

**Board of County Commissioners  
Worksession Minutes  
August 16, 2011**

**PRESENT:** Commissioners Mullin, Moore, Dunn, Broomell and Hodge; Public Works Director Scott Flanigan and staff; Planning and Zoning Director Eric Sennstrom and staff; Housing Director David Mahaney; Parks and Recreation Director Clyde Van Dyke; Human Resources Director Donna Nichols; Budget Manager Craig Whiteford; Executive Office Administrator Vicky Rinkerman; Counsel Norman Wilson; Lisa Saxton from the Treasurer's office; members of the press, and members of the public.

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

**August 9, 2011 - Closed Session Meeting - 9:32 AM**

The Board convened in a closed session meeting at their August 9, 2011 worksession meeting at 9:32 a.m. Motion was made by Commissioner Moore, seconded by Commissioner Broomell and carried by unanimous vote pursuant to the Maryland Annotated Code - State Government 10-508 (a) (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, or any other personnel matter that affects one or more specific individuals; and (7) To consult with counsel to obtain legal advice on a legal matter.

Present at closed session: Commissioners Mullin, Moore, Dunn, Broomell and Hodge; County Administrator Al Wein; Public Works Director Scott Flanigan; Planning and Zoning Director Eric Sennstrom, Executive Office Administrator Vicky Rinkerman; County Counsel H. Norman Wilson; and Counsel Larry Haislip.

Topics of Discussion and Action Taken (if necessary):

Economic Development personnel matters

Action: Motion made by Commissioner Dunn, seconded by Commissioner Broomell, the Board moved to release personnel recommendations from the Citizen's Budget Advisory Committee report. Motion carried by unanimous vote.

Request to fill position

Action: Board concurred to approve request to fill Domestic Violence Victim Advocate position

Planning Commission appointment

Action: Board directed County Administrator Wein to place consideration of the Planning Commission appointment on the August 16, 2011 meeting agenda

Legal advice from special counsel regarding Artesian franchise matters

Action: The Board concurred to authorize Counsel Haislip to proceed with drafting a franchise agreement for the Mountain Hill service area with Artesian, which included the options as defined by Council Haislip (term of agreement, indemnification provision, interconnection provision, performance standards, etc).

Action: On motion made Commissioner Broomell, seconded by Commissioner Dunn, the Board moved to replace the current attorney (Counsel Larry Haislip) representing the franchise agreements/privatization deal with Artesian, Elkton West Phase I and II agreements; Elkton West privatization deal including closing for transfer of assets. Motion carried by a vote of 3 to 2 – Mullin - Y, Broomell –Y, Moore – N, Dunn – Y, Hodge – N.

Action: On motion made by Commissioner Broomell, seconded by Commissioner Dunn, the Board moved to release the information relative to the release of Counsel Larry Haislip. Motion carried by unanimous vote.

Closed session meeting adjourned at 12:34 p.m.

## **OPEN SESSION**

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

County Administrator Wein announced that the Charter Transition meeting scheduled for August 23, 2011 has been canceled and will be rescheduled.

**Code Home Rule form of government discussion** – County Administrator Wein provided the Board an overview of actions required relative to the process followed by the County for Charter and Code Home Rule form of government.

Discussion ensued regarding:

- . Process for placing Code Home Rule question on the 2012 ballot; and
- . Determining the level of public interest for Code Home Rule government

**Octoraro Publishing Company, Rising Sun Herald** – Mr. James Wolf provided the Board an overview of the publishing company and requested consideration for county advertising notices. He advised the Board that he would consider expanding distribution of the publication below the C&D Canal in order to comply with the county-wide distribution requirement.

**Request for extension of due date for County Watershed Implementation Plan** – The Board reviewed a draft letter relative to requesting an extension of the submission date for the County Watershed Implementation Plan.

Discussion ensued regarding:

- . Justification for extension request to obtain public comment;
- . Suggestion to request support from the County's State Delegation for the extension;
- . Suggestion to include the local municipalities in the process;
- . Proposed timeline for implementation of the Watershed Implementation Plan; and
- . Suggested revisions to the letter

The Board concurred to authorize staff to proceed with revising the letter as discussed for signature.

**Afternoon agenda review** – County Administrator Wein reviewed the items on the afternoon agenda.

Discussion ensued regarding:

- . Parks and Recreation Plan; and
- . Overview of the proposed revisions to the housing assistance program

The Board concurred to defer consideration of the Planning Commission appointment until the September 6, 2011 meeting.

Director Flanigan provided the Board an overview of the Public Works items on the agenda.

Board concurred to defer a decision on the resolution for the wastewater connection fees until the September 6, 2011 Commissioners meeting and requested a meeting be scheduled with Director Flanigan to address issues and concerns.

### **Commissioner Items**

Commissioner Dunn commented on the Hometown Heroes award ceremony for volunteer fire companies throughout the county.

Commissioner Broomell commented on planning efforts for the Drug and Alcohol Educational Forum at Cecil College on September 22, 2011.

Commissioner Moore commented on representing the county at the Septic System Symposium at Chesapeake College.

Commissioner Hodge commented on a Chesapeake Isle road maintenance agreement with the County. Director Flanigan responded that the County does not have any responsibility for road maintenance in the community, and he advised the Board that the county does not have any regulatory authority in this matter.

The Board concurred to direct Director Flanigan to respond to the complaint from the resident in Chesapeake Isle relative to the County's regulatory authority in this matter.

Discussion ensued regarding issues and concerns relative to the Artesian hearing before the Public Service Commission, the Elkton West project, and campaign contributions.

### **CLOSED SESSION**

**10:22 AM** On motion made 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.

VOTE: Mullin - Y, Broomell - Y, Moore - Y, Dunn - Y, Hodge - N. Motion carried by a vote of 4 to 1.

The Board adjourned in closed session.

**ADJOURNMENT CLOSED SESSION**

**12:05 P.M.** On motion by Commissioner Moore, seconded by Commissioner Dunn, the Board voted unanimously to adjourn the closed session meeting.

>