

**MINUTES OF THE BOARD OF COUNTY
COMMISSIONERS MEETING
November 20, 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, November 20, 2012 was called to order by Commissioner Mullin at 7:00 p.m. and opened with the Pledge of Allegiance.

APPROVAL OF MINUTES –

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

- November 13, 2012 Commissioner Meeting Minutes
- November 13, 2012 Rezoning Meeting Minutes, File 2012-05
- November 13, 2012 Rezoning Meeting Minutes, File 2012-06

On motion made by Commissioner, seconded by Vice President Broomell, the Board moved to approve the November 13, 2012 Commissioner Meeting Minutes as presented. Motion carried 4 in favor and 1 abstention.

Vote: Mullin-Y, Broomell-Y, Dunn-Y, Moore-Abstained, Hodge-Y

On motion made by Vice President Broomell, seconded by Commissioner Dunn, the Board moved to approve the November 13, 2012 Rezoning Meeting Minutes, File 2012-05 as presented. Motion carried 4 in favor and 1 abstention.

Vote: Mullin-Y, Broomell-Y, Dunn-Y, Moore-Abstained, Hodge-Y

On motion made by Vice President Broomell, seconded by Commissioner Hodge, the Board moved to approve the November 13, 2012 Rezoning Meeting Minutes, File 2012-06 as presented. Motion carried 4 in favor and 1 abstention.

Vote: Mullin-Y, Broomell-Y, Dunn-Y, Moore-Abstained, Hodge-Y

INFORMATIONAL ITEMS –

Treasurer’s Report

Treasurer Bill Feehley presented the Treasurer’s Report as of October 30, 2012.

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to approve the Treasurer’s Report as presented. Motion carried unanimously.

The Treasurer’s Report has been incorporated as an addendum to the meeting minutes.

Commissioner Comments

Commissioner Moore thanked everyone for coming and thanked President Mullin for his services to Cecil County;

Vice President Broomell thanked President Mullin for his services to Cecil County, wished everyone a Happy Thanksgiving, and commented on the drug workshop;

Commissioner Hodge thanked everyone for coming, wished everyone a Happy Thanksgiving, and stated that he is looking forward to serving Cecil County as a Councilmember;

Commissioner Dunn thanked everyone for coming, wished everyone a Happy Thanksgiving and thanked President Mullin for his services to Cecil County;

President Mullin thanked the Department heads, staff and employees of Cecil County for the wonderful experience he had working with them, especially to County Administrator Wein.

PUBLIC COMMENT—

Diane Carabetta, 1611 Carpenters Point Road, Perryville; stated her recommended changes and revisions to Ordinance 2012-10, wished everyone a Happy Thanksgiving and thanked President Mullin for his services to Cecil County;

Donna Caudell, 114 Long Drive, Elkton; commented on the WILMPACO Bicycle Master Plan;

Al Reasin, 632 Conowingo Road, Conowingo; commented on SB 886, WILMAPCO Bicycle Master Plan, Conowingo Dam, and the TMDL Coalition;

Stephen England, 327 Bard Cameron Road, Rising Sun; wished everyone a Happy Thanksgiving, and commented on the WILMAPCO Bicycle Master Plan;

Gaylord Moody III, P.O. Box 437, Chesapeake City; commented on the WILMAPCO Bicycle Master Plan;

Terry Cummings, 6 Herndon Avenue, Annapolis; representing Chesapeake Bay Foundation, commented on the TMDL Coalition regarding Funk and Bolton;

Rupert Rossetti, 215 Dr. Jack Road, Port Deposit; thanked all the Commissioners for their service to Cecil County, commented on Ordinance 2012-10, stated his support for Tier Map-Draft 4, and stated his opposition for spending money for the TMDL Coalition;

John Bolinski, 986 Irishtown Road, North East; commented on SB 236

Valerie Falcioni, 25 Furrow Lane, North East; thanked all the Commissioners for their service, represented the Ethics Commission and commented on Ordinance 2012-10, and commented on the WILMAPCO Bicycle Master Plan;

Joe Carabetta, 1611 Carpenters Point Road, Perryville; wished everyone a Happy Thanksgiving, thanked President Mullin for his service to Cecil County, commented on the new guard rails on Route 40, the TMDL Coalition, and on the new job descriptions.

ACTION ITEMS—

Cecil County Bicycle Master Plan

On motion made by Commissioner Dunn, seconded by President Mullin, the Board moved to adopt the Cecil County Bicycle Master Plan. Motion carried 2 in favor and 3 in opposition.

Vote: Mullin-Y, Broomell-N, Dunn-Y, Moore-N, Hodge-N

Members of the board provided their reasons for postponing the adoption of the Cecil County Bicycle Master Plan.

WILMAPCO Senior Planner Tamika Graham provided an overview of the Cecil County Bicycle Master Plan.

Members of the Board discussed potential problems if this proposed Bicycle Master Plan is not adopted.

Cecil County Bicycle Master Plan will be presented for the Boards consideration at the November 27, 2012 Worksession.

File 2012-05: 1029 Lombard Road, Rising Sun, request to rezone 8.8 acres from Rural Residential (RR) to Northern Agricultural Residential (NAR)

Planning and Zoning Director Sennstrom provided an overview of File 2012-05: 1029 Lombard Road, Rising Sun, request to rezone 8.8 acres from Rural Residential (RR) to Northern Agricultural Residential (NAR).

Director Sennstrom advised the Board that the Planning and Zoning staff and Planning Commission recommends disapproval of this request due to no mistake in the last comprehensive rezoning or a change in the character of the neighborhood.

On motion made by Vice President Broomell, seconded by Commissioner Dunn, the Board moved to disapprove the zoning request. Motion carried 4 in favor and 1 in opposition.

Vote: Mullin-Y, Broomell-Y, Dunn-Y, Moore-Y, Hodge-N

File 2012-06: 2066 Conowingo Road, Rising Sun, request to rezone .4831 acres from Rural Residential (RR) to Business General (BG)

Planning and Zoning Director Sennstrom provided an overview of File 2012-06: 2066 Conowingo Road, Rising Sun, request to rezone .4831 acres from Rural Residential (RR) to Business General (BG).

Director Sennstrom advised the Board that the Planning and Zoning staff and Planning Commission recommends approval of this request based on a mapping error in the 2011 Comprehensive Rezoning.

On motion made by Vice President Broomell, seconded by Commissioner Dunn, the Board moved to approve the zoning request based on a mapping error in the 2011 Comprehensive Rezoning. Motion carried unanimously.

Ordinance 2012-10, Text Amendment to the Cecil County Zoning Ordinance and Subdivision Regulations

Planning and Zoning Director Sennstrom provided an overview of Ordinance 2012-10, Text Amendment to the Cecil County Zoning Ordinance and Subdivision Regulations.

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to adopt Ordinance 2012-10, Text Amendment to the Cecil County Zoning Ordinance and Subdivision Regulations with the following changes that have currently not been made: County Commissioners to either County Council or County Executive (where appropriate), and for appointments to Boards or Commissions that it say appointments made by the County Executive but confirmed by the County Council. Motion carried unanimously.

SB 236 Tier Map and Resolution

On motion made by Commissioner Dunn, seconded by Commissioner Moore, the Board moved to table SB 236 Tier Map and Resolution. Motion carried 4 in favor and 1 in opposition.

Vote: Mullin-Y, Broomell-Y, Dunn-Y, Moore-Y, Hodge-N

Second Amendment to Agreement for Sewer Allocation for the Mews at North East Creek (Futty Property)

County Administrator Wein presented the Second Amendment to Agreement for Sewer Allocation for the Mews at North East Creek (Futty Property).

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to approve the Second Amendment to Agreement for Sewer Allocation for the Mews at North East Creek (Futty Property). Motion carried unanimously.

Members of the Board discussed the number of units in phase 1.

Cecil County Auditor Job Description

County Administrator Wein presented the Cecil County Auditor job description.

On motion made by Commissioner Moore, seconded by President Mullin, the Board moved to approve the following changes to the County Auditor position: under position summary change "County Auditor" to "Council Auditor" and under essential functions number 5 add "and Executive".

Members of the Board discussed the proposed changes.

Vice President Broomell amended the motion to include "if requested by the County Executive" to number 5. Commissioner Moore accepted the proposed amendments. Motion to approve the changes carried 4 in favor and 1 in opposition.

Vote: Mullin-Y, Broomell-Y, Dunn-Y, Moore-Y, Hodge-N

On motion made by Vice President Broomell, seconded by Commissioner Dunn, the Board moved to approve the Cecil County Auditor job description. Motion carried 4 in favor and 2 in opposition.

Members of the Board discussed their reasons for their support or opposition of the Cecil County Auditor job description.

Vote: Mullin-Y, Broomell-Y, Dunn-Y, Moore-N, Hodge-N

Council Manager Job Description

County Administrator Wein presented the Council Manager job description.

On motion made by Commissioner Hodge, seconded by Vice President Broomell, the Board moved to approve the Council Manager job description as presented. Motion carried unanimously.

Members of the Board discussed the following:

- Reasons for the Council Manager position; and
- Budget amendment

Resolution, TMDL Coalition

County Administrator presented the Resolution, TMDL Coalition.

On motion made by Commissioner Hodge, seconded by Commissioner Moore, the Board moved to approve the Resolution, TMDL Coalition. Motion carried unanimously.

Members of the Board provided their reasons for supporting this Resolution.

Memorandum of Understanding, between DeIDOT and the Board of County Commissioners of Cecil County

Public Works Director Flanigan provided an overview of the Memorandum of Understanding, between DeIDOT and the Board of County Commissioners of Cecil County.

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to adopt the Memorandum of Understanding, between DeIDOT and the Board of County Commissioners of Cecil County. Motion carried unanimously.

Department of Public Works Fee Schedules

- **Resolution, Roads Division Road Utility Permit Fee**
- **Resolution, Solid Waste Management Division Administrative Fees**
- **Resolution, Wastewater Division Fee Schedule Pertaining to Septage Hauling and discharge**

Public Works Director Flanigan presented the Department of Public Work Fees.

On motion made by Commissioner Hodge, seconded by Commissioner Dunn, the Board moved to adopt all 3 Resolutions as presented. Motion carried unanimously.

Cancellation of Bid 13-15; “Enhanced Deicer”-DPW, Roads Division

Public Works Director Flanigan presented the cancellation of Bid 13-15; “Enhanced Deicer”-DPW, Roads Division. Director Flanigan advised the Board to reject all bids and to cancel the solicitation.

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to reject all bids and to cancel the solicitation of Bid 13-15 “Enhanced Deicer”-DPW, Roads Division. Motion carried unanimously.

DPW Service Announcement

Public Works Director Flanigan advised the Board and the Public that the Solid Waste Management Facilities will be closed on Thursday, November 22, 2012 but the facilities will be open on Friday, November 23, 2012.

BUDGET ADMENDMENTS—

Budget Manager Whiteford presented the budget amendments.

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to approve Budget Amendments 47 and 48. Motion carried unanimously.

On motion made by Commissioner Hodge, seconded by Commissioner Dunn, the Board moved to table budget amendment 49. Motion carried unanimously.

Budget Amendments 47-48 have been included with these minutes.

ADJOURNMENT

On motion made by Commissioner Dunn, seconded by Vice President Broomell, the Board moved to adjourn the meeting. Motion carried unanimously.

Attest:

Approved:

Alfred C. Wein., Jr., County Administrator

James T. Mullin, President