

**MINUTES OF THE BOARD OF COUNTY
COMMISSIONERS MEETING
September 6, 2011**

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, September 6, 2011 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.

- July 19, 2011 Commissioner Meeting Minutes
- August 9, 2011 Commissioner Worksession Meeting Minutes
- August 9, 2011 Closed Commissioners Worksession Meeting Minutes

Commissioner Mullin requested on behalf of Vicky Rinkerman, Office Executive Administrator the postponement of the August 9, 2011 Closed Commissioner Worksession Meeting Minutes.

Commissioner Moore made a motion to approve the July 19, 2011 Commissioner Meeting Minutes and the August 9, 2011 Commissioner Worksession Meeting Minutes, seconded by Commissioner Hodge and motion unanimously carried to approve.

- INFORMATIONAL ITEMS-
- COMMISSIONER COMMENTS-

Commissioner Moore commented she was pleased to see so many citizens in attendance, and informed the public of the proposal to start a 6:00 P.M. Informational Meeting prior to the 7:00 P.M. Commissioners' Meeting to help clarify any questions the public may have regarding agenda items and other matters of interest.

Commissioner Broomell welcomed everyone and commented she supported Commissioner Moore's proposal of the 6:00 P.M. Informational Meeting. Commissioner Broomell advised the public of the Drug Awareness Forum at Cecil College scheduled for September 22. Commissioner Broomell also commented on how community involvement has proven to benefit Cecil Soccer and Freeman Hall.

Commissioner Hodge commented he also supported the 6:00 P.M. Informational Meeting, and was glad to see so many citizens in attendance.

Commissioner Dunn commented he attended the Parks and Recreation Board Meeting and advised the public the next meeting for Parks and Recreation is scheduled for September 19 at 5:30 at Cecil Arena in Calvert.

Commissioner Mullin reminded everyone to check the batteries in their smoke detectors.

- INFORMATIONAL ITEMS-

- BOARD OF HEALTH –

Stephanie Garrity, Cecil County Health Officer, advised the Board that September is National Preparedness Month and encouraged the public be prepared. The Cecil County Health Department reported on the 2011 Bathing Beach Sampling Program. A copy of the 2011 Bathing Beach Sampling Program is attached and incorporated into these minutes. Health Officer Garrity informed the public of the upcoming 2011 Cecil County Health Department Annual Rabies Vaccination Clinic Schedule. Health Officer Garrity stressed the importance of receiving the Flu Vaccination and announced the Health Department will be providing the Flu Mist free of charge to Cecil County Public Schools and Private School Elementary age children who are eligible. The Flu Clinics at the Health Department will be in November dates and times will be announced at a later date. The cost of the Flu Shot will be \$35.00 and Flu Mist will be \$45.00. Heath Officer Garrity advised the Board September is National Recovery Month and informed the public on the activities during the month of September honoring National Recovery Month.

- COMMISSIONER COMMENTS-

Commissioner Moore clarified the Board would be notified as to when the Flu Shot Clinic is available so they can help get the message out.

Commissioner Broomell clarified the contact for anyone who wishes to obtain an emergency kit.

- PROCLAMATION-

Commissioner Broomell presented a proclamation honoring September as National Recovery Month to John Bennett Chair of Cecil County Drug and Alcohol Council and Ken Collins Director of the Alcohol and Drug Recovery Center at the Cecil County Health Department.

- PUBLIC HEARING-

- ORDINANCE 2011-10; CHAPTER 166 ETHICS-

Alfred C. Wein Jr., County Administrator introduced for Public Hearing ordinance 2011-10 Chapter 166 Ethics.

Michael Burns, Chairman of the Ethics Board presented the overview of Ordinance 2011-10.

Ordinance 2011-10 is currently being reviewed by the State Ethics Commission and is subject to their review and modification.

- COMMISSIONER COMMENTS-

Discussions ensued regarding Ordinance 2011-10.

- OPPOSITION/SUPPORT-

Diane Carabetta, Perryville, MD, spoke in favor of the ordinance.

Robert Amato, Perryville, MD, spoke in favor of the ordinance but suggested a review of the ordinance be completed to include conflicts of interests.

A decision regarding Ordinance 2011-10 is subject to the approval by the State Ethics Commission.

- PUBLIC COMMENT-

Joe Carabetta, Perryville, MD, commented he supported the 6:00 P.M. open meeting prior to the 7:00 P.M., Commissioners' Meeting. Mr. Carabetta asked the Board to honor the connection fees put into place for Carpenters Point residents when considering the resolution regarding wastewater connection fees and Mr. Carabetta thanked the Department of Public Works and Department of Emergency Services for their work during the recent storm.

Jeff Tosi, Home Builders Association, Baltimore MD, asked that he Board consider phasing in the wastewater connection fees.

Diane Carabetta, Perryville, MD, commented she supported the 6:00 P.M. Informational Meeting prior to the 7:00 P.M. Commissioners' Meeting. Mrs. Carabetta asked the Commissioners to do all they could to help small businesses regarding the wastewater connection fee. Mrs. Carabetta stated she was an Artesian customer and wanted to report for the record 1577 was leaking again, and Artesian has been out three times in attempt to fix the leak and she stated she is concerned about the gallons of chlorinated water that is leaking into a ditch.

Mike Travers, Elkton, MD, commented on his concerns about the wastewater connection fees and asked the Board to keep in mind the current fees they are assessed.

Donna Caudell, Elkton, MD, commented she would like to know what the qualifications are to be considered as a member of the Planning Commission.

Jackie Gregory, Elkton, MD, expressed her concerns regarding Commissioners' using their position for personal agenda issues.

Dan Whitehurst, Clark Turner, Bel-Air, MD, commented he supported Mr. Tosi's request to phase in wastewater connection fees.

Ron Lobos, Elkton, MD, commented he supported Jackie Gregory's comments. Mr. Lobos thanked the Board for not appointing Owen Thorne to the Planning Commission and asked that a list of qualifications to serve as a member of the Planning Commission be made available to the public.

- ACTION ITEMS-

- APPOINTMENTS-

Alfred C. Wein Jr., County Administrator, announced the Planning Commission Appointment would be deferred until the September 20, Commissioners' Meeting.

- ANNUAL REPORT FY 2012; CECIL COUNTY'S PLAN FOR PARK LAND ACQUISITION AND RECREATION FACILITY DEVELOPMENT-

Alfred C. Wein Jr., County Administrator advised the Board Director Van Dyke has requested the Annual Report be deferred tentatively until the October 4th Commissioners' Meeting.

- HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN CHANGES-

Alfred C. Wein Jr., County Administrator, presented the Housing Choice Voucher Program Administrative Plan Changes for the Boards' consideration.

Commissioner Moore made a motion to approve the Housing Voucher Program Administrative Plan Changes, seconded by Commissioner Dunn and unanimously carried to approve.

- REZONING DECISION; APPLICANT JESSE J. MCMILLAN-TOME HIGHWAY, NORTH OF WEST NOTTINGHAM-

Eric Sennstrom, Director of Planning and Zoning presented the rezoning application submitted by Jesse J. McMillan for the Board's consideration.

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

- THE DEPARTMENT OF PUBLIC WORKS-

W. Scott Flanigan Director of the Department of Public Works presented the following items for the Board's consideration:

- THREE OPTION CONTRACTS FOR THE REPLACEMENT OF FIRETOWER ROAD BRIDGE OVER BASIN RUN:
 1. Arthur L. & Jacqueline L. Barton, 692 Firetower Rd, Colora, MD
 2. Larry D. & Alyce Lovelace 756 Firetower Rd, Colora, MD
 3. Samuel S. & JoAnn C. Marderness, 678 Firetower Road, Colora, MD

Commissioner Dunn made a motion to approve the option contracts, seconded by Commissioner Moore and unanimously carried to approve.

- BID NO. 12-05-52233; WINDING BROOK STREET IMPROVEMENTS PHASE V-CHESTNUT DRIVE CULVERT REPLACEMENT-

Director Flanigan recommended approval of Bid No. 12-05-52233 to Cecil Construction Corp., in the amount of \$335,057.52.

Commissioner Moore made a motion to approve Bid No. 12-05-52233, seconded by Commissioner Hodge and unanimously carried to approve.

- RESOLUTION; WASTEWATER CONNECTION FEES-

Director Flanigan recommended approval of the resolution relating to Wastewater Connection Fees.

- COMMISSIONER COMMENTS-

Discussions ensued regarding Wastewater Connection Fees.

Commissioner Broomell made a motion to approve the resolution only if the fee associated with the pump station is removed.

Commissioner Hodge stated he would like to make a proposal.

Commissioner Broomell withdrew her motion.

Commissioner Hodge made a motion to approve the wastewater connection fees as follows effective October 1, 2011 increase Commercial/Industrial \$1,500.00 Residential/New \$7,500.00, and for Residential/Existing effective July 1, 2012 raise fees to \$4,500.00. July 1, 2014 would like to increase all fees by \$1,500.00 and eliminate the benefit assessment charge at the Mechanics Valley Pump Station, Commissioner Mullin seconded for purposes of discussion.

- Discussions ensued regarding Commissioner Hodge's proposal.

Motion to approve Commissioner Hodge's request failed but a majority vote 4-1; Mullin-N, Broomell-N, Moore-N, Dunn-N, Hodge-Y.

Commissioner Moore made a motion to postpone voting on this resolution until September 20st seconded by Commissioner Broomell.

- COMMISSIONER COMMENTS-

Discussions ensued regarding the postponement of the resolution.

Motion to approve the postponement of Wastewater Connection Fees was approved by a majority vote 4-1; Mullin-Y, Broomell-Y, Moore-Y, Dunn-Y, Hodge-N.

- BID AWARDS-

Alfred C. Wein Jr., County Administrator presented the Following Bid Awards for the Boards consideration:

- RFP 12-04; DISRUPTIVE YOUTH-

It is recommended to approve RFP 12-04 to Project Crossroads in the amount of \$43,976.44.

Commissioner Moore made to approve RFP 12-04, seconded by Commissioner Hodge and unanimously carried to approve.

- RFP 12-05; OUT OF SCHOOL PROGRAMS-

It is recommended to approve RFP 12-05 to Project Cross Roads in the amount of \$32,979.08 and to Generation Station in the amount of \$37,500.00

Motion to approve RFP # 12-05 was made by Commissioner Dunn, seconded by Commissioner Hodge and unanimously carried to approve.

- RFP 12-07; LIFE SKILLS-

It is recommended to approve RFP # 12-07 to Project Cross Roads in the amount of \$49,981.44.

Motion to approve RFP # 12-05 was made by Commissioner Dunn, seconded by Commissioner Hodge and unanimously carried to approve.

- COMMISSIONER COMMENTS-

Commissioner Moore advised the public the above RFP's were the result of consolidating Cecil Partnership Children Youth and Families and Department of Social Services.

- BUDGET AMENDMENTS-

Alfred C. Wein Jr., County Administrator presented a Budget Amendment to correct the FY 12 budget to reflect the purchase of vehicle capital assets for the Board's consideration.

Commissioner Broomell made a motion to not accept the proposed Budget Amendment.

- COMMISSIONER COMMENTS-

Discussion ensued regarding the above Budget Amendment.

Commissioner Hodge seconded Commissioner Broomell's motion for discussion purposes.

Commissioner Broomell withdrew her motion, Commissioner Hodge withdrew his second.

Commissioner Mullin made a motion to postpone the Budget Amendment until September 13, seconded by Commissioner Hodge and unanimously carried to approve.

Alfred C. Wein, Jr., County Administrator, presented budget amendments 21-23 for the Board's consideration.

Commissioner Dunn made a motion to approve the budget amendments 21-23 seconded by Commissioner Moore and unanimously carried to approve. A copy of the Budget Amendments are attached and incorporated into these minutes.

- COMMISSIONER COMMENTS-

Discussions ensued regarding a request from Habitat for Humanity to waive property tax for the time period in which they would be working on a project in the County.

Alfred C. Wein Jr., County Administrator advised the Board of the process to be followed for this request.

The next regular meeting of the Board of County Commissioners will be on September 20, 2011 at 7:00 p.m., at the Cecil County Administration Building, 200 Chesapeake Blvd, Suite 1009, Elkton, MD.

Approved:

James T. Mullin, President

Attest:

Alfred C. Wein, Jr., County Administrator