

**COUNTY COUNCIL OF CECIL COUNTY**  
**LEGISLATIVE MEETING MINUTES**  
**LSD 13-17**  
**September 3, 2013**

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  
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 for September 3, 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**

Council concurred to amend the agenda to include approval of the minutes for the August 27, 2013 Worksession meeting and to move the public hearing for Resolution 79-2013 to the first item on the agenda under public hearings.

**PUBLIC HEARINGS**

Council Manager Massey stated for the record:

**Resolution No. 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. The Resolution was introduced at the August 6, 2013 Council Legislative meeting and will be scheduled for consideration at the September 17, 2013 Council Legislative meeting.

Cecil County Public School Superintendent D'ette Devine provided opening statements in support of Resolution 79-2013.

Cecil County Public Schools Executive Director of Support Services Perry Willis provided an update on the due diligence process for the Basell building. He advised the Council that the state agencies and local officials involved in the process have been contacted and tours have been conducted of the site. School officials are developing the overall site plan for the building in conjunction with updating the technology curriculum.

Chief Financial Officer Thomas Kappra advised the Council that the public school system has a positive track record for school renovations. He presented information relative to the history and financing used to support past projects, and an overview of construction and operating costs for the proposed School of Technology.

Dr. Devine summarized the information provided in the presentation and respectfully requested Council support for the proposal.

Discussion, questions and comments ensued regarding consideration for renovating the current School of Technology at Bay View in North East; due diligence for the use of modular buildings for expansion at the current location; review of the planning process for school renovations and/or new construction; reminder that the State of Maryland would not support a comprehensive high school in Cecil County; and potential traffic issues on Appleton Road.

**Comments in Support or Opposition to Resolution No. 79-2013**

Ron Lobos, Elkton;  
Debra Liddell, Port Deposit;  
Lauren Camphausen, President, Board of Education;  
William Manlove, Member, Board of Education;  
Wendy Winterskill, Member, Board of Education;  
Linda Tipton, President, Business and Education Partnership Advisory Council;  
Gabby Craig, Rising Sun;  
Laura Hrinko, Rising Sun;  
Dwight Thomey, Elkton;  
Joe DeNunzio, Elkton;  
Bonnie Grady, President and CEO, Cecil County Chamber of Commerce;  
Harold McCanick, Elk Neck;  
David Neff, Conowingo;  
Mario Gangemi, Vice President, Cecil Business Leaders;  
Ralph Young, Cecilton;  
Michael Ratchford, President, Economic Development Commission;  
Stephen Pannill, President, Cecil College;  
Dennis Reynolds;  
Rebecca Reagan, Elkton;  
Bobby Young, Elkton;  
Beth Lisk, Charlestown; and  
Jennifer Bird, Counselor, School of Technology.

President Hodge closed the public hearing for Resolution No. 79-2013 and advised the public that consideration would be scheduled for the September 17, 2013 Council Legislative meeting.

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. The Bill was introduced at the August 6, 2013 Council Legislative meeting and will be scheduled for consideration at 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.

**Public Comments in Support or Opposition to Bill No. 2013-07**

There were no comments from the public.

President Hodge closed the public hearing for Bill No. 2013-07, and advised the public that consideration would be scheduled for the September 17, 2013 Council Legislative meeting.

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. The Bill was introduced at the August 6, 2013 Council Legislative meeting and will be scheduled for consideration at the September 17, 2013 Council Legislative meeting.

Finance Director Robinson advised the Council that the grants listed in the Bill are new grant awards for 2014.

**Public Comments in Support or Opposition to Bill No. 2013-08**

There were no comments from the public.

President Hodge closed the public hearing for Bill No. 2013-08, and advised the public that consideration would be scheduled for the September 17, 2013 Council Legislative meeting.

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. The Bill was introduced at the August 6, 2013 Council Legislative meeting and will be scheduled for consideration at the September 17, 2013 Council Legislative meeting.

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

**Public Comments in Support or Opposition to Bill No. 2013-09**

There were no comments from the public.

President Hodge closed the public hearing for Bill No. 2013-09, and advised the public that consideration would be scheduled for the September 17, 2013 Council Legislative meeting.

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. The Bill was introduced at the August 6, 2013 Council Legislative meeting and will be scheduled for consideration at the September 17, 2013 Council Legislative meeting.

County Attorney Allison advised the Council that the Administration intends to submit an amendment to Bill No. 2013-10 at the next Legislative session to reduce the bond authorization request in proportion to anticipated state revolving funds.

Finance Director Robinson presented an overview of the bond authorization requests in Bill No. 2013-10.

Discussion, questions and comments ensued regarding the Parks and Recreation Department budget for the turf field for engineering costs; guarantee of payment for general obligation bonds; proposed increase in rates and fees for wastewater services relative to the repayment of

the bonds; timeline for using funds for multiple year projects; and potential state revolving fund loan availability for current projects.

### **Public Comments in Support or Opposition to Bill No. 2013-10**

There were no comments from the public.

President Hodge closed the public hearing for Bill No. 2013-10, and advised the public that consideration would be scheduled for the September 17, 2013 Council Legislative meeting.

### **APPROVAL OF MINUTES**

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the August 20, 2013 Council Legislative meeting, as presented. Motion carried unanimously.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the amended minutes of the August 27, 2013 Council Worksession meeting, as presented. Motion carried unanimously.

### **PUBLIC COMMENTS**

Ron Lobos, Elkton, provided comments relative to the drug overdose forum with the Governor, the proposed purchase of the Basell building, and the tone of discussions between the Council members in public meetings.

Bill DeFreitas, Elkton, provided comments relative to the tone of discussions between Council members in public meetings.

Harold McCanick, Elk Neck, provided comments relative to the posting of disclosure statements of Council members on a website and the drug overdose forum with the Governor.

### **PRESIDENT AND COUNCIL COMMENTS**

Councilwoman Bowsbey presented for the record an email received in support of the purchase of the Basell building, and announced that a town hall meeting is scheduled for September 12, 2013 at 7:00 p.m. in the Senior Center with Congressman Andy Harris.

Councilwoman Broomell commented on the disclosure statements of Council members posted on her website; need for more government transparency; and concern for the debt increase provided in Bill No. 2013-10.

Councilman Dunn had no comments.

Councilman McCarthy commented on public support provided at the hearing on the investment in education for students with the purchase of the Basell building for the School of Technology.

President Hodge commented on the publication of the ethics disclosure forms of the Council members on a public website; roll of the Ethics Commission in determining ethics violations; and potential affect the action may have on the county to recruit individuals for public service.

### **SPECIAL PRESENTATIONS**

Cecil County Health Office Stephanie Garrity provided the Council an update on health department activities relative to the introduction of pet therapy in group counseling; communicable disease report, and a rabies vaccination clinic.

Discussion, questions and comments ensued regarding communicable diseases; Lyme's disease statistics in Delaware; transportation assistance for medical services; statistics for pregnant women seeking drug abuse treatment; history of in-patient detoxification treatment facilities; and participation in monthly meetings with state officials on drug abuse issues in Cecil County.

### **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

#### **INTRODUCTION OF RESOLUTIONS:**

Council Manager Massey stated for the record:

**Resolution No. 81-2013** - Amendment - Land Purchase Agreement – Home Partnerships. 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, and a portion of Parcel 1204, Lot 2, Map 310, containing a total of 1.368 acres of land, more or less, together with the improvements thereupon. The Resolution will be scheduled for a public hearing at the October 1, 2013 Council Legislative meeting.

County Attorney Allison presented an overview of Resolution No. 81-2013.

Discussion, questions and comments ensued regarding responsibility for removal of contaminated soil on the property and provisions provided in the contract if extensive environmental issues are found on the property.

President Hodge advised the public that Resolution No. 81-2013 would be scheduled for a public hearing at the October 1, 2013 Council Legislative meeting.

Council Manager Massey stated for the record:

**Resolution No. 82-2013** - Loan Agreement – MD Water Quality Financing Administration – “Sanitary District Bond, Series 2014”. A Resolution approving the form and authorizing the execution, issuance, sale and delivery by Cecil County, Maryland (the “County”) of a general obligation installment bond in an aggregate principal amount not exceeding \$21,523,000 pursuant to the authority of Sections 97-22 to 97-27, inclusive, of the Code of Cecil County, Maryland (2012 Edition, as amended) and the Maryland Water Quality Financing Administration Act (codified as Sections 9-1601 to 9-1622, inclusive, of the Environment Article of the Annotated Code of Maryland, as amended), such bond to be designated “Cecil County

Sanitary District Bond, Series 2014” and by series or by such other designation as provided in this Resolution, the net proceeds of the sale thereof to be used and applied for the public purpose of financing the cost of acquiring, constructing and equipping certain facilities, each of which constitutes a “wastewater facility” as more particularly described herein, including the development of property, the acquisition and installation of equipment and furnishings and any related architectural, financial, legal, planning and engineering expenses; to authorize the execution of a loan agreement between the County and the Maryland Water Quality Financing Administration; to prescribe the form and tenor of the bond and the terms and conditions for the issuance and sale thereof at private sale to the Maryland Water Quality Financing Administration; to declare the official intent of the County with respect to the reimbursement of certain expenditures relating to such facilities made prior to the issuance of such bond from the proceeds of such bond; to provide for the prompt payment of the maturing principal of and interest on the bond; to covenant to levy and collect all taxes necessary to provide for the payment of the principal of and interest on such bond; and to provide generally for the issuance, sale and delivery of such bond. The Resolution will be scheduled for a consideration at the September 17, 2013 Council Legislative meeting.

Finance Director Robinson presented an overview of Resolution No. 82-2013.

Discussion, questions and comments ensued regarding state commitment for loan funds; interest rate and administrative fee for loan; potential interest rate and administrative fees for bond funds; and regulations relative to a public hearing for the loan agreement.

Council Manager Massey stated for the record:

**Resolution No. 83-2013 - Approval** - Development of residential housing – North Creek Run II. A resolution supporting the development of housing in Cecil County, Maryland to be financed either directly by the Department of Housing and Community Development (the “Department”) of the State of Maryland or through the Department’s Community Development Administration (the “Administration”) at North Creek Run II. The Resolution will be scheduled for a consideration at the September 17, 2013 Council Legislative meeting.

Director of Administration Wein reviewed the history and support provided by a previous Board of Commissioners for this residential workforce housing project. He advised the Council that the building permit fees are usually waived for this type of project.

Discussion, questions, and comments ensued regarding support from county officials for current workforce residential housing projects and policy changes to the housing regulations for workforce housing projects.

#### **CONSIDERATION OF RESOLUTIONS:**

Council Manager Massey stated for the record:

#### **Resolution No. 73-2013 - Road Abandonment - Portion of Stevenson Road, Cecil County**

A Resolution approving the application of Maryland Materials, Inc. for the abandonment of a portion of Stevenson Road, Cecil County, Maryland pursuant to Article 25, Section 137, of the

Annotated Code of Maryland. The Resolution was introduced at the July 16, 2013 Council Legislative meeting and a public hearing was held at the August 20, 2013 Council Legislative meeting.

On motion made Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 73-2013.

Council members provided their comments relative to a concern that approval may set a precedent for closing roads to the public; no opposition from the public on the application; and information provided by officials from the county and Maryland Materials to support the application.

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. 74-2013 - Road Abandonment - Portion of Quarry Road, Cecil County**

A Resolution approving the application of Maryland Materials, Inc. for the abandonment of a portion of Quarry Road, Cecil County, Maryland pursuant to Article 25, Section 137, of the Annotated Code of Maryland. The Resolution was introduced at the July 16, 2013 Council Legislative meeting and a public hearing was held at the August 20, 2013 Council Legislative meeting.

On motion made Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 74-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

**Resolution 80-2013 – Appointment – Public Safety Employee Pension Plan Board of Trustees.** A Resolution to confirm the appointment of Angie Blodgett by the County Executive to the Public Safety Employee Pension Plan Board of Trustees. The Resolution was introduced at the August 20, 2013 Council Legislative meeting.

On motion made Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 80-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

**NEW BUSINESS**

Budget Amendment 04 – Cecil County Public Schools – FY2013 Operating Budget

County Attorney Allison advised the Council that the budget amendment does not require a public hearing and the Council may take action on the amendment at this meeting. He advised the Council that under State law, the budget amendment would take effect within thirty days from the date on the letter of August 13, 2013.

On motion made Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Budget Amendment 04 – Cecil County Public Schools – FY2013 Operating Budget.

Council members discussed the process to introduce action items at one meeting and take action at the next meeting; timeline for submission of the budget amendment to the Council; and the process for approving previous budget amendments for the public schools.

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 Councilwoman Broomell, the Council moved to adjourn the meeting. President Hodge adjourned the meeting at 10:05 p.m.

The next Council Legislative Meeting is scheduled for Tuesday, September 17, 2013 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.