

**Board of County Commissioners  
Worksession Minutes  
May 22, 2012**

**PRESENT:** Commissioners Mullin, Broomell, Moore, Dunn, and Hodge, County Administrator Al Wein, Public Works Director Scott Flanigan, Planning and Zoning Director Eric Sennstrom, Human Resources Director Donna Nichols, Information Technology Director Scott Mesneak, Facilities Manager Stafford Torgesen, 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](http://www.ccgov.org).

**Closed Session Meeting – May 15, 2012**

The Board convened in closed session on May 15, 2012 at 10:40 a.m. Motion was made by Commissioner Hodge, seconded by Commissioner Dunn, to convene in closed session pursuant to the Maryland Annotated Code State Government 10-508 (a) (3) To consider the acquisition of real property for Cecil County Public Library purposes; and (3) To consider the acquisition of real property for Public School purposes; and (7) (14) To consult with counsel to obtain legal advice and discuss negotiating strategy relating to FY 2013 animal control services contract. Motion carried unanimously.

**PRESENT AT CLOSED SESSION:** Commissioners Mullin, Broomell, Moore, Dunn, and Hodge, County Administrator Al Wein, Planning and Zoning Director Eric Sennstrom, Budget Manager Craig Whiteford, Executive Office Administrator Vicky Rinkerman, County Attorney Norman Wilson, and Treasurer Bill Feehley.

Topics of discussion and action taken (if necessary):

The Board discussed the acquisition of real property for Cecil County Public Library purposes. The Board concurred to direct County Administrator Wein to schedule a closed session meeting on May 22, 2012 to discuss the proposed property acquisition further.

The Board discussed the acquisition of real property for Public School purposes. The consensus of the Board was to direct County Administrator Wein to advise the Board of Education and Public School officials via a letter that the Board has decided to discontinue discussions relating to the subject property for a technical high school.

The Board obtained legal advice from counsel and discussed a negotiating strategy relating to FY 2013 animal control services contract. The consensus of the Board was to direct County Administrator Wein to advertise the proposed Animal Control Ordinance for a public hearing on June 5, 2012 and to support the flat funding proposal for the extension of the animal control contract with the SPCA.

The closed meeting was adjourned at 12:15 p.m.

**Approval of Minutes**

Minutes of the May 15, 2012 Worksession and Closed Session meetings were not available for review at this time.

### **Request to Fill Positions**

Director Nichols advised the Board that Facilities Maintenance has submitted a request to fill one Laborer/Custodian position.

The Board concurred to authorize the Human Resources Department to advertise and fill the position as presented.

**Memorandum of Understanding between Maryland Broadband Cooperative, Inc. and Cecil County -** Director Mesneak and Facilities Manager Torgesen reviewed the Memorandum of Understanding relative to locating an easement for a Point of Presence (POP's) hub for the Maryland Broadband Cooperative project on county property at 200 Chesapeake Boulevard. The project would enable the connection of their fiber optic network communications to benefit the region.

Discussion ensued regarding:

- . Providing the County an option to cancel the MOU;
- . Changing the length of the MOU from 40 to 20 years; and
- . Clarification on the maintenance, responsibility and/or removal for the proposed easement on the property

Members of the Board provided their comments relative to the Memorandum of Understanding.

County Administrator Wein advised the Board that the MOU would be introduced at the June 5, 2012 Commissioners Meeting.

The consensus of the Board was to direct Director Mesneak to revise the Memorandum of Understanding as discussed.

### **Recognition of Public Works Project**

Director Flanigan advised the Board the Mid-Atlantic Chapter of the American Public Works Association (APWA) has named the redevelopment of Cell 4 at the Cecil County Central Landfill the winner of the 2012 Project of the Year Award in the Mid-Size Environmental Projects category.

### **Memorandum of Understanding – Bohemia Manor School Water and Wastewater**

Director Flanigan reviewed the key points of the Memorandum of Understanding for the Board.

Discussion ensued regarding:

- . Adding the Board of Education to the agreement;
- . Incentives for finishing the project early;
- . MDE penalties for the wastewater treatment plant;

- . Documentation from the Town of Chesapeake City of their financial resources to complete the project; and
- . Clarifying permitted access to the infrastructure for properties outside the designated priority funding area

Members of the Board provided their comments relative to the Memorandum of Understanding.

The consensus of the Board was to forward the draft of the Memorandum of Understanding to Town of Chesapeake City officials for review and comment, and to revise the MOU as discussed.

**Resolution and agreement of sale regarding acquisition of conservation easement on agricultural lands of Lowell and Drew McCoy, etal.** - Eric Shertz from the Office of Planning and Zoning reviewed the resolution and agreement of sale for the conservation easement. He provided an overview of the benefits of preserving agricultural land.

Director Sennstrom advised the Board that this proposal is consistent with the County's Comprehensive Plan for preservation and rural continuity in the northern area.

Discussion ensued regarding:

- . Process for front funding by the county;
- . Guarantee of federal funding for the proposal;
- . County responsibility to establish the "tiers" as designated in Senate Bill 236; and
- . Impact of the legislation and PlanMaryland on local land preservation efforts

The consensus of the Board was to direct staff to provide and forward more information if possible regarding any type of guarantee for the federal funding for the proposal.

### **Commissioner Items**

Commissioner Dunn requested an update on the York Building Products appeal of the Comprehensive Rezoning decision made by the Board.

County Attorney Wilson advised the Board that the Judge ruled that the County was within their right to make the Comprehensive Rezoning decision on the York Building Products property.

Vice President Broomell commented on the Volunteer Fire and EMS Recruitment Night, 4<sup>th</sup> Annual Marines Helping Marines tournament, Spring Festival at the Prost Restaurant in Port Deposit, and clarification of the Point of Order at the May 1, 2012 worksession.

President Mullin advised that he would provide documentation relative to the Point of Order.

Commissioner Moore commented on the Marines Helping Marines tournament, Department of Emergency Services recognition ceremony, and the Cecil College graduation ceremony.

Commissioner Hodge had no comments.

President Mullin commented on the York Building Products appeal.

## **CLOSED SESSION**

**10:25 AM**

On motion made by Commissioner Moore, seconded by Commissioner Dunn, the Board moved to convene in closed session pursuant to the Maryland Annotated Code State Government 10-508 (a) (3) To consider the acquisition of real property for Cecil County Public Library purposes; and (7) (14) To consult with counsel to obtain legal advice and discuss negotiating strategy relating to "Letter of Intent" submitted pertaining to 214 North Street, Elkton.

## **ADJOURNMENT CLOSED SESSION**

**11:27 AM**

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

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