

**Board of County Commissioners
Worksession Minutes
March 6, 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, Parks and Recreation Director Clyde Van Dyke, Information Technology Director Scott Mesneak, Permits and Inspections Director Pat Conway, Facilities Maintenance Manager Stafford Torgesen, Housing Director Dave Mahaney, Human Resources Director Donna Nichols, Economic Development Director Lisa Webb, Senior Services and Community Transit Director Dave Trolio, Executive Office Administrator Vicky Rinkerman, County Attorney Norman Wilson, Treasurer Bill Feehley, members of the press, and members of the public.

Closed Session Meeting – February 28, 2012 – 10:35 a.m.

The Board convened in closed session on February 28, 2012 10:35 a.m. Motion was made by Commissioner Moore, seconded by Commissioner Hodge, pursuant to Maryland Annotated Code State Government 10-508(a) (3) To consider the acquisition of real property for Cecil County Public Schools usage; (7) to consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals relating to the North East PSC matter. Motion carried unanimously.

PRESENT AT CLOSED SESSION: Commissioners Mullin, Broomell, Moore, Dunn and Hodge, County Administrator Al Wein, Budget Manager Craig Whiteford; Office Administrator Vicky Rinkerman, County Attorney Norman Wilson, and Treasurer Bill Feehley.

Topics of discussion and action taken (if necessary):

Briefing and discussion relative to the Public Service Commission matter with the Town of North East.

On motion made by Commissioner Hodge, seconded by Commissioner Moore, the Board moved to accept the offer from Miles and Stockbridge to retain and split the fee for a consultant. Motion failed by a vote of 2 in favor (Moore – Y, Hodge – Y) and 3 opposed (Mullin – N, Broomell – N, Dunn – N)

Discussion related to a Cecil County Public Schools proposal to acquire property.

County Attorney Wilson advised the Board with regard to newspapers of general circulation, specifically relating to advertising for the upcoming tax sale. The consensus of the Board was to continue advertising with the Cecil Whig for the upcoming property tax sale due to past experience and general circulation.

County Attorney Wilson provided legal advice with respect to one-time showings by realtors/brokers for County owned property at 214 North Street, Elkton.

The closed meeting was adjourned at 12:35 p.m.

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.

Approval of Minutes – On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to approve the minutes for the February 28, 2012 Worksession and Closed Session meeting. Motion carried unanimously to approve.

Request to Fill Positions – Director Nichols advised the Board of the requests to fill the following budgeted positions:

- . Office Services Assistant in Senior Services and Community Transit Department; and
- . Equipment Operator 1 in Roads Department

She advised the Board of a request to hire an Economic Development Coordinator in the Office of Economic Development due to pending retirement of key personnel. This is not funded in the FY2012 budget; however, there are sufficient funds for the position through salary savings.

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

Review of Evening Meeting Agenda – County Administrator Wein provided the Board a review of the agenda items for the evening meeting of March 6, 2012.

Director Van Dyke reviewed the items on the agenda for the Parks and Recreation Department.

County Administrator Wein advised the Board that Ordinance 2012-02 would be introduced at tonight's meeting and scheduled for consideration at the March 20, 2012 meeting.

Permits and Inspections Director Pat Conway reviewed the proposed Resolution for Chapter 211 Electrical Inspection Agencies.

Budget Manager Whiteford reviewed the Resolution for the 2012 General Obligation Bond issuance.

Director Sennstrom reviewed the Resolution for a Fee in Lieu, Critical Area Planting Requirements.

Director Mahaney advised the Board of his concerns relative to the Resolution for the New East Crossing project, specifically the proposed twenty-two percent increase for the rental fee for certain Section 8 vouchers in the project. He contacted the project manager relative to the proposal.

County Administrator Wein advised the Board that they have an option to table or vote on the Resolution at the evening meeting.

Members of the Board provided their comments relative to the Resolution and the impact of the proposed rental fee increase.

County Administrator Wein advised that the Board would be considering authorizing the county to join the Maryland Rural Counties Coalition.

Director Flanigan reviewed the Public Works items on the agenda.

Director Mesneak and Facilities Maintenance Manager Torgesen reviewed the bid award for RFP 12-10 Design, Install, and Test a Fire Protection System for County Circuit Court IT Room.

Budget Manager Whiteford reviewed the budget amendments.

Senior Services and Community Transit FY 2013 Annual Transportation Plan – Director Trolio provided the Board an overview of the FY 2013 Annual Transportation Plan.

Members of the Board provided their comments relative to the objectives of the Plan.

Alternative proposal to the Driver's licenses scanning at DPW solid waste facilities – Solid Waste Chief Bieniek reviewed the proposed permit alternative to the license scanning procedure at the solid waste facilities. The applicant would need to show proof of county residency to be approved for a two-year permit.

Director Flanigan advised the Board that the proposed permit fees would require a public hearing; however, the department is seeking approval for the proposed alternative permit process. Individuals using the landfill or transfer stations would need to provide the approved permit along with his/her driver's license for staff to verify residency; however, the permit would be scanned and not the driver's license.

Members of the Board provided their comments relative to the proposed permit procedure and rate fees.

The Board concurred that they will consider the proposed permit alternative at the next worksession meeting.

Commissioner Items

Commissioner Dunn read for the record a response to an editorial in the Guardian newspaper relative to a bid award for tax sale advertising and he commented on the opening of the Cecil County Pregnancy Center satellite office in Rising Sun.

Vice President Broomell commented on the bid award for advertising the tax sale and the terms of the Ethics Commission appointees. She advised the Board that she is seeking to revise the term limits of the newly appointed members to the Commission.

Discussion ensued regarding:

- . Staggered terms for the Ethics Commission; and
- . Determination on the length of term limits for the new Commission members

County Attorney Wilson advised the Board that they have the authority to change the term limits for the Ethics Commission members.

Members of the Board provided their comments relative to the term limits designated for the Ethics Commission.

The Board concurred to consider Commissioner Broomell's proposal at the March 13, 2012 worksession.

Commissioner Broomell requested that the bridge replacement and road improvement projects for Old Elk Neck Road be removed from the Capital Improvement Plan, and the funds be directed to other projects in the growth corridor.

Director Flanigan clarified that the two CIP projects are the replacement of the bridge and the short section of road on either side of the bridge, improvements to the intersection of Old Neck Road and Turkey Point Road,

and other road improvements to other sections of Old Neck Road. He advised the Board that engineering is in process for these CIP projects.

County Administrator Wein advised the Board that further work on these projects would be delayed until a decision is made by the Board.

Members of the Board provided comments and decided that the projects would be discussed during the CIP budget process.

Commissioner Moore commented on the legality of the action taken in the closed session meeting on the bid award for advertising the tax sale, and Commissioner Dunn's response to the editorial in the Guardian.

Commissioner Hodge commented on the action of the Board to award the advertising contract for the tax sale in a closed session meeting, campaign contributions and term limits for the Ethics Commission.

County Administrator Wein advised that the final draft of the Animal Care and Control Ordinance would be forwarded to the Board for a final review before moving forward with a public hearing.

President Mullin commented on attending the Eastern Shore Delegation meeting for "Stop the Shift" of teacher pensions.

CLOSED SESSION

10:55 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) (3) To consider matter related to the acquisition of real property for Cecil County Public Schools usage; and (8) To consult with staff, consultants, or other individuals relating to matters with the Board of County Commissioners and Town of North East litigation of water rates before the Maryland Public Service Commission. Motion carried unanimously.

ADJOURNMENT CLOSED SESSION

11:25 AM

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

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