

**Board of County Commissioners  
Worksession Minutes  
February 22, 2011**

**PRESENT:** Commissioners Mullin, Moore, Dunn, Broomell and Hodge; County Administrator Al Wein, Public Works Director Scott Flanigan and staff; Planning and Zoning Director Eric Sennstrom; Economic Development Director Vernon Thompson; Permits and Inspections Director Pat Conway; Budget Manager Craig Whiteford; Executive Office Administrator Vicky Rinkerman; Council Norman Wilson; members of the press, and members of the public.

**OPEN SESSION**

**9:00 a.m.** – President Mullin called the meeting to order.

**ARC of Northern Chesapeake Chapter - Introduction** – Mr. Ted Jasinski, Foundation Board member of ARC of Northern Chesapeake Chapter, introduced Shawn Cross, Executive Director of the organization. She stated that the ARC of Northern Chesapeake serves Cecil, Harford, and Kent Counties, and the bulk of their funding comes from government. They serve over fifty families with disabled children. She provided an overview of the programs provided to the community through the agency.

Discussion ensued relative to group handicap accessible homes for disabled individuals in Cecil County, fund raising activities, grant opportunities, and the appointment of an advisory council for Cecil County.

Commissioner Moore suggested that they contact the Cecil County Chamber of Commerce and the United Way of Cecil County.

**Request for support and waiver of building permit fees – 95-unit workforce housing project on Belle Hill Road** – County Administrator Wein reviewed the waiver of building permit fees and letter of support request that was brought before the Board at the last worksession meeting.

Director Flanigan stated that this property is not served by County water and sewer.

Commissioner Hodge stated that since the county is unable to provide water and sewer service to the property, the property owners should consider requesting annexation into the Town limits of Elkton.

Counsel Wilson stated that an adjoining property is in the process of being annexed into the Town of Elkton; however, water service to the property is being discussed between the Town and Artesian.

Discussion ensued regarding traffic and other workforce housing projects.

Motion made by Commissioner Hodge to provide a letter of support and waiver of permit fees up to \$40,000. Motion died for lack of a second.

On motion made by Commissioner Moore, second by Commissioner Hodge, the Board considered providing a letter of support with no waiver of building permit fees.

Discussion ensued relative to the basis of qualification for the rental units. Commissioner Broomell stated her concern regarding property management for creating and maintaining a respectable housing project in the county.

Discussion ensued relative to the Federal guidelines for workforce housing projects.

Commissioner Moore withdrew her motion.

The Board concurred to request more information relative to the concerns raised regarding other housing projects owned and operated by this developer.

On motion made by Commissioner Moore, seconded by Commissioner Broomell, the Board voted unanimously to table action on the request pending obtaining more information.

**Habitat for Humanity home ownership initiative – request for waiver of connection and building permit fees** – County Administrator Wein reviewed the information relative to the request from the Habitat for Humanity for a waiver of connection fees.

Director Flanigan stated that in his opinion, the general fund should be used and not the enterprise fund for the waiver of connection fees for this project.

Commissioner Broomell questioned whether this would set a precedent for other organizations to request fee waivers for projects.

President Mullin stated that he would prefer to waive the building permit fees, but not the connection fees.

The Board concurred that this is a worthwhile project to support. This is the first project that has required connection fees for public water and sewer. The Health Department fees have been waived in the past for these projects.

Commissioner Moore stated that she has an objection to waiving the connection fees in this challenging budget year.

Commissioner Broomell stated that the County would benefit from this project since the owners would be paying property taxes and a home would be placed on a vacant lot.

A comment was made from the audience that corporate sponsors have paid the fees for this type of community project in other jurisdictions.

On motion made by President Mullin, seconded by Commissioner Dunn, the Board voted unanimously to waive the zoning, Health Department, and building permit fees for the Habitat for Humanity project.

**Fast track application – Stewart properties** – Director Thompson stated that this application is for a relocation of a business from Kentucky to the Principio Furnace flex building in Perryville.

Discussion ensued regarding the type of business that is relocating in the county. Commissioner Hodge stated that the Commissioners are only approving the fast track designation, and the business must meet all the regulations relative to their operation.

On motion made by Commissioner Hodge, seconded by Commissioner Moore, the Board voted unanimously to authorize the fast track designation for a business to located in the flex building on the Stewart Properties in Perryville.

Commissioner Broomell stated that she would prefer additional scrutiny of the permit and application process due to the type of business.

**2011 County Showcase program** – Director Thompson stated that the National Association of Counties collaborates with corporate sponsors to create and promote one-minute videos on several different topics in the county for the website. The company completes the production in approximately 14 weeks and the County would provide a link from our website. Staff is investigating other jurisdictions that have used this program.

The company sells advertising and finds the corporate sponsors relative to creating the promotional videos for Cecil County.

Commissioner Moore stated that the company contacted the Chamber of Commerce relative to the promotion when she served as the Executive Director. The Board concurred that they would like to view other videos produced by the company for local government before making a decision.

Director Thompson responded that he would provide the links to other websites and follow up with investigating their satisfaction with the program.

**Proposed legislation generally related to allowing deer hunting on Sundays in Cecil County** – County Administrator Wein stated that Delegate Smigiel has proposed legislation relative to permitting deer hunting on certain Sundays in Cecil County.

Commissioner Moore stated that she is personally not opposed to this legislation; however, she has received opposition from constituents to this proposal. She would like the public to be aware of the proposed legislation and be informed to contact Delegate Smigiel relative to the proposed legislation.

Commissioner Broomell stated that she has heard from constituents who support and oppose the proposed legislation.

Commissioner Hodge stated that citizens have conveyed to him that they would prefer to have no firearm noise on Sunday. The County's DNR representative does not support or oppose the legislation; however, adding an additional hunting day would stretch resources.

On motion made Commissioner Moore, seconded by Commissioner Dunn, the Board voted 4 to 1 to provide a letter of support for the proposed legislation. Mullin - Y, Moore - Y, Dunn - Y, Broomell - Y, Hodge – N – motion carries.

**Comprehensive Rezoning – Zoning Ordinance and Subdivision regulations** – County Administrator Wein stated that staff is looking for direction relative to hearing the rezoning applications.

Discussion ensued regarding options available to the Board.

The Board concurred to hear the comprehensive rezoning testimony, and schedule additional evening meetings for deliberation and vote relative to the requests.

**Legislative report** – Commissioner Moore provided an update on legislative hearings relative to Cecil County legislation.

**Draft Bid 11-36 – one 670 motor grader or County approved equivalent** – Director Flanigan reviewed the draft bid.

Commissioner Hodge recommended that the scope of the project specifically designate "used" equipment in the bid package.

The Board concurred to authorize the Public Works department to proceed with advertising the draft bid as amended to add the word "used".

**Draft Bid 11-37 – one hydraulic excavator or County approved equivalent** – Director Flanigan reviewed the draft bid.

The Board concurred to authorize the Public Works department to proceed with advertising the draft bid as amended to add the word "used".

**Draft Bid 11-38 – one sewage pump DPW WWTP** – Director Flanigan reviewed the draft bid. He advised the Board that the department prefers to use one make and model of pump, which decreases potential compatibility issues.

Commissioner Hodge stated that he would prefer to add the words "or equivalent" to ensure competitive pricing from distributors.

The Board concurred to authorize the Public Works department to proceed with advertising the bid as amended to add the words "or equivalent".

**Draft RFP 11-15 Fueling System Upgrade DPW Engineering** – Director Flanigan stated that this is a CIP project relative to upgrading the fueling system with computer hardware and software programs to track fuel usage and data.

The Board concurred to authorize the Public Works department to proceed with advertising the bid as presented.

**Draft RFP 11-12 Demolition Lakeside mobile home** – Director Conway stated that the department has tried to work with the property owners to have the mobile home removed from the property.

The cost of disposal will be included in the RFP and no fee waivers will be granted. A lien will be placed on the property relative to the cost of the demolition and disposal of the mobile home.

Commissioner Hodge stated that the property owner would still be able to remove the mobile home before a lien is placed against the property.

The Board concurred to authorize the Permits and Inspections department to proceed with advertising RFP 11-12 as presented.

### **Commissioner Items**

Commissioner Dunn commented on meetings and events he attended during the week.

Commissioner Hodge stated that there is a vacancy from the fifth district on the Parks and Recreation Board and he will be forwarding a recommendation for appointment. He requested that County Administrator Wein, Budget Manager Whiteford, and Treasurer Feehley attend the Citizen Budget Advisory Committee meeting.

Commissioner Moore stated that there is a budget process and she was offended by the press release from Commissioners Dunn and Mullin. The press release caused a great deal of anxiety among the employees and other agencies relative to the proposed budget cuts. She feels that the Commissioners must work together as a Board to ensure that budget cuts are reviewed and executed appropriately.

Commissioner Broomell stated that she feels the Board needs to work as a team and should listen to suggestions from the Citizens Budget Advisory Committee, as well as, comments from the public. She commented on meetings and events she attended during the week.

Commissioner Hodge commended Commissioners Mullin and Dunn for putting their budget ideas in writing; however, he did not approve of the way it was released to the public. He feels that the Board does not have all the information to make budget decisions at this time.

Commissioner Dunn stated that he feels that they did the right thing by sending the press release and providing suggestions for possible budget cuts. He feels that the public has been left out of the loop relative to the budget process in the past.

Relative to the budget, Commissioner Broomell stated that she would support video taping the meetings, and would not support the Penn National Gaming letter signed by President Lockhart regarding reimbursement of infrastructure costs.

## **CLOSED SESSION**

**11:00 a.m.**

On motion made by Commissioner Moore, second by Commissioner Dunn, the Board voted unanimously to convene in closed session pursuant to the Maryland Annotated Code of Maryland 10-508 (a) (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

The Board convened in closed session.

## **ADJOURNMENT**

**11:30 p.m.** On motion made by Commissioner Moore, seconded by Commissioner Broomell, the Board voted unanimously to adjourn the closed session meeting.

## **CLOSED SESSION**

**3:00 p.m.**

On motion made by Commissioner Moore, second by President Mullin, the Board voted unanimously to convene in closed session pursuant to the Maryland Annotated Code of Maryland 10-508 (a) (4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (7) to consult with counsel to obtain legal advice on a legal matter.

The Board convened in closed session.

## **ADJOURNMENT**

**4:00 p.m.** On motion made by Commissioner Moore, seconded by Commissioner Broomell, the Board voted unanimously to adjourn the closed session meeting to open session.

**4:00 p.m.**

## **OPEN SESSION**

**Video Lottery terminal local impact multi-year development** – Budget Manager Whiteford reviewed the process used for ranking the proposed projects. Commissioner Broomell requested that the list be ranked by priority also.

Discussion ensued regarding funding for the discretionary account and reimbursement of infrastructure costs to Penn National Gaming.

On motion made by Commissioner Hodge the Board considered submitting the cost figure determined through negotiations for reimbursement to Penn National Gaming, Inc. in the multi-year plan; Motion died for lack of a second.

On motion made by Commissioner Moore, seconded by Commissioner Broomell, the Board agreed to proceed with the multi-year plan to include "To Be Determined" affixed next to "Reimbursement PNG". Vote: Mullin - Y, Moore - Y, Dunn - Y, Broomell - N, Hodge – Y; motion carried by a vote of 4 in favor and 1 opposed.

The Board directed Budget Manager Whiteford to prepare the final draft for circulation to the Board with one plan reflecting categories of projects and one by order of priority number. The Board directed Director Flanigan and Development Services Division Chief Tim Whittie to review information provided by Penn National on infrastructure costs and report back to Board when this review is completed.

## **ADJOURNMENT**

**4:45 p.m.** – The meeting was adjourned.

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