

**Board of County Commissioners
Worksession Minutes
June 14, 2011**

PRESENT: Commissioners Mullin, Dunn, Broomell and Hodge; Public Works Director Scott Flanigan and staff; Planning and Zoning Director Eric Sennstrom; Human Resources Director Donna Nichols; Economic Development Director Vernon Thompson; Emergency Services Director Richard Brooks; Budget Manager Craig Whiteford; Executive Office Administrator Vicky Rinkerman; Attorney Norman Wilson; members of the press, and members of the public.

ABSENT: Commissioner Moore

NOTE: Audio recording of this meeting is available on the County website www.ccgov.org.

OPEN SESSION

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

2011 Wade-in update

Sean McCandless and Van Funk provided the Board and update on the 2nd Annual Wade-in event for Cecil County at the North Bay Environmental Center on July 9, 2011 to raise public awareness of water quality, conditions, and issues.

Fair Hill Nature Center Grant

Director Thompson provided the Board an overview and update of a proposed pass through grant from the Maryland Clean Energy Center to the Fair Hill Nature Center to assist with converting their current heating system to a geo thermal system. The Fair Hill Nature Center will be responsible for paying any additional costs not covered by the grant for the project.

County Administrator Wein recommended that the Board consider this item "introduced" during this worksession meeting.

The Board concurred to direct County Administrator Wein to schedule the grant agreement with the Fair Hill Nature Center on the June 21, 2011 Commissioners meeting agenda as an action item.

Water and Wastewater Management Agreement for operation of certain water and wastewater facilities between Cecil County and Artesian Utility Development

Director Flanigan provided the Board an overview and update of the operations support agreement and subsequent amendments between the County and Artesian Utility Development. He advised the Board that he recently received a letter from Artesian stating that they intend to enact the clause in the agreement to increase rates by five percent. He provided a staff overview of the Water and Wastewater Division of the Public Works Department and the status of the pending lawsuit relative to the agreement of sale with Artesian. The Public Works recommendation is to terminate the Artesian contract within 120 days and hire three contract employees to operate the facilities until the court matter is resolved on the sale of the assets.

Discussion ensued regarding:

- . options available to the Board pending a court decision on the sale of the assets to Artesian;
- . overview of the operations management provided by Artesian through the agreement;
- . costs associated with management and hiring for the County to operate the facilities;
- . overview of licensing requirements for water and wastewater operations;
- . discussion on flexibility to negotiate the agreement with Artesian;
- . overview of Artesian rates in the agreement;
- . request for a report of all payments to Artesian under the contract; and
- . provision in the agreement to respond to after-hours emergencies.

The Board concurred to direct County Administrator Wein to schedule the intent to terminate this agreement with Artesian on the June 21, 2011 Commissioners meeting agenda as a Public Works action item.

Commissioner Items

Commissioner Dunn commented on meetings he attended during the week.

Commissioner Broomell commented on meetings she attended during the week.

Commissioner Hodge commented on positive feedback he received from a resident regarding his experience at the landfill.

President Mullin had no comments.

CLOSED SESSION

9:55 A.M. On motion made by Commissioner Dunn, seconded by Broomell, the Board moved to convene in closed session pursuant to the Maryland Annotated Code – State Government 10-508 (a) (1) Personnel matters; (7) To consult with counsel to obtain legal advice on a legal matter; and (10) to discuss the development and implementation of emergency plans.

ADJOURNMENT

11:15 A.M. On motion by Commissioner Broomell, seconded by Commissioner Hodge, the Board voted unanimously to adjourn the closed session meeting to open session.

Counsel Wilson advised the Board that the topic being considered for discussion relates to pending litigation relative to the Elkton West project, which should be discussed in closed session.

CLOSED SESSION

11:16 A.M. On motion by Commissioner Broomell, seconded by Commissioner Dunn, the Board moved to convene in closed session pursuant to the Maryland Annotated Code – State Government 10-508 (a) (7) To consult with counsel to obtain legal advice on a legal matter.

ADJOURNMENT

11:21 A.M. On motion by Commissioner Hodge, seconded by Commissioner Dunn, the Board voted unanimously to adjourn the closed session meeting.

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