

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2016-12
June 21, 2016

The County Council of Cecil County met in legislative session at the County Administration Building, 200 Chesapeake Blvd., Elk Room, Elkton, MD. The following members of the Council were present:

Robert Hodge, Council President
Dr. Alan McCarthy, Vice President
Joyce Bowsbey, Council Member
Dan Schneckenburger, Council Member
George Patchell, Council Member

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

CALL TO ORDER

The meeting of the County Council of Cecil County of June 21, 2016 was called to order by President Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

MOMENT OF SILENCE

Council President Hodge led the Council in a moment of silence.

APPROVAL OF AGENDA

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the legislative agenda of June 21, 2016. Motion carried unanimously.

PUBLIC HEARING

Council Manager Massey stated for the record:

Bill No. 2016-11 Amendment - Electrical Code

A Bill to amend certain provisions of the National Electric Code, as adopted pursuant to Cecil County Code, Chapter 191, Electrical Standards, Article I (General Provisions), Section 191-2 (Adoption of National Electric Code).

The Bill was introduced on May 17, 2016, advertised on June 8, 2016 and June 15, 2016, and scheduled for public hearing on June 21, 2016.

Patrick Conway, Director of Permits and Inspections, provided comments on the legislation.

There were no Council questions or comments.

Council President Hodge opened the public hearing for public comment. There were no public comments.

Council President Hodge concluded the public hearing on Bill No. 2016-11 and announced that final consideration of this Bill will be held on July 5, 2016

Council President Hodge on behalf of the County Executive introduced Amendment No. 1 to Bill No. 2016-11.

**AMENDMENT NO. 1
TO BILL NO. 2016-11**

To correctly state that the Director of Permits and Inspections and the Electrical Board will recommend changes to the National Electric Code.

On page 2, line 13, delete "Planning and Zoning" and insert "Permits and Inspections".

Council Manager Massey stated for the record:

Bill No. 2016-12 Amendment - Energy Conservation Standards

A Bill to amend Chapter 195, Energy Conservation Standards of the Cecil County Code in Sections 195-1 Adoption of Standards, and 195-4 Amendments, Additions and Deletions.

The Bill was introduced on May 17, 2016, advertised on June 8, 2016 and June 15, 2016, and scheduled for public hearing on June 21, 2016.

Patrick Conway, Director of Permits and Inspections, provided comments on the legislation.

Council questions and comments ensued.

Council President Hodge opened the public hearing for public comment. There were no public comments.

Council President Hodge concluded the public hearing on Bill No. 2016-12 and announced that final consideration of this Bill will be held on July 5, 2016

APPROVAL OF MINUTES

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the legislative session minutes of June 7, 2016 as presented. Motion was unanimously approved.

PUBLIC COMMENTS

There were no public comments.

PRESIDENT AND COUNCIL COMMENTS

Councilman Schneckenburger attended the MACo dinner with Executive Director Michael Sanderson and President John Barr. He commented on the value of exchanging information with other counties.

Vice President McCarthy, Councilwoman Bowsbey, Councilman Patchell and Council President Hodge had no comments.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 27-2016 Appointment – Electrical Inspection Agencies - Bay Area Inspection Agency and American Inspection Agency

A Resolution to confirm the re-appointment by the County Executive of Bay Area Inspection Agency and American Inspection Agency, Inc. to be the electrical inspection agencies in Cecil County, term to expire on July 31, 2017.

Al Wein, Director of Administration, provided introductory remarks.

Council comments and questions ensued.

Introduced, read first time, order posted on June 21, 2016 and tentatively scheduled for consideration at the Council legislative session of July 5, 2016.

Council Manager Massey stated for the record:

Resolution No. 28-2016 Appointment - Historic District Commission - Michael Dawson

A Resolution to confirm the re-appointment of Michael Dawson made by the County Executive to the Historic District Commission, term to expire on March 1, 2019.

There were no Council comments or questions.

Introduced, read first time, order posted on June 21, 2016 and tentatively scheduled for consideration at the Council legislative session of July 5, 2016.

Council Manager Massey stated for the record:

Resolution No. 29-2016 Appointment—Department of Social Services Board - Dianne Fox and Judith Cox

A Resolution to confirm the re-appointment of Dianne Fox and Judith Cox to the Department of Social Services Board for three (3) year terms to expire June 30, 2019.

There were no Council comments or questions.

Introduced, read first time, order posted on June 21, 2016 and tentatively scheduled for consideration at the Council legislative session of July 5, 2016.

Council Manager Massey stated for the record:

Resolution No. 30-2016 Appointment—Planning Commission - Bill Miners and Wyatt Wallace

A Resolution to confirm the reappointment by the County Executive of Bill Miners and Wyatt Wallace to the Planning Commission; terms to expire on August 5, 2019.

There were no Council comments or questions.

Introduced, read first time, order posted on June 21, 2016 and tentatively scheduled for consideration at the Council legislative session of July 5, 2016.

Council Manager Massey stated for the record:

Resolution No. 31-2016 Appointment—Board of Appeals - Willard Whiteman

A Resolution to confirm the appointment by the County Executive of Willard Whiteman to the Cecil County Board of Appeals for a three year term to expire on August 15, 2019.

Al Wein, Director of Administration, provided introductory remarks on this Resolution.

There were no Council comments or questions.

Introduced, read first time, order posted on June 21, 2016 and tentatively scheduled for consideration at the Council legislative session of July 5, 2016.

Council Manager Massey stated for the record:

Resolution No. 32-2016 Appointment—Susquehanna Workforce Network Board

A Resolution to confirm the reappointment by the County Executive of Dr. D'Ette Devine, Terrance Lovell and Dan Schneckenburger to the Susquehanna Workforce Network Board, to a three year term to expire on June 30, 2019.

Al Wein, Director of Administration, provided introductory remarks on this Resolution.

Council comments and questions ensued.

Introduced, read first time, order posted on June 21, 2016 and tentatively scheduled for consideration at the Council legislative session of July 5, 2016.

Council Manager Massey stated for the record:

Resolution No. 33-2016 Supplemental Appropriation - Animal Shelter Sales - FY 2017

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2017 in order to establish an Animal Shelter Sales division with estimated fee revenue and equal expenditure of \$10,000 within the Animal Control Department of the General Fund.

Al Wein, Director of Administration, and Winston Robinson, Director of Finance, provided introductory remarks on this Resolution.

Council comments and questions ensued.

Introduced, read first time, order posted on June 21, 2016 and tentatively scheduled for consideration at the Council legislative session of July 5, 2016.

Council Manager Massey stated for the record:

Resolution No. 34-2016 Transfer of Appropriations - Orphan's Court and Library BTOP - FY 2017

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2017 in order to provide additional expenditure appropriation of \$3,000 for the Orphan's Court, \$49,928 for the Library's BTOP maintenance cost; and to reduce the expenditure appropriation within the Emergency Medical Services by \$52,928 within the General Fund.

Al Wein, Director of Administration, provided introductory remarks on this Resolution.

There were no Council comments or questions.

Introduced, read first time, order posted on June 21, 2016 and tentatively scheduled for consideration at the Council legislative session of July 5, 2016.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 18-2016 Approval - Critical Area Growth Allocation - Town of Chesapeake City

A Resolution to approve the Growth Allocation request of the Town of Chesapeake City by re-designating three (3) acres of land, located off Boatyard Road in Chesapeake City, from Resource Conservation Area (RCA) to Intensely Developed Area (IDA) in order to allow the development of a new wastewater treatment facility.

The Resolution was introduced and posted on May 3, 2016, and advertised for public hearing on May 25, 2016 and June 1, 2016. The public hearing was held and concluded on June 7, 2016.

There were Council comments and questions.

On motion made by Vice President McCarthy, seconded by Councilman Schneckeburger, the Council moved to approve Resolution No. 18-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckeburger - Y, Patchell - Y, Hodge - Y. The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 25-2016 Appointment—Board of License Commissioners - Timothy Snelling

A Resolution to confirm the reappointment by the County Executive of Timothy Snelling to the Cecil County Board of License Commissioners, term to expire on June 21, 2019.

The Resolution was introduced and posted on June 7, 2016 and tentatively scheduled for consideration on June 21, 2016.

There were no Council comments or questions.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 25-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 26-2016 Garrett Island - Letter of Support

A Resolution to support the transfer of Garrett Island from the U.S. Fish and Wildlife Service to the National Parks Service as a component of the Captain John Smith Chesapeake National Historic Trail for the purpose of ensuring public access to this island and advancing regional economic development through partnership and heritage tourism.

Councilman Patchell, Resolution sponsor, provided a summary on this Resolution.

The Resolution was introduced and posted on June 7, 2016 and tentatively scheduled for consideration on June 21, 2016.

There were no Council comments or questions.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 26-2016.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was unanimously approved.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2016-10 Supplemental Appropriation - Board of Education Capital Budget - BTOP and E-Rate

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016, to amend and increase the revenue and expenditure authority within the Board of Education Capital Projects fund by \$13,752 to record the total cost for the FY2016 phase of the Broadband Technology Opportunities Program (BTOP) project, and to recognize the Federal Communications Commissions' E-Rate program that will provide \$398,433 towards (BTOP) project costs. The savings gained by federal reimbursement of County bonds funds will allow the transfer of bonds funds from the BTOP project to complete the Perryville High School Cooling Tower (\$150,000), install a new water line at Cecil Manor Elementary (\$175,000) and start work on replacing an interior water line at Bohemia Manor High School (\$59,681).

Al Wein, Director of Administration, provided a summary of the Bill.

The Bill was introduced on May 3, 2016 and public hearing held on June 7, 2016.

There were no Council questions or comments.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2016-10.

Roll Call Vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, and Hodge - Y. The motion was carried unanimously.

OLD BUSINESS

Rezoning Case

File 2016-04 Applicant: TES Red Toad Solar, LLC. Request: To rezone 7.47 acres from Rural Residential, (RR) to Northern Agricultural Residential, (NAR). Property Location: Theodore Road, Port Deposit, MD 21904, Election District: 5, Tax Map: 24, Parcel: 266. Property Owner: Katherine A. Breslin. Presently Zoned: Rural Residential, (RR).

Councilman Schneckenburger made a motion to approve the application of TES Red Toad Solar, LLC, to rezone 7.45 acres located at Theodore Road, Port Deposit, Maryland, from Rural Residential (RR) to Northern Agricultural Residential (NAR), based upon a mistake in the zoning classification of the property during the last comprehensive rezoning. Councilwoman Bowsbey seconded the motion.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was unanimously approved.

NEW BUSINESS

Cecil County Public Schools - Budget Amendment #30

Vice President McCarthy made a motion, seconded by Councilwoman Bowsbey, to approve Budget Amendment #30.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was carried unanimously.

ADJOURNMENT

President Hodge adjourned the meeting at 7:42 p.m.

The next Council Legislative Session is scheduled for Tuesday, July 5, 2016 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:

James Massey
James Massey
Council Manager

Approved:

Robert Hodge
Robert Hodge
President