for the purpose of financing the costs of certain public facilities in Cecil County described herein, and to effect such borrowing by the issuance and sale of its general obligation bonds in one or more series; empowering the County Executive to execute and deliver one or

more executive orders prior to issuing the bonds in order to fix, prescribe and determine the details of the bonds and the issuance and sale thereof; empowering and directing the County to levy ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds from the provisions of Sections 9 to 11, inclusive, of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume), or successor provision; authorizing the County to issue and sell bond anticipation notes in one or more series pursuant to the authority of Section 12 of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume), or successor provision, prior to and in anticipation of the sale of the bonds; providing that the County may issue and sell all or any portion of the bonds as bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds. Bill 2013-10 will be scheduled for a public hearing for the September 3, 2013 Council Legislative meeting and tentative consideration will be scheduled for the September 17, 2013 Council Legislative meeting.

Finance Director Robinson presented an overview of Bill 2013-10.

Discussion ensued regarding the regulations governing public debt; timeframe for adoption of the Bond Bill relative to projects included in the authorization; authorization for oversight of the bond sale provided in the Charter; process for the sale of the bonds; fixed costs associated with the sale of bonds; and using bond funding for 2015 projects.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

INTRODUCTION OF RESOLUTIONS:

Council Manager Massey stated for the record:

Resolution No. 75-2013 - Appointment, Electrical Inspection Agency – Bay Area Inspection Agency. A Resolution to confirm the re-appointment by the County Executive of the Bay Area Inspection Agency to be an electrical inspection agency in Cecil County. Resolution 75-2013 will be scheduled for consideration at the August 20, 2013 Council Legislative meeting.

Director of Administration Wein advised the Council that the recommendation for re-appointment is being requested based on a recommendation from the Electrical Board.

Council Manager Massey stated for the record:

Resolution No. 76-2013 - Appointment – Electrical Inspection Agency – American Inspection Agency. A Resolution to confirm the re-appointment by the County Executive of the American Inspection Agency to be an electrical inspection agency in Cecil County. Resolution 76-2013 will be scheduled for consideration at the August 20, 2013 Council Legislative meeting.

Director of Administration Wein advised the Council that the recommendation for re-appointment is being requested based on a recommendation from the Electrical Board.

Council Manager Massey stated for the record:

Resolution No. 77-2103 - Appointment—Board of Appeals. A Resolution to confirm the appointment of Cecil Shannon Whitley and the reappointment of Mark Saunders by the County Executive to the Board of Appeals. Resolution 77-2013 will be scheduled for consideration at the August 20, 2013 Council Legislative meeting.

Councilwoman Broomell requested a resume for Mark Saunders for consideration of his re-appointment to the Board of Appeals.

Council Manager Massey stated for the record:

Resolution 78-2013 - Appointments—Planning Commission. A Resolution to confirm the appointment of Chad Johnston and reappointments of Bill Miners and Wyatt Wallace by the County Executive to the Planning Commission. Resolution 78-2013 will be scheduled for consideration at the August 20, 2013 Council Legislative meeting.

Councilwoman Broomell requested a resume for Bill Miners and Wyatt Wallace for consideration of their re-appointment to the Board of Appeals.

Council Manager Massey stated for the record:

Resolution 79-2013 – Approval – Lease and Purchase Agreement – 912 Appleton Road, Elkton. A Resolution to approve, upon the terms more fully set forth in an Option Agreement dated July 29, 2013 by and between the Appleton Road Business Trust, Optionor, and the Board of Education of Cecil County, Optionee, a capital lease and purchase agreement by Optionee for the acquisition of a 90.081(+/-) acre parcel of real property and the improvements thereon at 912 Appleton Road, Elkton, Maryland 21921, which is designated as Parcel 115, Map 21, Parcel 115, Third Election District, Cecil County Maryland. Resolution 79-2013 will be scheduled for a public hearing at the September 3, 2013 Council Legislative meeting and tentative consideration will be scheduled for the September 17, 2013 Council Legislative meeting.

Director of Administration Wein advised the Council that the Planning Commission will consider this Resolution at their August 19, 2014 meeting. He presented an overview of the agreement.

County Executive Moore presented background information relative to the proposed purchase of the property at 912 Appleton Road in Elkton for the School of Technology.

Cecil County Public School Chief Financial Officer Thomas Kappra presented supporting comments for the purchase of this property to enhance current and implement new technology programs. The expansion of the technology education sector would provide additional trade and educational opportunities for all public school students. He provided background information relative to the lease and purchase negotiations with the property owner.

Cecil County Public Schools Executive Director of Support Services Perry Willis advised the Council that the Maryland Department of Planning will be touring the facility as part of the due diligence process.

Discussion, questions and comments ensued regarding consideration to have a third party review of the environmental assessment of the property; request for the Council to consider all the facts presented during the discussion and comments before making a decision; the reasons for the property owner changing the name of the LLC; bond authorization relative to the purchase of the property; terms of the lease negotiation and contract; and additional cost for operation of the school.

ADJOURNMENT

On motion made by Vice President McCarthy, seconded by Councilwoman Broomell, the Council moved to adjourn the meeting. President Hodge adjourned the meeting at 8:52 p.m.

The next Council Legislative Meeting is scheduled for Tuesday, August 20, 2013 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.