

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE MEETING MINUTES  
LSD 13-22  
November 19, 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 November 19, 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 the Councilman Dunn moved to approve the agenda, as presented. Motion carried unanimously.

**PRESENTATIONS OF PROCLAMATIONS/CERTIFICATES**

A proclamation was presented by the County Executive and Council Members to Gabrielle Oldham of the Northern Chesapeake Hospice Foundation in recognition of Children's Grief Awareness Day.

**PUBLIC HEARINGS**

Council Manager Massey stated for the record:

**Resolution No. 88-2013** Enterprise Zone Tax Credit - 210 Chesapeake Boulevard, Elkton

A Resolution to approve a ten (10) year real property tax credit in an Enterprise Zone for the property located at 210 Chesapeake Boulevard, Elkton, tax map 0316, parcel 2443 in election District 03.

Economic Development Manager, Susan O'Neill presented an overview of the bill.

**Public Comments in Support and Opposition**

Joe Carrabetta, Perryville, made comments in opposition to the Resolution.

Harold McCannick, Elk Neck, made comments on the Resolution.

President Hodge closed the public hearing on Resolution No. 88-2013 and stated that the Council will be considering this Resolution on December 3, 2013

Council Manager Massey stated for the record:

**Bill No. 2013-14** State Sludge Permit Applications - Public Notice - Adjoining Property Owners  
An Act to enact a new section of the Code of Cecil County to be titled Chapter 310, State Sludge Permit Applications, to provide that the Department of Planning and Zoning will notify adjoining property where a State Sludge Permit Application has been received.

Councilwoman Broomell made comments in support of this Bill.  
Council comments ensued regarding the Bill.

**Public Comments in Support and Opposition**

Jeff Witmer, Elkton, spoke in support of the bill.  
David Neff, Conowingo in support of the bill.  
Jackie Gregory, Elkton spoke in support.  
Diane Carabetta, Perryville spoke in support.  
Joe Carabetta, Perryville spoke in support.  
Valerie Falcioni, North East spoke in support.  
Harold McCanick, Elk Neck made comment on the bill.  
Al Reasin, Conowingo spoke in support.

President Hodge closed the public hearing and advised the public that Bill No. 2013-14 will be considered at the December 3, 2013 Council Legislative meeting.

**Bill No. 2013-15** Redistricting Plan 2013

An Act to repeal and reenact, with amendments, Section 21-1 Council districts, of Chapter 21, County Council, of the Code of Cecil County, as amended; to establish new Council districts in lieu of the plan presented by the Redistricting Commission; to list the election precincts of which each Council district is comprised; to show generally the boundary lines of each Council district; and generally relating to Council districts.

Councilwoman Broomell provided a brief overview of the bill.  
Discussion and comments ensued.

**Public Comments in Support and Opposition**

David Neff, Conowingo spoke in opposition of bill.  
Gerry Carpenter, Fair Hill spoke in support of bill.  
Joe Carabetta, Perryville spoke in support of bill.  
Diane Carabetta, Perryville spoke in support of bill.  
Harold McCanick, Elk Neck spoke in opposition of bill.  
Mrs. Reasin, Conowingo commented on bill.  
Jackie Gregory, Elkton commented on bill.  
Al Reasin, Conowingo commented on bill.

President Hodge closed the public hearing and advised the public that Bill No. 2013-15 will be considered at the December 3, 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 November 5, 2013 Council Legislative meeting, as presented. Motion carried unanimously.

### **PUBLIC COMMENTS**

Joe Carabetta, Perryville, commented on the service for Mr. Barr by the Fire Companies. He also asked for an update on the bridge construction project at Carpenters Point.

David Neff, Conowingo, commented on County funding for A Buddy For Life and on Resolution No. 87-2013.

Tammy Pollard, Elkton commented on experience with A Buddy For Life.

Harold McCanick, Elk Neck, attended and commented on the morning work session.

Anke Mastus, Elkton, commented on A Buddy for Life.

Valerie Refne, Conowingo, commented on A Buddy For Life.

Diane Carabetta, Perryville, spoke in support of A Buddy For Life.

Jackie Gregory, Elkton, commented on A Buddy For Life.

Stacey Price, Elkton, provided comments about the license of A Buddy For Life.

Katy Doyle, North East, provided comments on A Buddy For Life.

Kasie Bolton, Elkton, commented on A Buddy For Life.

### **PRESIDENT AND COUNCIL COMMENTS**

Councilwoman Broomell attended the documentary film showing of *Anonymous People*. She also commented on the HIDTA designation. She also encouraged citizens to write to the Governor to encourage State funding of the opening of a wing of the Whitsitt Center for intensive in-patient therapy.

Councilman Dunn had no comments.

Vice President McCarthy had no comments.

Councilwoman Bowsbey is working to encourage County fire companies to allow their facility to be used to offer the DNR gun safety education program. She attended the Fireman's Association meeting at Hack's Point.

President Hodge requested that the administration to update the Council on the progress of the bridge construction project at Carpenters Point. He also commented on the animal control issues.

## **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey stated for the record:

**Resolution No. 93-2013** Amendment - Volunteer Length of Service Award Program Bylaws

A Resolution amending the Cecil County Volunteer Length of Service Award Program Bylaws pursuant to §7-209 of the Public Safety Article, Annotated Code of Maryland. The Resolution will be scheduled for consideration at the December 3, 2013 Council Legislative meeting.

Director of Administration Wein advised the Council approval of the resolution will have no physical impact on the government.

Council Manager Massey stated for the record:

**Resolution No. 94-2013** Ethics Commission - Term of Appointment

A Resolution to specify the term of appointment of the members of the Cecil County Ethics Board, so that staggered terms will expire in December of the year of expiration. The Resolution will be scheduled for consideration at the December 3, 2013 Council Legislative meeting.

Director of Administration Wein provided information regarding the staggering of terms for the members of the Ethics Commission. Discussion and comments ensued.

Council Manager Massey stated for the record:

**Resolution No. 95-2013** Appointment—Ethics Commission

A Resolution to confirm the County Executive's appointment of Joseph N. Cline to the Cecil County Ethics Commission. The Resolution will be scheduled for consideration at the December 3, 2013 Council Legislative meeting.

Director of Administration Wein confirmed the appointment. Discussion and comments ensued.

Council Manager Massey stated for the record:

**Resolution No. 96-2013** Enterprise Zone Tax Credit - 101 Lovett Drive, Elkton - W. L. Gore

A Resolution to approve a ten (10) year real property tax credit in an Enterprise Zone for the property located at 101 Lovett Drive, Elkton, tax map 0301, parcel 2475 in election district 03; owned by W. L. Gore & Associates, Inc. The Resolution will be scheduled for public hearing and consideration at the December 17, 2013 Council Legislative meeting.

Economic Development Manager, Susan O'Neill provided a brief summary of the resolution. She asked the Council to suspend the rules so that they could consider approval of this Resolution on the same night as the public hearing.

## **CONSIDERATION OF RESOLUTIONS**

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. The Resolution was introduced at the October 1, 2013 Council Legislative meeting.

Discussion and questions ensued.

Amendment No. 1 to Resolution No. 87-2013 was introduced by Councilman McCarthy:

**Amendment No. 1 to Res. No. 87-2013**

On Page 4, line 65 insert the following:

AND BE IT FURTHER RESOLVED by the County Council of Cecil County that this Resolution shall remain in effect until December 14, 2014.

A motion to approve Amendment No. 1 to Resolution No. 87-2013 Amendment - Policies and Procedures of the Cecil County Council was made by Councilman McCarthy, seconded by Councilwoman Bowsbey.

Roll Call Vote: McCarthy - Y, Bowsbey - Y, Dunn - N, Broomell - N, Hodge - Y. The motion was passed by a vote of 3 to 2.

On motion made by Councilwoman Bowsbey, seconded by President Hodge, the Council moved to approve Resolution 87-2013 as amended.

Roll Call Vote: McCarthy - Y, Bowsbey - Y, Dunn - N, Broomell - N, Hodge - Y. Motion was passed by a vote of 3 to 2.

**FINAL READING 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 Resolution was introduced at the October 1, 2013 Council Legislative meeting.

Council President Hodge recused himself because he owns property on Elk Neck Road.

On motion made by Councilman McCarthy, seconded by Councilwoman Bowsbey, the Council moved to enact Bill No. 2013-13.

Roll Call Vote: McCarthy - Y, Bowsbey - Y, Dunn - N, Broomell - N. The motion failed 2 to 2.

Amendment No. 1 to Bill No. 2013-13 was introduced by Council President Hodge:

**Amendment No. 1 to Bill No. 2013-13**

On page 2 to 3, lines 22 to 42, delete in entirety.

On page 3, line 47, delete "and bond funding of \$195,439.78 to the Old Elk Neck Road Improvement Project."

On page 4, lines 65, delete "414,040.40" and insert "\$218,600.62"

A motion to approve Amendment No. 1 to Bill No. 2013-13 - Budget Ordinance FY2014 - Transfer of Bond Appropriations - Capital Budget was made by Council President Hodge, seconded by Councilwoman Broomell.

Roll Call Vote: McCarthy - N, Bowsbey - N, Dunn - Y, Broomell - Y, Hodge - Y. The motion passed by a vote of 3 to 2.

On motion made by Councilman McCarthy, seconded by Councilwoman Bowsbey, the Council moved to enact Bill No. 2013-13 as amended.

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 Councilwoman Broomell, the Council moved to adjourn the meeting. President Hodge adjourned the meeting at 8:10 p.m.

The next Council Legislative Meeting is scheduled for Tuesday, December 3, 2013 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.

Approved:

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Robert Hodge  
Council President

Attest:

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James Massey  
Council Manager