

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2015-11
June 2, 2015

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 2, 2015 was called to order by President Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

OPENING PRAYER

Councilman Schneckenburger introduced Michael Dawson, Register of Wills, who lead the opening prayer.

APPROVAL OF AGENDA

Councilman Schneckenburger made a motion to revise the agenda so that "Council President and Council Comments" could be delayed until after "New Business". The motion was seconded by Councilwoman Bowsbey and approved unanimously.

Council President Hodge made a motion to revise the agenda so that consideration of Bill No. 2015-10 Annual Budget and Appropriation Ordinance and Bill No. 2015-09 Capital Improvement Program could be considered by the Council following "Introduction of Resolutions". The motion was seconded by Councilman Schneckenburger and approved unanimously.

PRESENTATION OF CERTIFICATES

The Council presented a proclamation in honor of the Cecil County Public Library as the 2015 National Medal from the Institute of Museums and Library Services.

APPROVAL OF MINUTES

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the legislative session minutes of May 19, 2015. Motion carried unanimously.

PUBLIC COMMENTS

Joe Carabetta, Perryville, commented on the proposed budget and spending.

Amber Shiver, North East, spoke in support of the school budget.

Lori Hrinko, Elkton, spoke in support of the school budget.

Harold McCanick, McKinneytown, commented on the Memorial Day Service and the budget referendum in Newark, Delaware.

Diane Carabetta, Perryville, commented on the budget and donating to the school system through the tax returns.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2015-11 Approval - Agricultural Preservation District -Flying Plow Farm

A Bill to approve the petition of Sarah Rider and Tom Paduano for property located at 96 Charles Johnson Farm Lane, Rising Sun, MD 21911, also known as Flying Plow Farm (Tax Map 10, Grid 14, Parcel 256) requesting the establishment of an agricultural preservation district.

Stephen O'Connor, Land Preservation Administrator, provided information about this legislation. Question and comments ensued.

The public hearing for Bill No. 2015-11 will be advertised and scheduled on the Council legislative session of July 7, 2015.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 31-2015 Appointment - Board of License Commissioners - Reid Cameron

A Resolution to confirm the appointment by the County Executive of Reid Cameron to the Board of License Commissioners, term to expire in June 2018.

Mr. Wein provided comments on this Resolution.

Introduced, read first time and order posted on June 2, 2015 and scheduled for consideration on June 16, 2015.

The Council then moved to consider action on Bill No. 2015-10 and Bill No. 2015-09.

Council Manager Massey stated for the record:

Bill No. 2015-10 Annual Budget and Appropriation Ordinance - FY 2016

A Bill to adopt the County Budget including the Current Expense Budget, Capital Budget, Special Purpose Budgets and Grants Budget for the fiscal year ending June 30, 2016, and to appropriate funds for all expenditures for the fiscal year beginning July 1, 2015.

The Bill was introduced on April 7, 2015 and public hearing held on May 12, 2015.

The Council President on behalf of the Council introduced Amendments 1 to 28 Bill No. 2015-10.

AMENDMENT NO. 1

Synopsis: To reduce funding for the county's contribution to Health Insurance by \$400,000.

AMENDMENT NO. 2

Synopsis: To eliminate funding for the Sick Leave Buy Back program for county employees for FY 2016, a reduction of \$357,426.

AMENDMENT NO. 3

Legal Services

Synopsis: To reduce funding for contractual attorneys in Legal Services account from \$77,000 to \$50,000, a reduction of \$27,000.

AMENDMENT NO. 4 as revised

Human Resources

Synopsis: To eliminate funding for the Efficiency and Compensatory Study in the Professional Services account, a reduction of ~~\$30,000~~ \$60,000.

AMENDMENT NO. 5

Economic Development

Synopsis: To eliminate funding for the Sister City program in the Special Projects account , a reduction of \$1,000.

AMENDMENT NO. 6

Permits and Inspections

Synopsis: To reduce funding for contractual attorney in Legal services account from \$35,000 to \$15,000, a reduction of \$20,000.

AMENDMENT NO. 7

Permits and Inspections

Synopsis: To reduce funding for Hansen permit software in the Professional Services account from \$91,400 to \$61,400, a reduction of \$30,000.

AMENDMENT NO. 8

Information Technology

Synopsis: To reduce funding for design and setup of website in the professional services account from \$60,000 to \$40,000, a reduction of \$20,000.

AMENDMENT NO. 9

Title: Building Maintenance - Courthouse

Synopsis: To reduce funding for the sealcoat parking lot in the Facilities Maintenance account at the Courthouse from \$50,000 to \$35,000, a reduction of \$15,000.

AMENDMENT NO. 10

Building Maintenance - Detention Center

Synopsis: To eliminate funding for the floor and wall finish renovations work at the Detention Center in the Buildings and Improvement account by \$35,000.

AMENDMENT NO. 11

Title: Building Maintenance - EM Services

Synopsis: To reduce funding for the ductwork cleaning in the Facilities Maintenance account from \$13,000 to \$8,000, a reduction of \$5,000.

AMENDMENT NO. 12

Title: Building Maintenance - Administration - 200 Chesapeake Blvd

Synopsis: To reduce funding for various projects in the Facilities Maintenance account at the Administration Building from \$35,000 to \$15,000, a reduction of \$20,000.

AMENDMENT NO. 13

Title: Department of Public Works-Development Services

Synopsis: To reduce funding for various contractual services in the Professional Services account from \$314,000 to \$251,200, a reduction of \$62,800.

AMENDMENT NO. 14

Title: Department of Public Works-Engineering and Construction

Synopsis: To reduce funding for the Equipment repair/maintenance account in DPW Engineering and Construction Division from \$50,000 to \$30,000, a reduction of \$20,000.

AMENDMENT NO. 15

Title: Department of Public Works-Roads-Administration

Synopsis: To reduce funding for disposal of waste at central landfill in Trash Removal/Recycling account from \$275,000 to \$250,000, a reduction of \$25,000.

AMENDMENT NO. 16

Title: Department of Public Works-Roads-Signs

Synopsis: To reduce funding for signs in supply account from \$88,000 to \$78,000, a reduction of \$10,000.

AMENDMENT NO. 17

Title: Department of Emergency Services

Synopsis: To reduce funding for radio and replacement parts in the Communications account from \$125,000 to \$110,000, a reduction of \$15,000.

AMENDMENT NO. 18

Title: Emergency Medical Services

Synopsis: To reduce funding for Overtime in Salaries-Overtime account from \$466,000 to \$400,000, a reduction of \$66,000.

AMENDMENT NO. 19

Title: Law Enforcement

Synopsis: To reduce funding for riot gear in Uniforms account from \$89,000 to \$54,000, a reduction of \$35,000; and to reduce the overall budget by \$150,000; a total reduction of \$185,000.

AMENDMENT NO. 20

Title: Motor Vehicles

Synopsis: To reduce funding for Vehicles in the Motor Vehicles account in order to delete two dump trucks with plow and spreader, purchase price of \$212,670, amortized for 10 years with depreciation, at \$10,634 each, a reduction of \$21,268

AMENDMENT NO. 21

Title: Animal Control

Synopsis: To reduce funding for the allocation to Animal Control from \$720,000 to \$660,000, a reduction of \$60,000.

AMENDMENT NO. 22

Title: Ethics Commission

Synopsis: To reduce funding for Legal Services of Ethics Commission from \$2,000 to \$1,000, a reduction of \$1,000.

AMENDMENT NO. 23

Title: Cecil College

Synopsis: To reduce funding for the Allocation-Capital to delete a work truck with plow and spreader at \$41,089, and to delete replacement of ceiling in Administrative Services at \$20,000, a reduction of \$61,089

AMENDMENT NO. 24

Title: Board of Elections

Synopsis: To reduce funding for Election Judges account from \$106,700 to \$96,700, a reduction of \$10,000.

AMENDMENT NO. 25

Title: County Council

Synopsis: To reduce funding for Legal Services from \$56,000 to \$30,000, a reduction of \$26,000; and to reduce funding for Professional Services from \$60,000 to \$10,000, a reduction of \$50,000; or a total reduction of \$76,000.

AMENDMENT NO. 26 as revised

Title: Board of Education

Synopsis: To reduce funding of the proposed Allocation-capital account by \$1,068,641, which includes the Rising Sun High School tennis and basketball courts at \$170,000, the North East High School tennis court at \$85,000, the Energy Performance Contract at ~~\$836,576~~ \$233,641, and the BTOP contribution of \$580,000.

AMENDMENT NO. 27

Title: Solid Waste Enterprise Fund - Central Landfill - Professional Services

Synopsis: To reduce funding for Professional Services from \$420,000 to \$400,000, a reduction of \$20,000.

AMENDMENT NO. 28 as revised

Title: Solid Waste Enterprise Fund - Motor Vehicle - Screening Bucket

Synopsis: To reduce funding for Vehicles in the Motor Vehicles account in order to delete a Screening Bucket as requested by DPW/Solid Waste, purchase price \$110,000, amortized for 10 years, at \$5,500; and reduce funding for depreciation of \$3,000; or a total of \$8,500; to reduce funding for elevated

stacker for green waste area from \$64,000 to \$32,000, amortized for 10 years, at \$1,600; or a total reduction of \$6,900.

On motion made by County President Hodge, seconded by Councilwoman Bowsbey, the Council moved to revise Amendment No. 28 to include reduction from \$64,000 to \$32,000 for the elevated stacker. The motion was approved unanimously.

On motion by Councilman Patchell, seconded by Councilman Schneckenburger, the Council moved to revise Amendment No. 4 to correct the amount from \$30,000 to \$60,000. The motion was carried unanimously.

Mr. Robinson asked that Amendment No. 26 to be revised to indicate that the cost of the Energy Performance Contract was reduced from \$836,576 to \$233,41. The Council approved this change by consensus.

On motion by Vice President McCarthy, seconded by Councilman Patchell, the Council moved to revise Amendment No. 19 to eliminate the reduction of \$150,000. The motion failed by a vote of 2 to 3. Vice President McCarthy and Councilman Patchell were opposed.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Amendments Nos. 1 to 28 to Bill No. 2015-10.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - N, Hodge - Y. The motion was carried by a vote of 4 to 1. Councilman Patchell was opposed.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2015-10 As Amended.

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

Council Manager Massey stated for the record:

Bill No. 2015-09 Capital Improvement Program FY 2016-2020

A Bill to approve the Capital Improvement Program for Cecil County for Fiscal Years 2016 through 2020.

The Bill was introduced on April 7, 2015 and public hearing held on May 12, 2015.

Council Members commented on their support and opposition to individual capital projects.

The Council President on behalf of the Council introduced Amendments 1 to 2 Bill No. 2015-09.

AMENDMENT NO. 1

Facilities Management - Detention Center and Work Release Area Renovation

Synopsis: To eliminate funding in the capital budget of the project to remove existing wall and floor finishes and install new finishes, a reduction of 140,000.

AMENDMENT NO. 2

Roads and Bridges - Bohemia Church Road culverts

Synopsis: To defer the capital project to replace Bohemia Church Road culverts to a later fiscal year, a reduction of \$255,000.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Amendment Nos. 1 and 2 to Bill No. 2015-09.

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

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2015-09 As Amended.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - N. The motion was carried by a vote of 4 to 1. Council President Hodge was opposed.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 21-2015 Fees - Inmate Weekend Housing - Work Release - Detention Center

A Resolution to increase the inmate weekend housing fee in the work release program at the Cecil County Detention Center from \$10 to \$20 per inmate per day.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 21-2015.

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

Council Manager Massey stated for the record:

Resolution No. 22-2015 Fees - Community Service - Detention Center

A Resolution to increase the community service fee from \$20 to \$75 per community service inmate at the Cecil County Detention Center.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 22-2015.

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

Council Manager Massey stated for the record:

Resolution No. 23-2015 Fees - Inmate Housing - Gainfully Employed - Detention Center

A Resolution to increase the housing fee for regular, gainfully employed inmates at the Cecil County Detention Center by 5% or 25% of the inmates gross hourly wage, whichever is greater.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 23-2015.

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

Council Manager Massey stated for the record:

Resolution No. 24-2015 License Fees - Amusement Machines, Jukeboxes, and mechanical devices

A resolution to increase the annual license fee for amusement machines, jukeboxes, or mechanical devices from \$75 to \$100 per device.

On motion made by Vice President McCarthy, seconded by President Hodge, the Council moved to approve Resolution No. 24-2015.

Roll Call Vote: McCarthy-Y, Bowsbey-Y, Schneckenburger-N, Patchell-Y, Hodge-Y. The motion was carried by a vote of 4 to 1. Councilman Schneckenburger was opposed.

Council Manager Massey stated for the record:

Resolution No. 25-2015 Fees - Mosquito Control

A Resolution to increase the fee for mosquito control spraying from \$100 to \$120 per treatment.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 25-2015.

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

Council Manager Massey stated for the record:

Resolution No. 26-2015 Permit Fee - Road Utility Permit

A resolution to increase the fee for road utility permits from \$50 to \$100.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 26-2015.

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

Council Manager Massey stated for the record:

Resolution No. 29-2015 Budget Amendment - Grant Budget - Sheriff's Office

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2015 in order to provide a total of \$9,936 in additions to the General Fund Grants Budget awarded to the Sheriff's Office from the US Department of Justice Organized Crime Drug Enforcement Task Force.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 29-2015.

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

Council Manager Massey stated for the record:

Resolution No. 30-2015 Budget Amendment - Administration Department - Volunteer Recognition Event

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2015 in order to provide the General Fund with additional expenditure appropriation authority increasing the amount to be expended for the 2015 Volunteer Recognition Event.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 30-2015.

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

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2015-05 Discount - Property Tax Payment - July

A Bill amending Section 45-1 of the County Code to eliminate the 2% discount for payment of property taxes in July; and to provide authority for the County Council to establish an annual discount for payment of property tax by resolution.

The Bill was introduced on April 7, 2015 and public hearing held on May 12, 2015.
Council Members made comments on this Bill.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2015-05.

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

Council Manager Massey stated for the record:

Bill No. 2015-06 Fees - Transfer of Interest in Land

A Bill to change the fee for the transfer of an interest in land from \$10 to 0.5% of the consideration identified in the deed or other instrument recorded with the Clerk of Court for Cecil County; and providing certain exemptions from the transfer fee.

The Bill was introduced on April 7, 2015 and public hearing held on May 12, 2015. Council Members made comments on this Bill.

Councilwoman Bowsbey introduced Amendment 1 to Bill No. 2015-06.

AMENDMENT NO. 1

Synopsis: To extend old rate of \$10 for properties that are under contract by June 1, 2015, complete settlement by August 31, 2015; and record transfer at Cecil County Finance Department by September 15, 2015.

On Page 2, line 18, insert the following: Properties under contract as of June 1, 2015, shall be subject to the existing transfer fee of ten dollars (\$10.00), provided that settlement on the transfer of land occurs on or before August 31, 2015; eligible properties that fail to record the transfer on or before September 15, 2015, at the Cecil County Department of Finance shall be assessed the new 0.5% transfer fee.

On motion made by Councilwoman Bowsbey, seconded by Councilman Schneckenburger, the Council moved to approve Amendment No. 1 to Bill No. 2015-05.

Roll Call Vote: McCarthy-N, Bowsbey-Y, Schneckenburger-Y, Patchell-N, Hodge-Y. The motion was carried by a vote of 3 to 2. Vice President McCarthy and Councilman Patchell were opposed.

On motion made by Councilwoman Bowsbey, seconded by Councilman Schneckenburger, the Council moved to approve Bill No. 2015-05 As Amended.

Roll Call Vote: McCarthy-N, Bowsbey-Y, Schneckenburger-Y, Patchell-N, Hodge-Y. The motion was carried by a vote of 3 to 2. Vice President McCarthy and Councilman Patchell were opposed.

Council Manager Massey stated for the record:
Bill No. 2015-07 Disposal Fees - Central Landfill
A Bill to establish fees and rates for the Central Landfill

The Bill was introduced on April 7, 2015 and public hearing held on May 12, 2015. Council Members made comments on this Bill.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2015-07.

Roll Call Vote: McCarthy-Y, Bowsbey-Y, Schneckenburger-Y, Patchell-N, Hodge-N. The motion was carried by a vote of 3 to 2. Councilman Patchell and President Hodge were opposed.

Council Manager Massey stated for the record:

Bill No. 2015-08 Rental Tax - Manufactured Home Parks

A Bill to increase the monthly rental tax on mobile homes in manufactured home parks from \$20 to \$22; providing an exemption for certain qualified mobile home owners; and to provide for the County Council to establish the monthly rental tax by resolution on an annual basis.

The Bill was introduced on April 7, 2015 and public hearing held on May 12, 2015.
Council Members made comments on this Bill.

The Council took no action on this Bill. The Bill is void if not acted on within 65 days of introduction or on June 11, 2015.

ADOPTION OF TAX RATE

Council Manager Massey stated for the record:

Resolution No. 27-2015 Adoption of Tax Rate

A Resolution to increase the property tax from .9907 to 1.0132 for the fiscal year beginning July 1, 2015 and ending June 30, 2016; and setting the tax rate for personal property and special tax district.

The Resolution was introduced on April 7, 2015 and public hearing held on May 12, 2015.

The Council President on behalf of the Council introduced Amendment 1 to Resolution No. 27-2015.

AMENDMENT NO. 1

Synopsis: To eliminate property tax increase and approve the current tax rate for FY 2016.

On page 1, in the synopsis, delete the following: "to increase the property tax rate from .9907 to .0132" and insert "to approve the property tax rate of .9907"

On page 2, line 13-14, delete "One and one Hundred Thirty Two Thousandths Cents (\$1.0132)" and insert "Ninety-nine and Seven Hundredths Cents (\$.9907)."

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Amendment No. 1 to Resolution No. 27-2015.

Roll Call Vote: McCarthy-Y, Bowsbey-Y, Schneckenburger-Y, Patchell-Y, Hodge-Y. The motion was approved by a unanimous vote.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 27-2015 As Amended.

Roll Call Vote: McCarthy-Y, Bowsbey-Y, Schneckenburger-Y, Patchell-Y, Hodge-Y. The motion was approved by a unanimous vote.

NEW BUSINESS

Cecil County Public Schools - Budget Amendment #19

On motion made by Councilwoman Bowsbey, seconded by Councilman Schneckenburger, the Council moved to approve budget amendment #19.

Roll Call Vote: McCarthy - Y, Bowsbey – Y, Schneckenburger - Y, Patchell – Y, Hodge - Y. Motion carried unanimously.

PRESIDENT AND COUNCIL COMMENTS

Councilman Schneckenburger thanked all those who testified, sent email or called to express their opinions on the budget. He also thanked the administration, Council staff and Council Members for their hard work. He stated his opposition to increase taxes this year.

Councilwoman Bowsbey commented on the Council's role of scrutinizing the budget line by line and being able to work well together. She stated that this was not a perfect budget but the best for the county's available resources. She thanked the public for their interest and participation.

Councilman Patchell thanked Council Members for their work on the budget and expressed his appreciation that Council Members could have differences of opinions but still worked together well. He stated that he was pleased that there will be no tax increase in this year's budget.

Vice President McCarthy stated that the budget deliberation was sometimes tedious and stressful but he was satisfied that the county's needs will be met. He also recognized Scott Flanigan for his oversight of the Solid Waste programs and improvements made with the county's waste water program.

Council President Hodge thanked the administration and Finance Department for their assistance and input on the budget. He also thanked the public for their participation and interest in the budget.

ADJOURNMENT

President Hodge adjourned the meeting at 9:16 p.m. by general consensus.

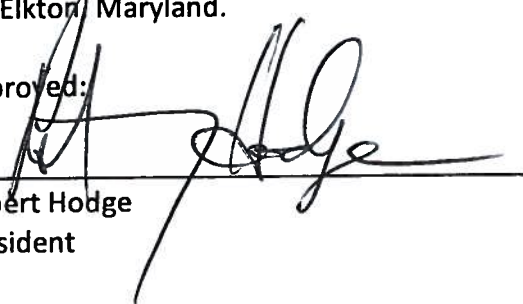
The next Council Legislative Session is scheduled for Tuesday, June 16, 2015 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton Maryland.

Attest:



James Massey
Council Manager

Approved:



Robert Hodge
President