

**Board of County Commissioners
Worksession Minutes
January 3, 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; Budget Manager Craig Whiteford; Executive Office Administrator Vicky Rinkerman; Counsel Norman Wilson; Treasurer Bill Feehley; members of the press, and members of the public.

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

December 20, 2011 - Closed Session Meeting – 9:47 AM

On motion made by Commissioner Hodge, seconded by Commissioner Moore, the Board moved to consider amending the closed session agenda to include a briefing from counsel on the York Building Products rezoning appeal. Motion carried unanimously.

The Board convened in closed session at their December 20, 2011 worksession meeting at 9:47 a.m. Motion was made by Commissioner Hodge, seconded by Commissioner Moore, and pursuant to the Maryland Annotated Code State Government 10-508 (a) (7) to consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Briefing by County Attorney Wilson on pending litigation with Decker Contracting, a briefing on an MDE landfill storm water management legal matter, and a briefing on the York Building Products rezoning appeal.

PRESENT at closed session: Commissioners Mullin, Broomell, Moore, Dunn and Hodge; County Administrator Al Wein; Emergency Services Director Richard Brooks; Public Works Director Scott Flanigan; Administrative Assistant Mylia Dixon and County Counsel Norman Wilson.

Topics of discussion and action taken (if necessary):

Briefing was provided by Counsel Wilson regarding pending litigation with Decker Contracting, current litigation with Decker Contracting and the York Building Products rezoning appeal.

Briefing was provided by Public Works Director Flanigan regarding a landfill stormwater management legal matter involving MDE.

Action: The Board concurred to direct Counsel Wilson to forward a letter to Decker Contracting relative to resolving the issues with RFP 10-08 for the Colora medic station.

The closed session meeting was adjourned at 10:57 a.m.

OPEN SESSION

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

Approval of Minutes – On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to approve the minutes for the December 20, 2011 Worksession and Closed Session meetings. Motion carried unanimously.

Request of Fill – Captain Position in the Department of Emergency Services – Director Nichols presented a request to fill for a budgeted Captain position in DES.

Director Brooks provided the Board an overview of the duties of the position.

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

Agenda Change - President Mullin advised that the Board would proceed with review of the evening meeting agenda before the discussion on PlanMaryland.

Evening meeting agenda review – County Administrator Wein reviewed agenda items for consideration by the Board at the evening meeting.

Director Sennstrom provided the Board an overview of the proposed text amendment to add Section 161 Clinics. He advised the Board that the Planning Commission has forwarded a recommendation for approval with the inclusion of the proposed language changes that were provided by Planning Commission Counsel Clara Campbell concerning subsections 4 & 5, as well as revising the definition to include stakeholder input to address the medical communities' concerns.

Members of the Board provided their comments relative to the proposed text amendment.

Discussion ensued regarding:

- . the recommendation from the Planning Commission;
- . potential locations within the county for clinics; and
- . the definition of a "clinic"

Counsel Wilson provided the Board an overview of litigation in other jurisdictions relative to case law on this issue. He reviewed potential evidence and information that may be used by the local court to determine the legality of the proposed ordinance with regard to clinics.

Director Sennstrom provided the Board an overview of the proposed text amendment to add Chapter A282 Transfer of Development Rights program. He advised the Board that the Planning Commission has forwarded a recommendation for approval.

County Administrator Wein advised the Board that if the public hearing was tabled, the next meeting would need to be re-advertised for the public.

County Administrator Wein continued with reviewing the action items on the agenda for consideration by the Board.

Director Sennstrom reviewed the requirements to obtain funding from the state for land preservation efforts.

Budget Manager Whiteford reviewed the Plan for Public Safety Employees resolution.

Director Flanigan reviewed the deed for the road dedication of Glebe Road, 57.41 feet, Corrin Farm Subdivision of Herschell B. Clagett, Sr.

There are no bid awards or budget amendments for consideration by the Board on the evening meeting agenda.

PlanMaryland Implementation Executive Order – Next Steps – Director Sennstrom reviewed the next steps relative to implementation of the Executive Order signed by the Governor for PlanMaryland. He advised the Board that the state planning initiative dictates that local jurisdictions align their regulations with the objectives provided in PlanMaryland.

The Board provided their comments relative to the impact of PlanMaryland on potential growth in the County. The Board concurred to direct planning staff to stay involved in the implementation of this initiative.

President Mullin advised the Board that Senator Pipkin and other members of the General Assembly have prepared several draft Bills for the upcoming legislative session relative to PlanMaryland.

Draft Bid 11-33 – replacement of Culvert XCE-1003 on Stemmers Run Road over Pearce Creek – Director Flanigan provided the Board an overview of draft bid 11-33.

The Board concurred to authorize the Public Works department to proceed with advertising draft bid 11-33.

Draft Bid 12-23 Two (2) Ford Expeditions for the DES/EMS Division – Director Brooks provided the Board an overview of draft bid 12-23, which replaces existing first responder vehicles in the fleet.

Members of the Board provided their comments relative to draft bid 12-23.

The Board concurred to authorize the DES/EMS Division to proceed with advertising draft bid 12-23.

Commissioner Items

Commissioner Dunn commented on articles in the Herald paper.

Vice President Broomell commented on a meeting scheduled on January 30, 2012 at 1:00 p.m. in the Donaldson Brown Center to identify future improvements at the I-95/MD 222 interchange and the area along MD 222 in the vicinity of the interchange.

Commissioner Moore commented on the MACo winter conference and wished everyone a happy new year.

Commissioner Hodge commented on the MACo conference and wished everyone a happy new year.

President Mullin commented on the MACo conference and wished everyone a happy new year.

ADJOURNMENT

10:15 AM - On motion made by Commissioner Moore, seconded by Commissioner Dunn, the Board moved to adjourn the worksession meeting. Motion carried unanimously.