

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE MEETING MINUTES
LSD 13-19
October 1, 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.

CALL TO ORDER

The meeting of the County Council of Cecil County for October 1, 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

Members of the Council presented a proclamation for Economic Development Week in Cecil County to Lisa Webb, Economic Development Director and members of the Economic Development Commission.

Members of the Council presented a proclamation for Breast Cancer Awareness Month in Cecil County to staff from the Health Department and breast cancer survivors from around the county.

PUBLIC HEARINGS

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 was introduced at the September 3, 2013 Council Legislative

meeting and will be scheduled for consideration at the October 15, 2013 Council Legislative meeting.

County Attorney Allison provided a brief overview of the amendment to the agreement with Home Partnerships for the purchase of real property owned by the County.

Attorney Dwight Thomey, representing Home Partnerships, presented the Council a revised plat with several minor revisions to the original plat that was submitted from the due diligence process and discussions with town and county officials.

Discussion, questions, and comments ensued regarding the estimated tax revenue that will be generated from the sale and development of the property; market study that was conducted indicating there was a need for this type of housing in Cecil County; request for a copy of the original plat that was submitted with the Land Purchase Agreement; financing acquired for the project based on a senior housing project; request for a deed restriction to ensure that the property will always be used for a senior housing project; and assurances that the project will serve county residents.

Public Comments in Support and Opposition

Joe Carabetta, 1611 Carpenters Point Road, provided comments relative to the appraised value of the property and restrictions relative to the senior housing project.

President Hodge advised the public that Bill No. 2013-11 will be considered at the October 15, 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 September 17, 2013 Council Legislative meeting, as presented. Motion carried unanimously.

PUBLIC COMMENTS

Joe Carabetta, Perryville, provided comments relative to the reported surplus funds in the County budget and the proposed local business initiative.

Ron Lobos, Elkton, referring to a hand-out provided to the Council, provided comments relative to the purchase of the Basell property.

Diane Carabetta, Perryville, provided comments relative to the Redistricting Plan; initiative to request more public hearings for the sludge applications; proposed Resolution relative to meeting decorum; and return of surplus funds to the taxpayers

Charles Herzog, Colora, provided comments relative to the myths and truth regarding sewage sludge.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Broomell commented on the information provided by Mr. Herzog on sewer sludge, the follow up meeting with DHMH officials on the drug issues in Cecil County, and the identified need for in-patient detoxification services.

Councilwoman Bowsbey commented on the Interagency Coordinating Council for Toddlers and Infants meeting and the School of Technology Honor Society Induction Ceremony.

Councilman Dunn had no comments.

Vice President McCarthy had no comments.

President Hodge thanked the public for attending the meeting and participating in the democratic process and commented on the business opportunity initiative.

SPECIAL PRESENTATIONS

Health Department Update - Health Officer Stephanie Garrity clarified that the DHMH meeting is on the fourth Thursday of the month at the Health Department. She presented information on the rabies vaccination clinics; a summary of bathing beach testing throughout the county; a flu immunization clinics update; and the implementation of the Affordable Care Act.

Discussion, questions and comments ensued regarding local “navigators” for the Affordable Care Act; impact and penalties for not signing up for health insurance; and reasons for the improvement in the water test from the county beaches.

Redistricting Commission – Final Report – Ewing McDowell, Chairman of the Redistricting Commission, presented a summary of the proposed redistricting plan. In the report, he referred to page 3, paragraph 5, and advised the Council that Option #7 changes three precincts in order to create the balance - precinct 4-2, 8-1 and 5-2.

Discussion, questions and comments ensued regarding the removal of Conowingo from the fourth district; the timeline for approval of the redistricting plan; Council members being elected at large; and a proposal for in-district voting.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2013-13 – Budget Ordinance FY2014 – Transfer of Bond Appropriations – Capital Budget – Roads and Bridges Projects and Waste Water Project – Little Egypt Road Bridge – Old Elk Neck Road – Highland Interceptor. An Act to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 to transfer existing bond appropriation authority within the Capital Budget in the amount of \$351,974.54 from completed and closed Roads and Bridges Projects to Little Egypt Road Bridge and Old Elk Neck Road improvement projects and \$62,065.86 from a completed and closed Waste Water Project to the Highlands Interceptor project for the fiscal year ending June 30,

2014. The Bill will be scheduled for a public hearing at the November 5, 2013 Council Legislative meeting and scheduled for consideration at the November 19, 2013 Council Legislative meeting.

Director of Administration Wein reviewed the transfer of issued bond funds provided in Bill No. 2013-13.

Discussion, questions and comments ensued regarding a suggestion that President Hodge continue to recuse himself from voting on the Old Elk Neck Road project; and a clarification that the projects listed in the Bill have already been approved and this is a decision to transfer bond funds for approved projects.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 86-2013 Appointment – Department of Social Services Board. A Resolution to confirm the appointment by the County Executive of Lloyd Sanders to the Department of Social Services Board for three a (3) year term to expire June 2016. Resolution will be scheduled for consideration at the October 15, 2013 Council Legislative meeting.

Director of Administration Wein respectfully requested Council confirm the appointment to the Department of Social Services and Board.

Council Manager Massey stated for the record:

Resolution No. 87-2013 Amendment – Policies and Procedures of the Cecil County Council. A Resolution to amend the Council's Policies and Procedures, to add section 2-8 Discipline of Members, pursuant to Section 303(e) of the Charter of Cecil County. Resolution will be scheduled for public hearing at the November 5, 2013 Council Legislative meeting and scheduled for consideration at the November 19, 2013 Council Legislative meeting.

President Hodge advised the Council that they have received a current draft of the Resolution and the amendment addresses the behavior of Council members only.

Discussion, questions, and comments ensued regarding the attempt of the Resolution to censure and punish the minority members of the Council; lack of regulations relative to the audience; behavior of the Council promotes an open discussion and debate without negative comments against other Council members, county staff and the public; and the recommendation that was submitted at the Council Worksession meeting to follow Robert's Rules of Order for the Council President to preside over the meetings.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 84-2013 Appointments—Public Safety Employee Pension Plan Board of Trustees. A Resolution to confirm the re-appointment of Craig Whiteford, Stephen Brownhill, and James Alfree by the County Executive to the Public Safety Employee Pension Plan Board of Trustees. The Resolution was introduced at the September 17, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution 84-2013. 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. 85-2013 Appointment—Commission on Aging. A Resolution to confirm the reappointment of Polly Gray and Agnes Hopewood and the appointment of Francis D. Orbin made by the County Executive to the Commission on Aging. The Resolution was introduced at the September 17, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 85-2013. 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. 2013-11 - Budget Ordinance FY2014 – Appropriations – General Fund – Grant Revenue Sheriff's Office. An act to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 in order to provide \$60,000 in additions to the General Fund Grants Budget for the Sheriff's Office to provide additional appropriation authority for the fiscal year ending June 30, 2014. The Bill was introduced at the August 20, 2013 Council Legislative meeting and a public hearing was held at the September 17, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Broomell, the Council moved to enact Bill No. 2013-11. Roll Call Vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously

ADJOURNMENT

On motion made by Councilwoman Bowsbey, seconded Vice President McCarthy, 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, October 15, 2013 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.