

**MINUTES OF THE BOARD OF COUNTY
COMMISSIONERS MEETING
January 3, 2012**

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

James T. Mullin, President
Diana Broomell, Vice President
Tari Moore, Commissioner
Michael W. Dunn, Commissioner
Robert J. Hodge, Commissioner

Constituting a full Board.

The meeting of the Board of County Commissioners for Cecil County, January 3, 2012 was called to order by Commissioner Mullin at 7:00 p.m. and opened with the Pledge of Allegiance.

The following minutes were presented for the Board's consideration:

- December 20, 2011 Commissioner Meeting Minutes

Commissioner Broomell made a motion to approve the minutes, seconded by Commissioner Dunn and unanimously carried to approve.

- INFORMATIONAL ITEMS –
- COMMISSIONER COMMENTS –

Commissioner Hodge wished everyone a healthy and successful New Year and updated the public on the upcoming MACo Winter conference he would be attending.

Commissioner Dunn wished everyone a happy New Year and commented he was glad to see such a large crowd.

Commissioner Moore thanked everyone for coming out.

Commissioner Broomell thanked everyone for coming out and congratulated the Perryville High School and the North East High School Marching Bands for their achievements.

Commissioner Mullin updated the public on his plans to attend the MACo Winter conference and reminded everyone to change the batteries in their smoke alarms. Commissioner Mullin confirmed the Department of Public Works Solid Waste Division will be recycling Christmas trees free of charge during the month of January.

- BOARD OF HEALTH REPORT-

Stephanie Garrity, Cecil County Health Officer presented the Board of Health Report.

Health Officer Garrity advised the Board the first case of flu has been confirmed in the State of Maryland in the Baltimore area and she stressed the importance of getting vaccinated.

Health Officer Garrity advised the Board the levels for the well monitoring program are in the upper average range for the wet season and the Health Department will now be accepting applications and scheduling percolation test.

- PUBLIC HEARING-
- TEXT AMENDMENT CLINICS; ADD SECTION 161, REVISE ARTICLE , PART I, SECTION 12-ADD DEFINITION OF CLINIC; REVISE ARTICLE XIV – ADD PARKING REGULATIONS FOR CLINICS-

Eric Sennstorm, Director of Planning and Zoning, presented for public hearing the Text Amendment to the Board. Director Sennstrom advised the Board the Planning Commission's recommendation to approve the Text Amendment with the inclusion of legal counselor's revisions of subsections four and five, as well as the County Commissioners revisiting the definition of a clinic with input from concerned citizens and the medical community.

- PUBLIC INPUT-

Stephanie Garrity, Cecil County Health Officer, commented she supports the Planning Commission's recommendations.

John Bennett, Cecil County Drug and Alcohol Counselor, commented he supported Health Officer Garrity's comments and is concerned the current ordinance is too restrictive.

John Connolly, 66 Sarah Dr. Elkton, Spoke in support of the Text Amendment as written.

Wyatt Wallace, 283 Popular Point Rd, Perryville, commented he was a member of the Planning Commission but was speaking as a private citizen and commented on his concerns with the definition of the word clinic.

Nichols Guns, Elkton, MD, spoke in favor of the Text Amendment.

Tracy Yates, Elkton, MD, spoke in favor of the Text Amendment.

Ann Conner, 45 Infield Rd, Elkton, spoke in favor of the Text Amendment.

Harold Mechanic, 694 McKinney Town Rd, Elkton, commented there needs to be something in place for the community, however he feels something needs to be put in place to only treat individuals in the county and stop treating individuals from surrounding counties and states.

Charles Storke, 100 Lincoln Av, Elkton, does not support three clinics in the Elkton area.

Al Reasin, 632 Conowingo Rd, Conowingo, MD, commented on the ordinance for Baltimore County and the definition of medical facilities and clinics.

Patty Miller, Elkton, MD, commented she is opposed to so many clinics in such a short distance and stressed her concerns regarding the program not operating as it should to benefit the individuals in treatment.

Lori Sturts, 705 East Pulaski Hwy, spoke in support of the Text Amendment.

Kay Michael, 706 Delaware Av, Elkton, MD, spoke in support of the Text Amendment.

Candy D'Azevedo, Elkton, MD, spoke in support of the Text Amendment.

Andrew Jodlbauer, Elkton, MD, spoke in support of the Text Amendment.

Patricia Jones, 119 Rolling Ave, North East, MD, spoke in support of the Text Amendment.

Kirsten Kammerer, 65 Lincoln, Ave, North East, MD, spoke in favor of the Text Amendment if clinics are placed in the county.

Commissioner Mullin clarified that the Board would be able to vote on the Text Amendment since it was first introduced June 21, 2011.

Commissioner Broomell made a motion to approve the ordinance as drafted with change to the language regarding the parking as recommended by the Planning Commission counsel, seconded by Commissioner Dunn.

- COMMISSIONER COMMENTS-

Discussions ensued regarding the Text Amendment.

Motion to approve the Text Amendment was carried by a majority vote 3-2; Mullin-Y, Broomell-Y, Moore-N, Dunn-Y, Hodge-N. A copy of the Text Amendment is attached and incorporated into these minutes.

- TEXT AMENDMENT TO CODE OF CECIL COUNTY; ADD CHAPTER A282 TRANSFER OF DEVELOPMENT RIGHTS-

Commissioner Mullin requested to postpone the public hearing on Transfer of Development Rights until the Agriculture Advisory Committee and Cecil County Farm Bureau have had the opportunity to review and provide comments prior to rescheduling a public hearing.

Commissioner Moore made a motion to approve the request to postpone, seconded by Commissioner Dunn, and unanimously carried to approval.

- PUBLIC COMMENT-

Phyllis Kilby, Colora, MD, spoke in support of the purchase of the Caron property.

Joe Carabetta, Perryville, MD, commented the money to be used on a bridge project for Carpenters Point Road could be beneficial used on another bridge project that would be more in need. Mr. Carabetta commented the County needs to look into regulations regarding small farm animals. Mr. Carabetta commented he supported the purchase of the Carson property.

Diane Carabetta, Perryville, MD, thanked the Commissioners for acting to pass the Text Amendment regarding the clinics, and spoke in support of the purchase of the Carson Property.

Chris Diebold, North East, MD, commented on the Transfer of Development Rights and Carson property purchase

Charles Herzog, Colora, MD, spoke in support of the purchase of the Caron property.

- ACTION ITEMS –

- RESOLUTION; PRESERVATION OF THE AGRICULTURAL LANDS OF JACOB AND VIRGINIA CARSON-

Commissioner Moore made a motion to approve the Resolution, seconded by Commissioner Broomell and unanimously carried to approve. A Copy of this Resolution is attached and incorporated into these minutes.

- RESOLUTION; PLAN FOR PUBLIC SAFETY EMPLOYEES-

Alfred C. Wein, Jr., County Administrator presented the Resolution for the Board's consideration.

Commissioner Hodge made a motion to approve the Resolution, seconded by Commissioner Moore.

- COMMISSIONER COMMENT-

Commissioner Hodge clarified this Resolution does not have any fiscal impact on the County, but could save the County money from the clarifications of the plan in the future.

Motion to approve the Resolution was unanimously carried to approval. A copy of the Resolution is attached and incorporated into these minutes.

- DEPARTMENT OF PUBLIC WORKS-

- DEED BETWEEN HERSCHELL B. CLAGGETT, SR. AND THE BOARD OF COUNTY COMMISSIONERS FOR THE ACCEPTANCE OF ROAD WIDENING DEDICATION OF GLEBE ROAD, 57.41 FEET. CORRIN FARM SUBDIVISION OF HERSCHELL B. CLAGGETT, SR.-

W. Scott Flanigan, Director of the Department of Public Works recommended approval of the Deed.

Commissioner Moore made a motion to approve the deed, seconded by Commissioner Hodge and unanimously carried to approve.

With no further business a motion to adjourn the meeting at 8:24 P.M. was made by Commissioner Broomell, seconded by Commissioner Moore and unanimously carried.

Approved:

James T. Mullin, President

Attest:

Alfred C. Wein, Jr., County Administrator