

**Board of County Commissioners
Worksession Minutes
February 7, 2012**

PRESENT: Commissioners Mullin, Broomell, Moore, Dunn and Hodge, County Administrator Al Wein, Public Works Director Scott Flanigan and staff, Planning and Zoning Director Eric Sennstrom, Emergency Services Director Richard Brooks; Human Resources Director Donna Nichols; Permits and Inspections Director Pat Conway; Budget Manager Craig Whiteford, Executive Office Administrator Vicky Rinkerman, County Attorney Norman Wilson, Treasurer Bill Feehley, members of the press, and members of the public.

OPEN SESSION – Elk Room

9:00 a.m. – President Mullin called the meeting to order.

NOTE: Audio recording of this meeting is available on the County website www.ccgov.org.

Closed Session Meeting – January 31, 2012 – 11:00 a.m.

The Board convened in closed session on January 31, 2012 11:00 a.m. Motion was made by Commissioner Moore, seconded by Commissioner Hodge, pursuant to Maryland Annotated Code State Government 10-508(a) (1) To discuss a personnel matter that affects one or more specific individuals relative to the selection of a Director for the Office of Economic Development; and (3) To consider the acquisition of real property for a public purpose and matters directly related thereto relative to the potential acquisition of real property for Cecil County Public Schools. Motion carried unanimously.

PRESENT AT CLOSED SESSION: Commissioners Mullin, Broomell, Moore, Dunn and Hodge; County Administrator Al Wein; Human Resources Director Donna Nichols, Executive Office Administrator Vicky Rinkerman and Public School Superintendent Dr. D'Ette Devine and staff.

Topics of discussion and action taken (if necessary):

Discussion ensued regarding the potential acquisition of real property for Cecil County Public Schools.

Discussion ensued regarding choosing a candidate for the Economic Development Director position. The Board concurred to direct the Human Resources department to offer the position to the preferred candidate.

The closed meeting was adjourned at 11:15 p.m.

Approval of Minutes – On motion made by Commissioner Moore, seconded by Commissioner Dunn, the Board moved to approve the minutes for the January 31, 2012 Worksession and Closed Session meeting minutes. Motion carried unanimously to approve.

Request to Fill Positions – Director Nichols presented the requests to fill positions for the following budgeted positions: two Paramedic positions, one Dispatcher position and one Paramedic Captain position vacancy in the Department of Emergency Services; one Deputy position in the Sheriff's Office; and one Network Specialist position in the Information Technology Department.

The Board concurred to authorize the Human Resources Department to proceed with advertising and filling the positions as presented.

Evening Meeting Agenda Review – County Administrator Wein reviewed the introduction items on the evening meeting agenda.

The Board was advised that they had received correspondence relative to the proposed Electrical Inspection Agency Resolution.

County Administrator Wein reviewed the appointments for consideration by the Board on the agenda.

Commissioner Hodge commented on the proposed appointment to the Charter Transition Committee by the Republican Central Committee.

Director Flanigan advised the Board that the names for consideration for appointment to the Weed Control Committee were compiled in cooperation with the Maryland Department of Agriculture to represent various stakeholders for this effort.

Director Dunn commented on the appointment of Mr. Slagle to the Building Board of Appeals.

Director Flanigan reviewed the Public Works agenda items for consideration by the Board.

Budget Manager Whiteford reviewed the budget amendments for consideration by the Board.

Draft Bid No. 12-30-53023 Phase III Landfill Gas Collection and Conveyance System Expansion – Director Flanigan reviewed the draft bid for the project.

The Board concurred to authorize the Public Works staff to proceed with advertising the draft bid as presented.

Legislation Update

SB 236 Sustainable Growth and Ag Preservation Act – Director Sennstrom provided the Board a synopsis of the proposed legislation and advised the Board of the impact this legislation may have on the county. The legislation proposes a four-tier regional system that all counties must adopt as part of their Comprehensive Plan by December 31, 2012 and the Maryland Department of Environment must approve all minor and major subdivisions in the county.

Members of the Board provided their comments on SB 236.

The Board concurred to authorize staff to prepare a letter in opposition to SB 236 that would be sent to all members of the General Assembly. The Board concurred to have a representative attend the Senate Hearing on Tuesday February 14, 2012 at 1:00 p.m. and the House Hearing on Wednesday, February 15 to testify in opposition to the proposed legislation.

SB 240 Environmental Bay Restoration Fund Fees – County Administrator Wein provided the Board an overview of the proposed legislation that would increase the "flush tax" for private septic systems and public systems based on various usage formulas for the Bay Restoration Fund.

Members of the Board provided their comments on SB 240.

HB 87 Budget Reconciliation and Financing Act of 2012 – Budget Manager Whiteford provided the Board an overview of the proposed legislation that would transfer the financial responsibility of the teacher and

librarian pension fund to local government. The pension shift would cost the county over 4.2 million in FY 2013.

Members of the Board provided their comments on HB 87.

The Board concurred to authorize staff to prepare a letter in opposition to HB 87 that would be sent to all members of the General Assembly.

SB 391/HB 254 Alcohol Beverages Class BLX Licenses and SB 389/HB324 Alcoholic Beverages Class 6 Pub-Brewery Licenses – County Administrator Wein advised the Board that the two House Bills have been scheduled for a hearing on February 27, 2012.

The Board concurred that President Mullin would follow up with our delegation relative to the legislation that was not introduced.

Proposed changes to Ethics Ordinance – Commissioner Broomell advised the Board that the proposed amendments to the Ethics Ordinance have been provided in writing, and she requested that a public hearing be scheduled to consider the revisions.

Discussion ensued regarding a letter from the Ethics Commission members and the public hearing process for the proposed amendments.

Commissioner Moore made a motion to forward the proposed amendments to the Ethics Ordinance to the Ethics Commission for review and recommendation to the Board. Commissioner Hodge requested that the motion be amended to include forwarding the proposed amendments to the State Ethics Commission for review also.

Commissioner Moore withdrew her motion.

Counsel Wilson advised the Board that the State Ethics Commission must review the proposed amendments in addition to the local Ethics Commission.

Members of the Board provided comments relative to the review, evaluation and procedures for amending the Ethics Ordinance.

Commissioner Broomell requested that the proposed revisions be forwarded to the County and State Ethics Commission while the amended ordinance is going through the public hearing process.

Discussion ensued regarding disclosure requirements for contract attorneys.

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to forward the proposed amendments to the Ethics Ordinance to the Cecil County Ethics Commission to take care of the process with review and coordination with the State Ethics Commission by the July deadline. Motion carried 4 votes in favor and 1 vote in opposition. Mullin - Y, Broomell - N, Moore - Y, Dunn - Y, Hodge - Y.

The Board concurred to authorize staff to advise the Ethics Commission of their decision and forward a copy of the amended Ethics Ordinance.

Correspondence MDE denial of Mountain Hill /Carpenter's Point amendment to 2004 County Water and Sewerage Plan – Director Sennstrom provided the Board an overview of the reasons MDE denied the proposed amendment.

County Administrator Wein advised the Board that staff would be working with Artesian officials to draft a response to the correspondence.

Commissioner Items

Commissioner Dunn commented on the tour of Circuit Court and the grand opening of Lowe's in North East.

Vice President Broomell commented on Baltimore County representatives reviewing the Munis software system being used by the County Treasurer's Office.

Commissioner Moore had no comments.

Commissioner Hodge had no comments.

President Mullin commented on the Fredericktown boat ramp project.

ADJOURNMENT

10:45 AM

On motion made by Commissioner Broomell, seconded by Commissioner Dunn, the Board moved to adjourn the open session meeting. The meeting was adjourned.

CLOSED SESSION

11:00 AM

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to convene in closed session pursuant to the Maryland Annotated Code State Government 10-508 (a) (9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations – briefing by special Counsel Gilman and negotiating team relative to IAFF and FOP collective bargaining discussions.

ADJOURNMENT CLOSED SESSION

11:54 AM

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to adjourn the closed session meeting. The meeting was adjourned.

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