

**COUNTY COUNCIL OF CECIL COUNTY**  
**LEGISLATIVE MEETING MINUTES**  
**LSD 13-13**  
**July 2, 2013**

County Council of Cecil County met in legislative session at the County Administration Building, 200 Chesapeake Blvd., Suite 1009, Elkton, MD. The following members of the Council were present:

Dr. Alan McCarthy, Vice President  
Joyce Bowsbey, Council Member  
Michael Dunn, Council Member  
Diana Broomell, Council Member  
Robert J. Hodge, President

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

**CALL TO ORDER**

The meeting of the County Council of Cecil County for July 2, 2013 was called to order by President Robert Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

**PRESENTATIONS OF PROCLAMATIONS/CERTIFICATES**

**Proclamation – Cecil County Chamber of Commerce 25<sup>th</sup> Anniversary** - Council members and County Executive Moore presented Chamber of Commerce President and CEO, Bonnie Grady, and Chair of the Board of Directors, Jeanne Parry, a Proclamation celebrating the 25<sup>th</sup> Anniversary of the Cecil County Chamber of Commerce.

**PUBLIC HEARINGS**

Council Manager Massey stated for the record:

**Bill No. 2013-05 – Zoning Ordinance – Brownfield Development District** – An act to amend the Cecil County Zoning Ordinance, Article II, Part I, Section 12- Definitions; Brownfield Redevelopment District (BR); Article III, Part VIII, Section 42.2.e – Brownfield Redevelopment District (BR); and Article XI, Part VI, Section 247. Bill No. 2013-05 was introduced at the June 4, 2013 Council Legislative meeting and will be scheduled for consideration at the July 16, 2013 Council Legislative meeting.

Planning and Zoning Director, Eric Sennstrom presented a brief overview of the proposed legislation to create a Brownfield Development District overlay zone. The Planning Commission reviewed this legislation at their May meeting and has recommended approval of Bill No. 2013-05 for the Brownfield Development District.

Members of the Council provided their comments regarding the proposed legislation.

**PUBLIC COMMENT** - President Hodge opened the floor to public comment. There were no comments in support or opposition from the public on Bill 2013-05.

Council Manager Massey stated for the record:

**Bill No. 2013-06 – Amendment – Flag and Seal Ordinance – Official County Seal.** An act to amend the Public Laws of Cecil County, Chapter 105, by restoring to the county the official seal in use following the establishment of Cecil County on June 6, 1674. Bill No. 2013-06 was introduced by Vice President McCarthy at the request of Michael W. Dawson at the June 4, 2013 Council Legislative meeting, and will be scheduled for consideration at the July 16, 2013 Council Legislative meeting.

Vice President McCarthy invited Mr. Dawson to speak regarding the proposed legislation. Mr. Dawson presented a brief overview of the history and heritage of the original Cecil County Seal.

Members of the Council provided their comments regarding the proposed legislation.

Vice President McCarthy provided comments in support of the proposed legislation and advised the Council that the current County Seal may be replaced as needed on equipment, uniforms, etc.

PUBLIC COMMENT - President Hodge opened the floor for public comment.

Mary Rodgers provided comments in support of the legislation.

Donna Caudill provided comments in support of the legislation.

George Kaplan provided comments in opposition of the legislation.

**Resolution No. 48-2013 - Amendment – Master Water and Sewer Plan - Highlands to Meadowview Sewer Interconnection.** A Resolution to amend the Wastewater Service Area Map in the Cecil County Master Water and Sewer Plan to convey sewage from the Highlands Sewer Collection System to the Meadowview Wastewater Treatment Plant and remap several parcels to S-2 in the proposed service area. Resolution 48-2013 was introduced by the President on behalf of the County Executive at the June 4, 2013 Council Legislative meeting and will be scheduled for a consideration at the July 16, 2013 Council Legislative meeting.

PUBLIC COMMENT - President Hodge opened the floor to public comment.

There were no comments in support or opposition from the public on Resolution 48-2013.

Planning and Zoning Director Sennstrom advised that Council that the Planning Commission reviewed this proposal at their April meeting and has recommended approval.

Council Manager Massey stated for the record:

**Resolution No. 58-2013 - Approval—Refinancing Bond—Town of Elkton – YMCA.** A Resolution approving the issuance and sale by the Town of Elkton of its economic development revenue bonds in an approximate principal amount not to exceed \$2,230,000, and the loan of the proceeds thereof to the Young Men’s Christian Association of Cecil County, Inc. (YMCA) to be used to refinance certain tax-exempt bonds and other loans which financed the costs of the acquisition and improvement of certain facilities in Cecil County, Maryland.

Resolution 57-2013 was introduced by the Council President on behalf of the County Executive at the June 4, 2013 Council Legislative meeting, and a request was made for the Council to consider this Resolution after the public hearing.

Dwight Thomey, Esquire representing the YMCA, provided an overview of the proposed Resolution. He advised the Council that the purpose of this Resolution is to allow the YMCA to borrow money at a reduced interest rate through the Columbia Bank. The current bonds through the County would be paid and new bonds issued through the Town of Elkton with no obligation required from either party.

PUBLIC COMMENT - President Hodge opened the floor to public comment. There were no comments in support or opposition from the public on Resolution 58-2013.

**CONSIDERATION:**

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution 58-2013. Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

**APPROVAL OF MINUTES**

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the June 18, 2013 Council Legislative meeting, as presented. Motion carried unanimously.

**PUBLIC COMMENTS**

Donna Caudell, Elkton, provided comments relative to the proposed policy for emergency meetings of Council.

Jackie Gregory, Elkton, provided comments relative to her support for Resolution 66-2013 and issues with the implementation of the Clinic Ordinance that was passed by the Commissioners.

**PRESIDENT AND COUNCIL COMMENTS**

Councilman Dunn had no comments.

Vice President McCarthy had no comments.

Councilwoman Broomell provided comments relative to the issue regarding the implementation of the Clinic Ordinance, the study being conducted on substance abuse in Cecil County, and the Drug Abuse Symposium.

Councilwoman Bowsbey provided comments relative to the Drug Abuse Symposium and the strategic plan being developed through the Local Management Board.

President Hodge thanked everyone for attending the meeting.

## **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

### **INTRODUCTION OF RESOLUTIONS:**

Council Manager Massey stated for the record:

**Resolution No. 67-2013 – Appointments —Department of Social Services Board.** A Resolution to confirm the re-appointment by the County Executive of James Jones and Grove Miller to the Department of Social Services Board for three (3) year terms, respectively, to expire June 2016. The Resolution is being introduced by the Council President on behalf of the County Executive and will be scheduled for consideration at the July 16, 2013 Council Legislative meeting.

Director of Administration Wein advised the Council that the County Executive respectfully requests the Council approve the proposed appointments.

Council Manager Massey stated for the record:

**Resolution No. 68-2013 – Appointment – Special Counsel – Board of Zoning Appeals, Planning Commission, and Code enforcement litigation - FY 2014.** A Resolution to appoint Cameron Brown, Esquire, and Clara Campbell, LLC, to serve as legal counsel to the Cecil County Board of Zoning Appeals for Fiscal Year 2014, to appoint Clara Campbell, Esquire, Clara Campbell, LLC to serve as legal counsel to the Cecil County Planning Commission for Fiscal Year 2014, and to appoint Clara Campbell, Esq., Clara Campbell, LLC, to serve as legal counsel to the Cecil County Department of Planning and Zoning and Department of Permits and Inspections, respectively, in Code enforcement litigation for Fiscal Year 2014. The Resolution is being introduced by the Council President on behalf of the County Attorney and will be scheduled for consideration at the July 16, 2013 Council Legislative meeting.

County Attorney Allison requested that the Council approve the proposed appointment for special counsel.

Council Manager Massey stated for the record:

**Resolution No. 69-2013 – Appointment – Special Counsel – Collective Bargaining-FY 2014.** A Resolution to appoint J. Eric Paltell, Esq., Kollman & Saucier, P.A., as special legal counsel for the purpose of providing representation on behalf of Cecil County, Maryland, in collective bargaining with the Cecil County Sheriff's Department and IAAF for Fiscal Year 2014. The Resolution is being introduced by the Council President on behalf of the County Attorney and will be scheduled for consideration at the July 16, 2013 Council Legislative meeting.

County Attorney Allison requested that the Council approve the proposed appointment for special counsel.

Council Manager Massey stated for the record:

**Resolution No. 70-2013 – Assignment of Promissory Note, Loan Agreement and Deed of Trust - Moon Nurseries, Inc. – Community Development Block Grant.** A Resolution approving the assignment of a Promissory Note, Loan Agreement, and Deed of Trust respectively dated July

14, 1995, and the execution of a corporate guaranty agreement and affidavit of lost promissory note, from Cecil County, Maryland to the State of Maryland Department of Community Development. The Resolution is being introduced by the Council President on behalf of the County Executive and will be scheduled for consideration at the July 16, 2013 Council Legislative meeting.

County Attorney Allison advised the Council that this Resolution is being introduced to substantiate a loan agreement for Moon Nurseries, Inc.

Council Manager Massey stated for the record:

**Resolution No. 71-2013—Agreements—Mutual Aid Law Enforcement.** A Resolution to approve the execution of Law Enforcement Mutual Aid Agreements between Cecil County, Maryland and the Cecil County Sheriff's Department, and the Town of Elkton, the Town of Rising Sun, the Town of Perryville, the Town of Port Deposit, and the State of Maryland Transportation Authority, for Fiscal Year 2014. The Resolution is being introduced by the Council President on behalf of the County Executive and will be scheduled for consideration at the July 16, 2013 Council Legislative meeting.

County Attorney Allison reviewed the proposed Resolution and requested further discussion of the Resolution with the Council at the next Worksession meeting on July 9, 2013.

President Hodge directed Council Manager Massey to schedule discussion of the proposed Resolution at the next Worksession meeting on July 9, 2013.

Council Manager Massey stated for the record:

**Resolution No. 72-2013—Agreement – Intergovernmental Agencies– Senior Services and Community Transit - Department of Social Services.** A Resolution to approve the execution of a three (3) year lease agreement for the acquisition of two (2) motor vehicles to be used by the Cecil County Department of Senior Services and Community Transit pursuant to an Intergovernmental Agreement between Cecil County, Maryland, Department of Senior Services and Community Transit, and the Maryland State Department of Human Resources and Cecil County Department of Social Services. The Resolution is being introduced by the Council President on behalf of the County Executive and will be scheduled for consideration at the July 16, 2013 Council Legislative meeting.

Director of Administration Wein presented a brief overview of the proposed Resolution.

#### **CONSIDERATION OF RESOLUTIONS:**

Council Manager Massey stated for the record:

**Resolution No. 42-2013 - Amendment - Cecil County Employee Manual.** A Resolution to amend certain sections of the Cecil County Employee Manual, Section HR-001A – Cecil County Overview, HR-002B – Employment Types, HR-002E- Background Investigations, HR-002L – Separation, HR-006B – FMLA, HR-006C – Funeral Leave, HR-006H – Personal Floating Holiday, HR-006J – Sick Leave Insurance, HR-006L – Severe Weather Conditions and Unforeseen

Designated Emergencies, HR-006M – Vacation Leave, HR-006N – Workers’ Compensation, HR-007H – Direct Deposit, HR007L – Health Care Coverage, and HR-007R – Sick Leave Bank. Resolution No. 42-2013 was introduced by the Council President on behalf of the County Executive at the May 21, 2013 Council Legislative meeting and a public hearing was held at the June 4, 2013 Council Legislative meeting.

President Hodge reviewed the proposed policy relative to Severe Weather Conditions and Unforeseen Designated Emergencies.

Human Resources Director Donna Nichols provided information relative to the proposed amendments to the Cecil County Employee Manual.

On motion made by President Hodge, seconded by Councilwoman Bowsbey, the Council moved to approve Amendment No. 1 to the Cecil County Employee Manual, HR-006L-Severe Weather Conditions and Unforeseen Designed Emergencies to limit the number of consecutive days an employee will be paid if the county is closed to two (2) days. Roll Call Vote: McCarthy – Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - . Motion carried unanimously.

On motion made by Vice President McCarthy, seconded by President Hodge, the Council moved to approve Amendment No. 2 to the Cecil County Employee Manual, HR-006L-Severe Weather Conditions and Unforeseen Designed Emergencies to limit the maximum number of days an employee will be paid if the county is closed to five (5) days in a fiscal year. Roll Call Vote: McCarthy – Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - . Motion carried unanimously.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution 42-2013 as amended. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Council Manager Massey stated for the record:

**Resolution No. 47-2013 Policies and Procedures for the Cecil County Council.** A Resolution to adopt the Council’s Policies and Procedures, pursuant to Section 303(e) of the Charter of Cecil County. Resolution No. 47-2013 was introduced by the Council President on behalf of the Council Members at the May 21, 2013 Council Legislative meeting and a public hearing was held at the June 4, 2013 Council Legislative meeting.

Council Manager Massey stated for the record:

**Amendment No. 1**

On page 4, section 1-1 f), delete entirely and insert the following:

" a) “Emergency” means:

(1) A situation that:

- i. Requires immediate action to prevent, mitigate or response to a threat to public security or to the loss of life or property; and
- ii. Is unanticipated.

(2) The term “unanticipated” means that the underlying situation is:

- i. Sudden, which means quickly coming into being or not building up over time;
- ii. Urgent, which means a pressing and compelling need requiring immediate action;
- iii. Unforeseen, which means not predicted or anticipated as an emerging need; and
- iv. Temporary, which means not of a permanent nature. (Charter, Article 1 Section 104 (c)) "

On page 6, section 1-6 c), delete "county rate as determined by the county" and insert "same rate as every County employee".

On page 8, section 1-9 d), delete "reimbursements"

On page 9, section 2-5, add new section as follows:

"b) In the event that the County website or Internet access is unavailable, notices would be sent out to area media for broadcasting on local stations."

On page 11, section 3-1 c), insert "Legislative" and "at least one week in advance".

On page 12, section 3-5, add new section as follows:

"d) Minutes of the Legislative Session and Work Session shall be provided to Council Members in advance for review. At the session, Council Members may amend the minutes as needed. The audio and/or video recordings of the sessions may be reviewed by Council Members, staff, or the public to bring any differences in the written minutes to the Council. Council shall approve the meeting minutes and any amendments to the minutes by motion. "

On page 14, section 3-8 g), delete in entirety.

On page 14, section 4-1, add new section as follows:

"e) After the agenda is issued on Friday afternoon, additional items may need to be added by the Council President. The revised agenda shall list additional items or the deletion of items as may be required. Any revised agendas shall be available to the public with any changes noted as proposed additions or deletions. At the beginning of the Council Legislative Session or Work Session, any changes to the agenda shall be presented for approval. "

On page 24, section 7-1 e), delete "Planning and Zoning" and "the rezoning case along with the staff report and Planning Commission recommendations" and insert "applicant to present the rezoning case" and "The Council President shall then ask the staff to present their report and the recommendation from staff and Planning Commission."

On page 24, section 7-1 h), delete "At a future legislative session of" and "the rezoning case will be considered under old business" and insert "After the public hearing is concluded, the Council may approve or deny the applicant's request at the same meeting." and "If a decision is not made after the public hearings, the County council will consider the rezoning application under old business on a future legislative session."

On Appendix D, insert "CHANGES TO THE AGENDA".

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Amendment No. 1 to Resolution 47-2013.

On motion made by Councilwoman Bowsbey the Council moved to consider Amendment No. 2 to Resolution 47-2013 to add a new Section 3-10: Each Council member will, at both the Worksession and Legislative meetings, be given five (5) minutes for comment. If any Council member needs more time to discuss an issue, then it should be placed on the agenda to create an opportunity for discussion by all Council members. Motion died for lack of a second.

President Hodge called for the vote on the original motion to approve Amendment No. 1 to Resolution 47-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - N, Broomell - N, Hodge - Y. Motion carried by a vote of 3 in favor and 2 in opposition.

On motion made Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Resolution 47-2013 as amended. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - N, Broomell - N, Hodge - Y. Motion carried by a vote of 3 in favor and 2 in opposition.

Council Manager Massey stated for the record:

**Resolution No. 51-2013 - Amendment – Budget Ordinance FY2013 – Cecil County Drug Task Force Grant - Sheriff's Office.** A Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with additional expenditure appropriation authority to receive \$1,200 of local grant funds for the FY2013 Cecil County Drug Task Force Grant of the Sheriff's Office. Resolution 51-2013 was introduced by the Council President on behalf of the County Executive at the June 4, 2013 Council Legislative meeting and consideration was tabled at the June 18, 2013 Council Legislative meeting pending clarification on the fiscal note.

On motion made by Councilwoman Broomell, seconded by Vice President McCarthy, the Council moved to approve Resolution 51-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Council Manager Massey stated for the record:

**Resolution No. 59-2013 - Amendment – Budget Ordinance FY2013 – Sheriff's Office – Strategic Initiative Program Grant.** A Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with additional expenditure appropriation authority to receive an increase in Federal funds of \$13,502 for the overtime expenditures incurred by the Sheriff's Office. Resolution 59-2013 was introduced by the Council President on behalf of the County Executive at the July 2, 2013 Council Legislative meeting.

On motion made by Councilwoman Broomell, seconded by Vice President McCarthy, the Council moved to approve Resolution 59-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Council Manager Massey stated for the record:

**Resolution No. 60-2013 - Amendment – Budget Ordinance FY2013 – Sheriff's Office – Forfeited Funds Grant.** A Resolution approving an amendment to the Annual Budget and



Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the CCSO-Forfeited Funds Fund with additional expenditure appropriation authority to receive an increase in forfeited funds of \$22,503 upon action by the Cecil County State's Attorney to release funds to the Sheriff's Office. Resolution 60-2013 was introduced by the Council President on behalf of the County Executive at the June 18, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution 60-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Council Manager Massey stated for the record:

**Resolution No. 61-2013 - Amendment – Budget Ordinance FY2013 – Haven House, Nonprofit Agency.** A Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with additional expenditure appropriation authority to receive an increase in Federal grant funds of \$18,702 for the FY2013 Haven House Grant. Resolution 61-2013 was introduced by the Council President on behalf of the County Executive at the June 18, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Broomell, the Council moved to approve Resolution 61-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Council Manager Massey stated for the record:

**Resolution No. 62-2013 - Amendment – Budget Ordinance FY2013 - Family Division/Family Services Grant Program.** A Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with additional expenditure appropriation authority to receive an increase in State grant funds of \$12,000 for the FY2013 Family Division/Family Services Grant Program in the Circuit Court, Administrative Office of the Courts, Department of Family Administration. Resolution 62-2013 was introduced by the Council President on behalf of the County Executive at the June 18, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution 62-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Council Manager Massey stated for the record:

**Resolution No. 63-2013 – Appointment – Board of License Commissioners.** A Resolution to confirm the reappointment by the County Executive of Timothy Snelling to the Board of License Commissioners. Resolution 63-2013 was introduced by the Council President on behalf of the County Executive at the June 18, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution 63-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Council Manager Massey stated for the record:

**Resolution No. 64-2013 – Appointment – Electrical Inspection Agency – First State Inspection Agency.** A Resolution to confirm the appointment by the County Executive of First State Inspection Agency to be an electrical inspection agency in Cecil County. Resolution 64-2013 was introduced by the Council President on behalf of the County Executive at the June 18, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution 64-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Councilwoman Broomell provided a comment regarding an increase in the number of agencies providing inspections.

Council Manager Massey stated for the record:

**Resolution No. 65-2013 —Appointment—Redistricting Commission.** A Resolution to appoint Wyatt Wallace to replace James Crouse as a member of the Redistricting Commission for 2013. Resolution 65-2013 was introduced by the Council President on behalf of the County Executive at the June 18, 2013 Council Legislative meeting.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution 65-2013. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

Council Manager Massey stated for the record:

**Resolution No. 66-2013 - Major Facilities Fee—postponement of rate increase.** A Resolution to defer the rate increase of the major facility hookup fee for a period of ninety (90) days, from the July 3, 2013 to October 3, 2013. Resolution 66-2013 was introduced by the Councilwoman Bowsbey at the June 18, 2013 Council Legislative meeting.

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Amendment No. 1 to Resolution 66-2013.

Council Manager Massey stated for the record:

On page 1, Synopsis: insert "retroactive", "July 1, 2013" and "October 1, 2013" and delete "July 3, 2013" and "October 3, 2013"

On page 1, Introduced by: insert "Council President at the request of the County Executive" and delete "Councilwoman Bowsbey".

On page 2, line 3, insert the following, "WHEREAS, in accordance with Section 505 of the Cecil County Charter, on March 1, 2013, the County Executive submitted a proposed budget to the County Council for Fiscal Year 2014; and"

On page 2, line 5, insert "retroactive from July 1, 2013" and delete "to run from July 3, 2013"

On page 2, line 8, delete "feasibility of reducing the"

On page 2, line 12-14, delete in entirety and insert the following, "WHEREAS, in accordance with Section 504 of the Cecil County Charter, the County Executive has revised the anticipated revenues in the Current Revenue Budget to reflect the reduction of \$250,000 in Major Facility Fees to reflect the aforementioned action, and has increased the proposed budget anticipated revenues from fund balance by \$250,000 to balance the Fiscal Year 2014 budget; and"

On page 2, line 15, delete "the County Council of Cecil County postpones"

On page 2, line 17; insert "is hereby deferred", "retroactive" and "July 1, 2013 through October 1, 2013" and delete "July 3, 2013 through October 3, 2013"

On page 2, line 18, delete "the County Council of Cecil County authorizes".

On page 2, line 19, insert "of" and delete "as".

On page 2, line 20, insert "shall" and delete "to" and insert "and that the wastewater major facility connection fee of \$12,000 for Fiscal Year 2014 are hereby deferred, for a period of ninety (90) days."

On page 2, line 22, insert "October 1, 2013" and delete "October 3, 2013"

Councilwoman Bowsbey provided a comment relative to the reason the change was made for the introduction of the Resolution.

Councilwoman Broomell provided comments relative to a previous discussion that this Resolution should be re-introduced as a Bill, which requires a public hearing and issues with the upgrades to Seneca Point.

County Attorney Allison advised the Council that this Resolution does not require a public hearing.

Councilwoman Bowsbey provided a comment that the proposed increase in the major facility hook-up fee is not tied to the proposed upgrades to Seneca Point.

Vice President McCarthy provided comments in support of the Resolution and proposed increase in fees that are required to maintain the facilities.

President Hodge called for the vote on Amendment No. 1. Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - N, Broomell - N, Hodge - Y. Motion carried by a vote of 3 in favor and 2 in opposition.

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Resolution 66-2013 as amended.

President Hodge provided comments relative to postponing the increase to provide an opportunity for further review of the need for the increase in fees and the potential impact on economic development in the county.

Councilwoman Broomell provided comments relative to her research regarding the rate study and proposed increase in fees.

Roll call vote: McCarthy - Y, Bowsbey - Y, Dunn - N, Broomell - N, Hodge - Y. Motion carried by a vote of 3 in favor and 2 in opposition.

### **NEW BUSINESS**

Budget Amendment 03—Cecil County Public Schools—FY 2013 Operating Budget

Discussion ensued regarding the process for budget amendments.

County Attorney Allison advised the Council that budget amendments for the public school system are covered under State law and may be introduced and considered at the same meeting.

On motion made Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve Budget Amendment 03 – Cecil County Public Schools – FY 2013 Operating Budget. Roll Call Vote: McCarthy - Y, Bowsbey - Y, Dunn - Y, Broomell - Y, Hodge - Y. Motion carried unanimously.

### **ADJOURNMENT**

On motion made by Vice President McCarthy, seconded by Councilwoman Broomell, the Council moved to adjourn the meeting. President Hodge adjourned the meeting at 8:56 p.m.

The next Council Legislative Meeting is scheduled for Tuesday, July 16, 2013 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton.