

**COUNTY COUNCIL OF CECIL COUNTY**  
**WORK SESSION MINUTES**  
**November 3, 2015**

**PRESENT:** Council Members: President Hodge, Vice President McCarthy, Joyce Bowsbey, Dan Schneckenburger and George Patchell; Al Wein, Director of Administration; Jason Allison, County Attorney; Winston Robinson, Finance Director; Eric Sennstrom, Director of Planning and Zoning; Scott Flanigan, Director of Public Works; Jeff Coale, Waste Water Division Chief; Phillip Muzik, Engineering and Construction Services Division Chief; Steve O'Connor, MALPF Administrator; Craig Whiteford, Budget Manager; James Massey, Council Manager; Terry Hale, Council Assistant; members of the press; and members of the public.

**OPEN SESSION – Elk Room**

**9:00 a.m.** – President Hodge called the meeting to order at 9:00 a.m. and determined a quorum.

**NOTE:** Audio recording of this meeting is available on the County website [www.ccgov.org](http://www.ccgov.org).

**CLOSED SESSION**

**October 20, 2015**

**9:36 a.m.**

On motion by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to convene in closed session, pursuant to the Annotated Code of Maryland, State Government 10-508(a) (4) to consider a matter that concerns a proposal of a business or organization to locate, expand or remain in the State.

Roll Call Vote: McCarthy - Y, Bowsbey-Y, Schneckenburger - Y, Patchell - Y and Hodge - absent.

The motion was approved by a vote of 4 to 0, Council President Hodge was absent. He had recused himself because of a possible conflict of interest and asked Vice President McCarthy to preside.

Council President Hodge left the chamber at 9:36 a.m.

Present: Council Members: Vice President McCarthy, Councilwoman Bowsbey, Councilman Schneckenburger, and Councilman Patchell; James Massey, Council Manager; Terry Hale, Council Assistant, business representatives Kevin Fisher, Greg Goldston, Aaron Greenfield, Norton Arbelaez, John Kocer and Bill Kress.

Mr. Fisher and his associates discussed his proposed business to be located in Cecil County. No action was taken.

On motion made by Councilwoman Bowsbey, seconded by Councilman Schneckeburger, the Council moved to conclude the closed session at 10:11 a.m. The motion was carried by a vote of 4 to 0. Council President Hodge was absent.

Roll Call Vote: McCarthy - Y, Bowsbey-Y, Schneckeburger - Y, Patchell - Y and Hodge - absent.

#### **Approval of Minutes**

On a motion made by Vice President McCarthy, seconded by Councilman Schneckeburger, the Council moved to approve the minutes of the Council work session of October 20, 2015. Motion was carried unanimously.

On a motion made by Vice President McCarthy, seconded by Councilman Schneckeburger, the Council moved to approve the minutes of the Council closed session of October 20, 2015. Motion was carried unanimously.

#### **North East River Waste Water Treatment Facility at Seneca Point**

Scott Flanigan, Director of Public Works, introduced Phillip Muzik, Chief of Engineering and Construction Division, who provided an update on the North East River Waste Water Treatment Facility project. Mr. Muzik provided a history of the existing treatment plant, revised the list of contractors and construction managers and gave a timeline of the project. Mr. Muzik stated that the project is 80% complete. The plant will be renovated and expanded to Enhanced Nutrient Removal (ENR) level of water treatment, utilizing Membrane Bio-Reactor (MBR) technology. Completion of the project is scheduled for the summer of 2016, but there will be six months of start up and conversion process. Questions and comments ensued.

#### **Port Deposit Waste Water Treatment Plant**

Scott Flanigan, Director of Public Works, stated that his request for an additional \$1.2M to purchase a mobile package waste water treatment plant was not necessary. His staff investigated the current package plant and revised their proposal. They are proposing to change the scope of the project in order to repair or replacement of the steel tank. Since the system will be offline for several months, funds will also be used to lease a packages waste water plant. The name of the project will be "Repair/Replace existing Port Deposit Waste Water Treatment Plant".

At the same time, Mr. Flanigan stated that his department is requesting an additional \$200,000 for the Washington Street pumping station upgrade. Bids had come in higher than the estimate.

Mr. Flanigan stated that the Port Deposit project would reduce the amount of the bond by \$1.2M while the Washington Street pumping station would increase the amount by \$200,000. These changes are reflected in Amendment No. 1 to Bill No. 2015-22. Questions and comments ensued.

### **Annexation by Municipalities**

Council President Hodge explained the current process when a municipality proposes to annex land into the town and that the Council is only involved when the current County zoning code is substantially different from the Town's zoning code. President Hodge proposed a change in the process so that all municipal annexations would be approved by Council resolution in order to maintain a paper trail and for transparency. County Attorney Allison stated that the Council did not have authority to disapprove an annexation and this procedure should not be changed.

Council President Hodge suggested that the Department of Planning and Zoning should bring requests for annexation to the Council for discussion when the zoning is substantially the same.

### **Approval - Letter of Support -Medical Cannabis**

Council President Hodge asked Council Members to review the revised letter of support that is proposed to be sent to the Maryland Medical Cannabis Commission. This letter states that the County Government approves of growing and processing medical cannabis without mentioning any specific business.

After discussion, Councilwoman Bowsbey made a motion, seconded by Councilman Schneckenburger, to approve the letter of support. The motion was passed by a vote of 4 to 0. Council President Hodge recused himself from voting because of a possible conflict of interest.

### **Review of Legislative Agenda**

Mr. Sennstrom provided comments on the rezoning case 2015-06, 213 Farms LLC. This applicant was recommended for approval by staff but recommended for disapproval by the Planning Commission.

Steve O'Connor, MALPF Administrator, provided comments on Bill No. 2015-20 Approval - Agricultural Preservation District - Quiet Acres Farm, which is scheduled for public hearing at tonight's session.

Winston Robinson, Finance Director, answered questions regarding Bill No. 2015-21 Budget Amendment - Capital Budget - 107 Chesapeake Blvd., which is scheduled for public hearing tonight.

Mr. Robinson also provided comments on Bill No. 2015-22 Budget Amendment - Wastewater Capital Budget - Principio Sanitary Sewer-North and Mobile Package Waste Water Treatment Plant Project and Amendment No. 1 to Bill No. 2015-22, which is scheduled for public hearing tonight.

The synopsis of Amendment No. 1 to Bill No. 2015-22 will be revised to reflect that the reduction in the request for bonding authority will be reduced from \$1.4M to \$400,000.

The Council asked Mr. Flanigan if his staff have looked at cost cutting measures for the Washington Street pumping station upgrade to reduce the additional request.

Also, for public hearing at tonight's legislative session are the following: Bill No. 2015-23 Budget Amendment - Road and Bridge Capital Improvement Program - Red Toad Road/Route 40 and Reservoir Road Culverts; Bill No. 2015-24 Transfer of Interest in Land - First Time Home Buyers; and Bill No. 2015-25 with Amendment No. 1 Bond Authorization - General Obligation Bonds - Public Facilities. There were no comments or questions.

Resolution No. 54-2015 Approval - Critical Growth Allocation - Recovery Centers of America will be subject for public hearing. Questions and comments ensued.

Resolution No. 60-2015 Appointment - Bainbridge Development Corporation will be introduced at tonight's session. Councilman Schneckenburger requested that this Resolution be considered as expedited legislation because of a lack of current board members.

After discussion, Council President Hodge suggested that the Council could move to suspend the rules and approve of the Resolution at tonight's session.

In addition, Jason Allison, County Attorney, was asked to clarify whether board members serve until they are replaced or reappointed. Mr. Allison confirmed that the board members continue to serve after their term has ended until they are replaced or reappointed.

#### **Council Manager Report**

Mr. Massey reminded the Council of the Chesapeake Bay String of Pearls event and Maryland Rural Counties Summit. Councilwoman Bowsbey indicated that the Art Council reception is being held on November 13.

#### **Council Member Items**

Vice President McCarthy attended the Healthy Waters workshop in Easton to discuss how counties can reduce their Total Maximum Daily Load (TMDL) and implement Best Available Technologies (BAT). He commented on the great attendance at the ribbon cutting for Calvert Regional Park.

Councilwoman Bowsbey also attended Calvert Park opening and the Pregnancy Center Annual Luncheon. She commented on the Al Moolenscot memorial sculpture that is to be placed in front of the Courthouse.

Council President Hodge commented that the Maryland Department of Transportation will host a public information meeting about the Susquehanna River Rail Bridge on November 10 between 5 p.m. and 8 p.m. at Perryville High School.

Councilman Schneckenburger and Councilman Patchell had no comments.

#### **Adjournment**

President Hodge adjourned the meeting at 11:34 a.m.

Attest:

James Massey  
James Massey  
Council Manager

Approved:

Robert J. Hodge  
Robert J. Hodge, President  
County Council of Cecil County

