

**MINUTES OF THE BOARD OF COUNTY
COMMISSIONERS MEETING
June 21, 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
Michael W. Dunn, Commissioner
Tari Moore, Commissioner
Robert J. Hodge, Commissioner

Constituting a full Board.

The Board adjourned into a Closed Session at its worksession on June 7, 2011 at 3:30 P.M. Motion was made by Commissioner Moore, seconded by Commissioner Dunn and unanimously carried pursuant to MD 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. Present: Commissioners Mullin, Broomell, Moore, Dunn, Hodge, and Alfred C. Wein Jr., County Administrator. Topic of discussion: Administrator Performance Evaluation. Actions Taken: Reviewed and discussed Administrator's FY2011 goals and objectives. Meeting adjourned at 5:10 P.M.

The Board adjourned into a Closed Session at its worksession on June 14, 2011 at 9:45 A.M. Motion was made by Commissioner Dunn, seconded by Commissioner Broomell and unanimously carried pursuant to MD 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; (7) To consult with counsel to obtain legal advice on a legal matter; (8) To consult with staff, consultants, or other individuals about pending or potential litigation; (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire & police services and staff; and (ii) the development & implementation of emergency plans. Present: Commissioners Mullin, Broomell, Dunn, Hodge, Office Executive Administrator Vicky Rinkerman, County Administrator Wein, County Attorney Wilson, Director Brooks, Steve Flickinger, Director Nichols, Director Mahaney and James Hamilton. Topics of Discussion: Emergency Operations Plan, Director Brooks; , Appointments-Board of Appeals and Liquor Board; Housing Office personnel matter, Director Mahaney and Director Nichols; Requests to

fill vacant positions; SPCA contract negotiations update, County Attorney Wilson, County Administrator Wein. Actions Taken: Board approved 2 requests to fill; Board approved to continue grant funded position in Housing regardless of approval of grant; Director Brooks briefed Board on Emergency Operations Plan; County Attorney Wilson reviewed and discussed SPCA contract proposed for FY2012. Meeting adjourned 11:14 A.M.

The Board adjourned into a Closed Session at its worksession on June 14, 2011 at 11:16 A.M. Motion was made by Commissioner Mullin, seconded by Commissioner Dunn and unanimously carried pursuant to MD Annotated Code – State Government 10-508 (a) (7) To consult with counsel to obtain legal advice on a legal matter. Present: Commissioners Mullin, Broomell, Dunn and Hodge, County Administrator Wein, Office Executive Administrator Rinkerman, County Attorney Wilson. Topics of Discussion: Pending Litigation regarding Elkton West, Commissioner Hodge recommended having legal counsel review letter from Owen Thorne regarding potential settlement. Actions Taken: Board directed County Administrator Wein to have Mr. Haislip review letter from Owen Thorne. Meeting Adjourned 11:12 A.M.

The Board adjourned into a Closed Session at its worksession on June 21, 2011 at 10:30 A.M. Motion was made by Commissioner Moore, seconded by Commissioner Dunn and unanimously carried pursuant to MD 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; (7) To consult with counsel to obtain legal advice on a legal matter. Present: Commissioners Mullin, Broomell, Moore, Dunn, Hodge, and Alfred C. Wein Jr., County Administrator, Office Executive Administrator Rinkerman and County Attorney Wilson. Topics of Discussion: Discussion of SPCA contract with County Attorney; Appointment –Board of License Supervisors. Actions Taken: Mr. Wilson will contact SPCA legal counsel relating to 30 day extension of contract; Board directed County Administrator Wein to place Board of License Commissioner appointment on afternoon agenda under appointments. Meeting adjourned 11:24.

The meeting of the Board of County Commissioners for Cecil County, June 21, 2011 was called to order by Commissioner Mullin at 2:00 p.m. and opened with the Pledge of Allegiance.

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

- May 3, 2011 Commissioner Meeting Minutes
- May 10, 2011 Worksession Meeting Minutes
- May 10, 2011 Closed Worksession Meeting Minutes
- May 10, 2011 2:00 P.M. FY 2012 Proposed Budget Meeting Minutes
- May 10, 2011 7:00 P.M. FY 2012 Proposed Budget Meeting Minutes

- May 17, Worksession Meeting Minutes
- May 17, 2011 Commissioner Meeting Minutes
- May 24, 2011 Worksession Meeting Minutes
- May 24, 2011 Closed Worksession Meeting Minutes
- May 24, 2011 FY2012 Budget Adoption Meeting Minutes
- May 31, 2011 Worksession Meeting Minutes
- June 7, 2011 Worksession Meeting Minutes
- June 7, 2011 Closed Worksession Meeting Minutes

Commissioner Moore made a motion to approve the minutes, seconded by Commissioner Broomell. Motion to approve the minutes was carried by a majority vote 4-1; with one abstention. Mullin-Y, Broomell-Y, Moore-Y, Dunn-Y, Hodge-Abstain.

- INFORMATIONAL ITEMS-

- COMMISSIONER COMMENTS-

Commissioner Moore updated the public on the upcoming meeting regarding PlanMaryland. Commissioner Moore commented on the meeting the Board had with the Indonesia Trade Industry.

Commissioner Broomell congratulated Treasurer William Feehley on the birth of his granddaughter and updated the public on a meeting regarding the toll increases.

Commissioner Hodge urged citizens to come out and speak about their concerns regarding the toll increase.

Commissioner Dunn commented on the MDTA meeting held at Perryville High School.

Commissioner Mullin on behalf of council member Frank Vari of Chesapeake City advised the public sponsorships were available to sponsor the Conqueror the Bridge Walk, scheduled For October 2, 2011.

- TREASURERS REPORT-

William M. Feehley, Cecil County Treasurer presented the monthly cash flow report as of April 30, 2011. A copy of this report is attached and incorporated into these minutes

Commissioner Moore made a motion to approve the Treasurer's Report, seconded by Commissioner Hodge and unanimously carried to approve.

- 2010 ANNUAL PLANNING AND ZONING REPORT-

Eric Sennstrom, Director of Planning and Zoning, presented the 2010 Annual Planning and Zoning Report as required by Section 3.09 of Article 66B of the Annotated Code of Maryland.

- PUBLIC HEARING-
- RESOLUTION; WASTEWATER CONNECTION CHARGES-

Scott Flanigan, Director of Department of public Works presented the resolution for Public Hearing.

- SUPPORT/ OPPOSITION-

No public comment.

This item will be placed on the July 19, 2011 meeting agenda for the Boards consideration.

- ORDINANCE; 2011-09; REVISION TO THE COUNTY CODE OF CECIL COUNTY CHAPTER 188 SEAL-

Alfred C. Wein Jr., County Administrator presented Ordinance 2011-09 for Public Hearing.

- SUPPORT/ OPPOSITION-

No public comment.

This item will be placed on the July 19, 2011 meeting agenda for the Boards consideration.

- AMENDMENT; MASTER WATER AND SEWER PLAN, SECTION 3.2.11, MOUNTAIN HILL AND CARPENTERS POINT WATER SYSTEMS-

Eric Sennstrom, Director of Planning and Zoning, presented the Amendment to the Master Water and Sewer Plan, Section 3.2.11, Mountain Hill and Carpenters Point Water Systems for Public Hearing.

- SUPPORT/ OPPOSITION-

Joseph DiNunzio spoke in favor of amendment.

This item will be placed on the July 19, 2011 meeting agenda for the Boards consideration.

- AMENDMENT; ZONING ORDINANCE TEXT AMENDMENT CLINIC, DRUG TREATMENT-SECTION 161-4.06.300-
- COMMISSIONER COMMENTS-

Commissioner Hodge commented he did not feel this amendment was ready to be presented for public hearing.

- SUPPORT/ OPPOSITION-

Bradley R. Stover, Attorney for Serenity Health LLC., Bel-Air, MD, spoke in opposition of amendment.

Nancy Turner, Aberdeen, MD, spoke in opposition of amendment.

John Bennett, North East, MD, spoke in opposition of amendment.

John Foreaker, Director of Haven House, Elkton, MD, spoke in opposition of amendment.

Stephanie Garrity, Health Officer, Cecil County Health Department, Elkton, MD, spoke in opposition of amendment.

- COMMISSIONER COMMENTS-

Discussions ensued regarding Amendment; Zoning Ordinance Text Amendment Clinic, Drug Treatment Section 161-4.06.300.

Commissioner Broomell made a motion to withdraw Amendment, seconded by Commissioner Moore and unanimously carried motion to withdraw Amendment; Zoning Ordinance Text Amendment Clinic, Drug Treatment Section 161-4.06.300.

- LAND PRESERVATION, PARKS AND RECREATION PLAN-

Clyde Van Dyke, Director of Parks and Recreation presented for public hearing Cecil County 2011 Land Preservation, Parks and Recreation Plan.

- COMMISSIONER COMMENTS-

Discussion ensued regarding Cecil County 2011 Land Preservation, Parks and Recreation Plan.

- SUPPORT/ OPPOSITION-

John Bennett, North East, MD, commented on the Tree ID, completed by the Forestry Board. Discussions ensued regarding property located on the north side of the Bohemia River.

This item will be placed on the July 19, 2011 meeting agenda for the Boards consideration

- PUBLIC COMMENT-

No Public Comment

- ACTION ITEMS-
- APPOINTMENTS-

Carol King-New Appointment to Commission on Aging-to serve a three year term; to expire June 30, 2014.

Julie Graham-New Appointment to Commission on Aging-to serve a three year term; to expire June 30, 2014.

Commissioner Moore made a motion to approve the appointments to the Commission on Aging, seconded by Commissioner Hodge and unanimously carried to approve.

Carrie Taylor-New Appointment to Board of License Commissioners-to serve a three year term; to expire June 30, 2014.

Commissioner Dunn made a motion to approve the appointment to the Board of License Commissioners, seconded by Commissioner Broomell.

- COMMISSIONER COMMENTS-

Discussions ensued regarding the appointment of Carrie Taylor.

Motion carried by 3-1; vote with one abstention.

Mullin-Y, Broomell-Y, Moore Abstain, Dunn-Y, Hodge-N.

- GRANT AGREEMENT; BETWEEN CECIL COUNTY BOARD OF COMMISSIONERS AND MARYLAND CLEAN ENERGY CENTER, RE-GRANT AGREEMENT; BETWEEN FAIR HILL ENVIRONMENTAL FOUNDATION, INC., AND THE CECIL COUNTY BOARD OF COMMISSIONERS-

Vernon Thompson, Director of Economic Development, presented the Grant and Re-Grant agreement for the Boards' consideration.

Commissioner Moore made a motion to approve the grant and re-grant agreement, seconded by Commissioner Hodge and unanimously carried to approve.

- FLOOD MITIGATION PLAN-

Amy Crabill, Deputy Director of Emergency Services, presented Cecil County, Maryland Flood Mitigation Plan for the Boards' consideration.

Commissioner Broomell made a motion to approve, seconded by Commissioner Dunn and unanimously carried to approve.

- CECIL COLLEGE AND CECIL COUNTY DEPARTMENT OF EMERGENCY SERVICES PARAMEDIC PROGRAM-

Amy Crabill, Deputy Director of Emergency Services, presented the agreement between Cecil College and the Department of Emergency Services for the Boards consideration.

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

- LGIT; NINTH AMENDED AND RESTATED LOCAL GOVERNMENT INSURANCE TRUST AGREEMENT-

Alfred C. Wein Jr., County Administrator presented the Ninth Amended and Restated Local Government Insurance Trust Agreement for the Boards consideration.

- RESOLUTION; LOCAL MANAGEMENT BOARD-

Alfred C. Wein Jr., County Administrator presented the resolution to establish and maintain a local management board to ensure the implementation of a local interagency service delivery system for children, youth and families for the Boards consideration.

Commissioner Dunn made a motion to approve, seconded by Commissioner Hodge and unanimously carried to approve.

- DEPARTMENT OF PUBLIC WORKS-

W. Scott Flannigan, Director of Public Works presented the Following items:

- INTRODUCTORY BID NO.12-02-52223-RAZOR STRAP ROAD IMPROVEMENTS-

Director Flannigan requested this Item to be placed on the July 12, 2011 Commissioners Work session agenda for the Boards consideration.

- TERMINATION OF THE ARTESIAN WATER WASTEWATER MANAGEMENT AGREEMENT-

Commissioner Hodge made a motion to approve the termination of the Artesian Water Wastewater Management Agreement.

Discussion ensued regarding the termination of the Artesian Water Wastewater Management Agreement.

Motion failed by 3-2 vote; Mullin-N, Broomell-N, Moore-Y, Dunn-N, Hodge-Y.

Commissioner Mullin made a motion to continue discussions at the June 28, 2011 Work session meeting, seconded by Commissioner Broomall and carried unanimously to approve.

- TWO OPTION CONTRACTS FOR ARUNDEL UTILITY EASEMENTS-
 - PATRICIA A. SMITH, 2047 OLD ELK NECK ROAD
 - JOSEPH T. & HOLLY J. ZAKERSKI, 38 OLD CHESTNUT ROAD

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

- DEED BETWEEN ULYSSES G. & SUSANNA G. MCCOY AND THE BOARD OF COUNTY COMMISSIONERS OF CECIL COUNTY FOR PERMANENT UTILITY EASEMENT ALONG DR. JACK ROAD & ROWLAND ROAD-

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

- RFP # 11-15; FUELING SYSTEM UPGRADE-

Commissioner Moore made a motion to approve, seconded by Commissioner Hodge and carried by a majority vote 3-2; Mullin-Y, Broomell-N, Moore-Y, Dunn-N, Hodge-Y.

- BUDGET AMENDMENTS NO 120- 130

Alfred C. Wein, Jr., County Administrator, presented budget amendments 120-130 for the Board's consideration.

Commissioner Moore made a motion to approve the Budget Amendments, seconded by Commissioner Hodge and carried to approve. A copy of the budget amendments are attached and incorporated into these minutes.

The next regular meeting of the Board of County Commissioners will be on July 19, 2011 at 2:00 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.