

**Board of County Commissioners  
Worksession Minutes  
April 24, 2012**

**PRESENT:** Commissioners Mullin, Broomell, Moore, Dunn, and Hodge, County Administrator Al Wein, Public Works Director Scott Flanigan and staff; Emergency Services Director Richard Brooks; Planning and Zoning Director Eric Sennstrom; Human Resources Director Donna Nichols; Economic Development Director Lisa Webb; 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 – April 17, 2012**

The Board convened in closed session on April 17, 2012 at 10:00 a.m. Motion was made by Commissioner Hodge, seconded by Commissioner Moore, pursuant to the Maryland Annotated Code State Government 10-508 (a) (1) To discuss nominations for appointment to the Cecil County Property Tax Assessment Appeal Board; and (7) To consult with county attorney to obtain legal advice in response to correspondence from attorney relating to the denial of an application for certificate of occupancy for a methadone clinic at 722 East Pulaski Highway, Elkton. Motion carried unanimously.

**PRESENT AT CLOSED SESSION:** Commissioners Mullin, Broomell, Moore, Dunn, and Hodge, County Administrator Al Wein, Planning and Zoning Director Eric Sennstrom; Executive Office Administrator Vicky Rinkerman, and County Attorney Norman Wilson.

Topics of discussion and action taken (if necessary):

The Board discussed appointments for the Tax Appeal Board. The consensus of the Board was to direct staff to check qualifications of proposed nominations and forward names of others who may be interested.

County Attorney Wilson provided the Board legal advice regarding the clinic ordinance and the application of certificate of occupancy for the proposed methadone clinic at 722 East Pulaski Highway in Elkton. The consensus of the Board was to authorize staff to send the letter as presented.

The closed session meeting was adjourned at 10:35 a.m.

**Office of the Comptroller Administrative Officer David Wooten**

Administrative Officer Wooten advised the Board that he is the Eastern Shore representative for the Office of the Comptroller and provided the Board an overview of services provided to the public through the office.

Members of the Board provided their comments relative to initiatives and services provided through the Office of the Comptroller.

**Approval of Minutes**

On motion made by Commissioner Moore, seconded by Commissioner Dunn, the Board moved to approve the minutes for the April 17, 2012 Worksession and Closed Session meeting, as presented. Motion carried unanimously

### **Legal Opinions issued by Robert V. Jones P.A. on qualifications of local newspapers**

Treasurer Feehley advised the Board that the Attorney General's Office determined that the county needed to seek an opinion from a local attorney on this issue. He provided the Board an opinion from Robert Valliant Jones, Esquire that confirmed the qualifications of the Cecil Whig, the Guardian and the Herald as a "newspaper in general circulation" as defined in *Article I. Section 28, Annotated Code of Maryland*.

Treasurer Feehley advised the Board that his recommendation is to use the Guardian for publication of the tax sale.

Mr. Bush from the Cecil Whig, Bill DeFreitas from the Guardian, and Lisa Tome from the Herald addressed the Board.

Commissioner Broomell provided her comments in opposition to the Guardian newspaper being used for the publication of the County tax sale.

Mr. DeFreitas advised the Board that legal notices have been published in the Guardian. When the circulation of the paper was challenged in court, Judge Price ruled that the Guardian was a paper of general circulation in Cecil County.

Discussion continued regarding the requirements for a second-class mail postal permit.

The consensus of the Board was to request that all three newspapers provide a copy of their second-class postal permit to County Attorney Wilson.

Members of the Board provided their comments relative to the qualifications of the newspapers.

### **VLT Local Community Grants for 2013**

Executive Office Administrator provided the Board an overview of the revised application for the 2013 VLT Local Community Grant Program.

Ms. Rinkerman advised the Board that the Town of Port Deposit has requested an extension on the 2012 Freeman Hall grant and the recommendation from the grant committee is for approval.

The consensus of the Board was to approve the extension of the grant for Freeman Hall renovations.

Ms. Rinkerman advised the Board that the Town of Port Deposit has requested to use the remaining balance from the 2012 grant to purchase a new police car to purchase three new computers for the police department and the recommendation from the grant committee is for approval.

Members of the Board provided their comments relative to the request from the Town of Port Deposit.

The consensus of the Board was to deny this request from the Town of Port Deposit.

**Request to Fill** – Human Resources Director Nichols reviewed the requests to fill a budgeted part time Office Services Assistant position in the Public Works Department, a contract grant funded Social Worker position for

the Public School system to address child welfare issues, and a seasonal laborer position in Facilities Maintenance.

Director Flanigan provided the Board an overview of the need for the position and members of the Board provided their comments.

The consensus of the Board was to authorize the Human Resources Department to proceed with advertising and filling the positions, as presented.

### **10-year Water and Sewer Plan next steps**

Director Sennstrom provided the Board an overview of the 10-year County Water and Sewer Plan and current projects that need to be added to the Plan.

The Board concurred to authorize staff to proceed with scheduling another worksession meeting to discuss this matter further.

### **Habitat for Humanity vote on April 17, 2012 relating to transfer of a county owned lot**

County Administrator Wein advised the Board that one Commissioner was absent and the vote was two in favor and two opposed to the transfer of the lot to Habitat for Humanity.

Members of the Board provided their comments relative to the request from Habitat for Humanity and the need for a process to address this type of property transfer request.

County Administrator Wein advised the Board that the County regulation for the sale of property is to advertise the proposed sale and hold a public hearing, and this process was followed.

County Attorney Wilson advised the Board that the County may include in the advertisement for the sale of surplus property a statement indicating that the County is accepting offers for the property.

The consensus of the Board was to authorize County Administrator Wein to advertise the sale of the surplus property and post on the lot that the property is for sale.

### **Commissioner Items**

Commissioner Dunn requested information on the status of an application from the Elk Manor Farm for a bed and breakfast.

Director Sennstrom advised the Board that the Elk Manor application relative to establishing a bed and breakfast on the property was withdrawn from the Board of Appeals meeting scheduled for April 24, 2012. The property owner has submitted another application for the next Planning Commission meeting.

Vice President Broomell commented on the scheduled time for rezoning hearings.

Director Sennstrom provided comment regarding the afternoon rezoning hearings, and the consensus of the Board was to schedule future rezoning hearings in the evening.

Vice President Broomell commented on the Volunteer Fire Fighter Recruitment Night, Drug Awareness Workshop, proposed Perry Point housing project, and the Senior Services volunteer luncheon.

Commissioner Moore had no comments.

Commissioner Hodge commented on the Senior Services volunteer luncheon and a meeting with Chesapeake City officials regarding water and sewer issues.

Members of the Board provided their comments regarding the water and sewer issues.

The consensus of the Board was to request staff in the Public Works department to provide an analysis of the water and sewer issues to determine the best option to serve Bohemia Manor Middle and High School.

President Mullin commented on the Senior Services volunteer luncheon.

## **CLOSED SESSION**

### **10:40 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) (7) To consult with county attorney to obtain legal advice concerning a "letter of intent" relating to potential sale of county owned property. Motion carried unanimously.

## **ADJOURNMENT CLOSED SESSION**

### **11:27 AM**

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

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