

**Board of County Commissioners  
Worksession Minutes  
July 31, 2012**

**PRESENT:** Commissioners Mullin, Broomell, Moore, Dunn, and Hodge, Planning and Zoning Director Eric Sennstrom and staff, Human Resources Director Donna Nichols, Public Works Director Scott Flanigan and staff, Budget Manager Craig Whiteford, Executive Office Administrator Vicky Rinkerman, Administrative Assistant Robin McCann, County Attorney Norman Wilson, Treasurer Bill Feehley, members of the press, and members of the public.

**ABSENT:** County Administrator Wein.

**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).

**Eastern Shore Land Conservancy Update** – ESLC Executive Director Rob Etgen and members of his staff provided the Board an update on the rural land planning and conservation efforts being conducted through the organization in cooperation with state and local officials. He provided an overview of their role as a resource for land preservation and the Center for Towns initiative to get local officials involved in the planning process.

Board members discussed:

- role of the Eastern Shore Land Conservancy organization in Cecil County;
- development of partnerships with other conservation organizations;
- request to provide the Board members a list of Federal, State and other initiatives/programs, etc., available to the public for land preservation; and
- zoning initiatives and regulations in the surrounding areas relative to commercial and farm based businesses

**Approval of Minutes**

On motion made by Commissioner Dunn, seconded by Commissioner Moore, the Board moved to approve the July 24, 2012 Worksession Meeting minutes as presented. Motion carried unanimously.

**Request to Fill Positions**

Director Nichols reviewed the following requests to fill budgeted positions:

Equipment Operator position in the Roads Division of the Public Works Department

On a motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to authorize the Human Resources Department to advertise and fill the position as presented. Motion carried unanimously.

Office Services Assistant position in the Solid Waste Division of the Public Works Department:

On motion made by Commissioner Broomell, seconded by Commissioner Dunn, the Board moved to authorize the Human Resources department to advertise and fill the position as presented. Motion carried unanimously.

**Proposed Road Code revisions** - Public Works Director Flanigan and staff reviewed the proposed revisions to the Cecil County Road Code. He advised the Board that the focus of the discussion would be on developer contributions and off-site improvements.

Director Flanigan reviewed the following:

- approval process for revising the Road Code;
- policy objectives from the Board relative to Road Code revisions;
- comment relative to development and developer contributions on the Razor Strap Road project;
- Road Code regulations relative to mandating road improvements by a developer;
- ability to use the Road Code to be able to analyze each project and situation on a case-by-case basis;
- process for the developer to acquire right-of-ways for a project and off-site road improvements;
- condemnation process available to county officials to acquire right-of-ways for a project;
- review of the process relative to revisions for developer acquisition of right-of-ways;
- discussion relative to the fair appraisal and easement process for acquiring right-of-ways;
- defining the guidelines for Public Works staff to be able to use the variance process to negotiate a compromise and find a solution when there is a problem with acquiring right-of-ways and off-site road improvements
- informal and formal process for approval of proposed revisions to the Road Code;
- request for Public Works staff to provide the Board a copy of the Road Code that shows the changes to the current language;
- comment relative to the proposed development project on Muddy Lane;
- comment relative to the proposed bridge replacement and road improvement projects on Razor Strap Road;
- comment relative to easement width requirements for projects; and
- road condition survey requirement relative to fees for benefit assessments for surrounding properties

Several Board members were in agreement with the direction for the proposed Road Code revisions discussed; however, Vice President Broomell reserved comment until further review.

**Old Elk Neck Road CIP Project request for funding for additional engineering** – Director Flanigan advised the Board that staff is seeking approval for additional funding to complete engineering for the intersection project on Old Elk Neck Road.

Board members discussed:

- Old Elk Neck Road projects;
- comment relative to the current policy used to make decisions on bridge replacement and road improvement projects;
- safety issues relative to the bridge replacement and road improvements;
- right-of-ways required for the proposed bridge and bridge approach improvements to meet minimum standards;
- comment relative to the driving force behind the Old Elk Neck Road projects;
- cost estimates relative to the proposed bridge project;
- discussion with State Highway officials and comments relative to installing additional Stop signs (3-way Stop) at the intersection vs. correcting the site distance issues at the intersection; and
- staff recommendation for the proposed bridge and bridge approach improvements to meet minimum standards

Commissioner Moore moved to accept the recommendation from Public Works staff for the three Old Elk Neck Road CIP projects as presented and discussed.

Members of the Board provided their comments relative to the projects. The Board was advised that the decision needed from the Board was for authorization to complete the engineering for the intersection.

Discussion ensued regarding a process to make a decision on the projects.

Vote on the proposed Old Elk Neck Road Bridge replacement for a fully functional two lane bridge: Mullin – Y, Broomell – N, Moore – Y, Dunn – Y, Hodge – Abstained. Bridge project was approved by a vote of 3 in favor, 1 opposed, and 1 abstention.

Vote on the proposed Old Elk Neck Road Bridge approach improvements: Mullin – Y, Broomell – N, Moore – Y, Dunn – N, Hodge – Abstained. Bridge approach improvement project was denied by a vote of 2 in favor, 2 opposed, and 1 abstention.

Commissioner Moore requested that Vice President Broomell and Commissioner Dunn reconsider their vote on the proposed bridge approach project based on road conditions and safety concerns.

Vice President Broomell commented on the character of the area with respect to the size of the proposed bridge, emergency vehicle response, and the cost of the project.

Vote on the other proposed Old Elk Neck Road improvements: Mullin – N, Broomell – N, Moore – Y, Dunn – N, Hodge – Abstained. Other road improvement project was denied by a vote of 1 in favor, 3 opposed, and 1 abstention.

Vote on the proposed Old Elk Neck Road and Route 272 intersection improvements: Mullin – N, Broomell – N, Moore – Y, Dunn – N, Hodge – Abstained. Intersection improvement project was denied by a vote of 1 in favor, 3 opposed, and 1 abstention.

Director Flanigan advised the Board that staff would discontinue engineering work for the proposed Old Elk Neck Road intersection improvements, road improvements, and bridge approach projects. He advised the Board that the bridge replacement project would be presented to the Board for approval.

Commissioner Moore commented that approving the bridge replacement project and not approving the bridge approach project is a waste of taxpayer dollars.

Discussion ensued regarding reconsideration of the bridge approach project. Commissioner Dunn advised the Board that he would reconsider his decision regarding the bridge approach project when the bridge project comes before the Board for approval.

**Draft Bid 13-11 Three (3) each Bandit model 250 XP wood chippers or county approved equivalent –** Director Flanigan and Road Chief Dan Webber provided the Board information relative to the need to purchase new wood chippers due to safety issues and problems with finding replacement parts.

The Board agreed to authorize the Public Works Department to advertise Bid 13-11 for three (3) new wood chippers or county approved equivalent as presented.

## **Commissioner Items**

Commissioner Dunn had no comments.

Vice President Broomell had no comments.

Commissioner Moore had no comments.

Commissioner Hodge clarified the afternoon meeting schedule and encouraged the public to attend the 2:30 meeting for discussion on SB236.

President Mullin had no comments

## **ADJOURNMENT**

11:15 a.m. - On motion made by Commissioner Moore, seconded by Commissioner Dunn, the Board moved to adjourn the meeting. Motion carried unanimously and the meeting was adjourned.

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