

**Board of County Commissioners
Worksession Minutes
June 5, 2012**

PRESENT: Commissioners Mullin, Broomell, Moore, Dunn, and Hodge, Public Works Director Scott Flanigan and staff, Planning and Zoning Director Eric Sennstrom and staff, Human Resources Director Donna Nichols, Senior Services and Community Transit Director David Trolio, Economic Development Director Lisa Webb, Permits and Inspections Director Pat Conway, Budget Manager Craig Whiteford, Facilities Maintenance Manager Stafford Torgesen, Office Administrator Vicky Rinkerman, Administrative Assistant Katie Piazza, 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 – May 29, 2012

The Board convened in closed session on May 29, 2012 at 10:45 a.m. Motion was made by Commissioner Moore, seconded by Commissioner Dunn, to convene in closed session pursuant to the Maryland Annotated Code State Government 10-508 (a) (8) To consult with staff and legal counsel regarding the Town of North East water rate matter pending before the Public Service Commission; and (1) (ii) personnel matters to discuss potential appointments for various Boards and Commissions. Motion carried unanimously.

Present at Closed Session: Commissioners Mullin, Broomell, Moore, Dunn, and Hodge, Public Works Director Scott Flanigan, Planning and Zoning Director Eric Sennstrom, Budget Manager Whiteford, County Attorney Norman Wilson, Special Counsel Larry Haislip, Executive Office Administrator Vicky Rinkerman, and Administrative Assistant Katie Piazza.

Topics of discussion and action taken (if necessary):

Special Counsel Larry Haislip provided the Board an update on the water rate matter pending before the Public Service Commission with the Town of North East and an overview of the next steps in the process.

Board discussed the franchise service areas in the North East area relative to the Master Water and Sewer Plan.

The consensus of the Board was to direct Director Sennstrom to provide the Commissioners a copy of the maps and have staff schedule a meeting with officials from MDE to discuss water concerns.

Board discussed several pending appointments to Boards and Commissions.

The consensus of the Board was to extend the deadline to accept applications for potential appointments until June 1, 2012.

The closed meeting was adjourned at 12:18 p.m.

Approval of Minutes

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to approve the minutes of the May 29, 2012 Worksession and Closed Session meetings, as presented.

Commissioner Broomell stated for the record, relative to page 1, paragraph 6 of the May 29, 2012 Worksession meeting minutes, that she was opposed to "the consensus of the Board to direct staff to notify Denise Davis of the Board's authorization for the Library Board of Trustees to make an agreed upon offer for the subject property...".

Vote: Mullin - Y, Broomell - Y, Moore - Y, Dunn - Y, Hodge - N. Motion carried by a vote of 4 in favor and 1 in opposition.

Request to Fill Positions

Director Nichols advised the Board that the Detention Center submitted a request to fill a budgeted OSA position.

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

Draft Bid#13-05; Wastewater Chemicals - Director Flanigan reviewed draft Bid 13-05 for wastewater chemicals.

The Board concurred to authorize Public Works to advertise Bid 13-05 as presented.

Razor Strap Road Improvements - Director Flanigan reviewed the options that were presented at the May 29, 2012 Worksession meeting for Razor Strap Road improvements.

Members of the Board provided their comments relative to the options presented for pedestrian traffic on Razor Strap Road.

The consensus of the Board was to direct Public Works to proceed with the option for widening the road for pedestrian traffic.

CECO update/Meadowview to Cherry Hill Water Line

Ken Simmons, owner of CECO Utilities provided the Board an update on the water line project from Meadowview to Cherry Hill and pending agreement with Artesian to purchase CECO's water plant. He advised the Board that infrastructure for a gas line would be installed at the same time.

Mr. Simmons outlined the proposed route and location for the water infrastructure and easements.

Director Flanigan advised the Board that the study conducted for the county recommended a different route and location for the infrastructure project.

The consensus of the Board was to direct Public Works staff to evaluate the costs of utilizing a wastewater route other than the water line route.

Outdoor Lighting Ordinance Recommendations

Planning Commission member and Lighting Subcommittee Chair Ken Wiggins and Principal Planner Tony DiGiacomo reviewed the recommendations for an Outdoor Lighting Ordinance.

Members of the Board provided their comments relative to the recommendations forwarded from the Planning Commission.

Mr. Wiggins advised the Board that the Planning Commission is recommending that the county proceed with establishing lighting standards for residential and commercial development.

The consensus of the Board was to direct Mr. Wiggins to work with Planning and Zoning staff to form a committee to review and make recommendations for outdoor lighting standards.

Homeowner's Association (HOA) Recommendations

Planning Commission member and Homeowner's Association Subcommittee Chair Wyatt Wallace, Public Works Development Services Chief Tim Whittie and Principal Planner Tony DiGiacomo reviewed the recommendations and proposal for Homeowner's Associations.

Members of the Board provided their comments relative to the recommendations and proposal for HOA's.

Chair Wallace advised the Board that the subcommittee is recommending the County establish a fund and a process in advance of a situation where the county would be required to fix a stormwater management problem in a community if the HOA is not functioning properly. The homeowner's in the development would be required to reimburse the county fund for expenses incurred to fix the problem.

Discussion ensued regarding:

Proposed forms for Homeowner's Associations;

Current process used to communicate with HOA's;

Inventory of stormwater management areas;

Meetings with HOA's on stormwater management areas; and

Proposed regulations for initial contributions from developers to HOA's

County Attorney Wilson advised the Board that new regulations adopted for HOA's would not be retroactive.

The consensus of the Board was to direct staff to schedule an afternoon meeting to discuss this matter further.

Draft Letter Regarding Roadside Mowing

Director Flanigan and Public Works Roads Chief Dan Webber reviewed the draft letter of response regarding roadside mowing along England Creamery Road.

Discussion ensued regarding:

Suggestion for revision to second paragraph;

Definition of the right of prescriptive maintenance; and

Removal of posts from the property

The consensus of the Board was to direct staff to revise and send the letter to the property owner.

Afternoon meeting agenda review

County Administrator Wein reviewed the introduction items on the evening Commissioners meeting agenda for June 5, 2012 at 2:00 p.m.

President Mullin advised the Board that Monica Penhollow from the Cecil County Firemen's Association would be providing information on arsons in the Elkton area.

Director Trolio reviewed the Memorandum of Understanding RSVP Grant with Harford County and bid award for RFP 12-23 Design and Install Bus Camera System.

Director Sennstrom reviewed the Town of Elkton annexation proposal and Eric Shertz from Planning and Zoning reviewed the Preservation of Agricultural Lands of Lowell and Drew McCoy, etal Resolution.

Discussion ensued regarding:

Update on the administrative fees;

Added benefit and historical value of the property; and

Due diligence relative to following up with MDE and Town officials on the designated water recharge area for the town

Director Mesneak advised the Board that the Memorandum of Understanding for Maryland Broadband Cooperative is still under review and will be available by the July 19, 2012 Commissioners meeting.

Director Conway reviewed the approval process for the Electrical Inspection Agency and proposed Ordinance 2012-03 Amend Certain Sections of Chapter 209 Building Construction, which will be introduced at the June 19, 2012 Commissioners meeting. He advised the Board that if this Ordinance is adopted prior to October 1, 2012, the county would not need to enforce the sprinkler system regulations until the next building code update requirement in 2015.

Facilities Manager Torgesen reviewed the RFP 12-24 recommendation for the design, installation and testing of a ground source heat pump system.

Director Flanigan reviewed the six items on the agenda for the Public Works department. He advised the Board that there would be no impact from delaying a decision on Public Works items until the next Commissioners meeting on June 19, 2012.

The consensus of the Board was that they would consider action on Bid 13-02 and the other Public Works agenda items for introduction with a decision scheduled at the next meeting on June 19, 2012. The Board directed Public Works staff to amend the process for their agenda items to be introduced at one meeting and scheduled for consideration at the next Commissioners meeting.

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

Chesapeake City, Board of Education and County Commissioners Memorandum of Agreement relating to Water/Wastewater services to Bohemia Manor School Complex – Director Flanigan reviewed the correspondence from Town of Chesapeake City officials regarding the MOU relating to Water/Wastewater services to Bohemia Manor School Complex.

Members of the Board provided their comments relative to the proposed revisions to the Memorandum of Agreement by Town officials.

The consensus of the Board was to direct President Mullin, Al Wein and Scott Flanigan to schedule a meeting with Chesapeake City officials to discuss the MOA contract.

Requests for proposals to purchase county owned land no longer needed for public use (253 Sycamore Road, Elkton) - County Administrator Wein reviewed the requests for proposals submitted for county owned property at 253 Sycamore Road in Elkton.

Members of the Board provided their comments relative to the Habitat for Humanity proposal to purchase the county owned property.

The consensus of the majority of the Board was to accept the proposal for the property from Habitat for Humanity.

Commissioner Items

Commissioner Dunn commented on the presentation of the Commissioners scholarship award.

Vice President Broomell commented on the presentation of the Commissioners scholarship award.

Commissioner Moore commented on the presentation of the Commissioners scholarship award, Foster Parents Dinner, Spring Fling sponsored by the Commission on Aging, and visit from an Indonesia Delegation on July 9, 2012.

Vice President Broomell commented on local community scholarships.

Commissioner Hodge commented on the presentation of the Commissioners scholarship award.

President Mullin had no comments.

CLOSED SESSION

12:15 PM

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) (1) To discuss the County Administrator's employment contract for the period beginning July 1, 2012 to December 2, 2012; and to consider and discuss appointments to various Boards/Commissions. Motion carried unanimously.

ADJOURNMENT CLOSED SESSION

12:42 PM

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

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