

## **MINUTES OF THE BOARD OF COUNTY**

### **COMMISSIONERS MEETING**

**October 16, 2012**

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, October 16, 2012 was called to order by Commissioner Mullin at 7:00 p.m. and opened with the Pledge of Allegiance.

#### **APPROVAL OF MINUTES –**

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

- October 2, 2012 Commissioner Meeting Minutes

On motion made by Commissioner Dunn, seconded by Commissioner Moore, the Board moved to approve the October 2, 2012 Commissioner Meeting Minutes as presented. Motion carried unanimously.

#### **INFORMATIONAL ITEMS –**

##### **Treasurer's Report**

Treasurer Bill Feehley presented the Treasurer's Report as of September 30, 2012.

On motion made by Commissioner Moore, seconded by Commissioner Hodge, the Board moved to approve the Treasurer's Report as presented. Motion carried unanimously.

The Treasurer's Report has been incorporated as an addendum to the meeting minutes.

##### **Proclamation, Economic Development Week**

President Mullin presented the Proclamation for Economic Development Week to Economic Development Director Lisa Webb, Economic Development Commission Chair Michael Ratchford, and Upper Shore Regional Council Executive Director Doris Mason.

### **Commissioner Comments**

Commissioner Moore thanked everyone for coming, and thanked the rescue organizations and the citizens of Cecil County for their help and support during the interim period;

Vice President Broomell welcomed everyone and commented on the workshop for Drug Awareness at Rising Sun High School on November 8, 2012 and the Mind to Market workshop on October 18, 2012;

Commissioner Hodge welcomed everyone and requested an explanation as to why cats should be excluded from Section 209-606 D;

Commissioner Dunn thanked everyone for coming;

President Mullin thanked everyone for coming.

### **PUBLIC HEARING—**

#### **Ordinance 2012-11, Amendments to Cecil County Code Chapter 312, Soil Erosion and Sediment Control Ordinance**

Public Works Director Scott Flanigan and Sediment and Stormwater Program Manager Van Funk provided an overview of Ordinance 2012-11, Amendments to Cecil County Code Chapter 312, Soil Erosion and Sediment Control Ordinance. Director Flanigan advised the Board that the proposed effective date is January 1, 2013.

Joe Carbetta, 1611 Carpenters Point Road, Perryville; stated his support of Ordinance 2012-11.

Ordinance 2012-11, Ordinance 2012-11, Amendments to Cecil County Code Chapter 312, Soil Erosion and Sediment Control Ordinance will be presented for the Board's adoption at the November 13, 2012 Commissioners Meeting.

#### **Ordinance 2012-12, Code Adoption Ordinance**

County Administrator Al Wein and Budget Manager Craig Whiteford provided an overview of Ordinance 2012-12, Code Adoption Ordinance. County Administrator Wein advised the Board that the effective date is December 3, 2012.

County Administrator Wein thanked the Charter Transition Committee, especially Charter Transition Committee Chair Ed Cole, the Department heads and other staff for their help.

Bob Gorman spoke on behalf of the Charter Transition Committee and thanked Ed Cole, County Administrator Wein, Budget Manager Whiteford and the Department heads for their help and support.

Diane Carabetta, 1611 Carpenters Point Road, Perryville; provided her suggestions and revisions relative to Ordinance 2012-12 in written format to the Board which was titled Exhibit 1; and has been included with these minutes.

Pete Pritchard, 95 Trinity Church Road, North East; commented on the proposed County Auditor position;

Members of the Board advised Mr. Pritchard that the County Council has the authority to hire an independent auditor in accordance with the Charter.

Joe Carabetta, 1611 Carpenters Point Road, Perryville; provided his comments and suggestions for revisions relative to Ordinance 2012-12.

Ordinance 2012-12, Code Adoption Ordinance will be presented for the Board's adoption at the November 13, 2012 Commissioners Meeting.

### **Ordinance 2012-13, Amendments to Chapter 209-Animal Care and Control**

County Administrator Wein provided an overview of the proposed amendments to Chapter 209-Animal Care and Control.

The following provided their comments and suggestions regarding Ordinance 2012-13:

- Edie Crick, 27 Jenkins Road, Chesapeake City; provided her suggestions for revisions to Ordinance 2012-13 in written format which was titled Exhibit 1;
- Jackie Gregory, 7 Cami Way, Elkton; provided information to the Board, which was titled Exhibit 2;
- Lyn Yelton, 295 Woods Road, Elkton;
- Joe Carabetta, 1611 Carpenters Point Road, Perryville;
- Pete Pritchard, 95 Trinity Church Road, North East;
- Barbara Pentiki, 4 Marion Court, Elkton
- Dave Reed, 2167 Blue Ball Road, Elkton;
- Ricky Lewis, Cat Crusaders, 60 Blythedale Road, Perryville;
- Dr. Carrie Ann Hamlin, North East Animal Hospital, 1771 W. Pulaski Hwy, Elkton;
- Rose Douglas, Chesapeake City;
- Richard Rudolph, 1156 Appleton Road, Elkton;
- Vanessa, 618 Board Street, Perryville;
- Michael Tesch, 34 Peterson Lane, Elkton
- Mary Fabulic, 127 Lake Forest Drive, Elkton;
- Jill McCoy, 4 East Parkway, Elkton;
- Dr. Gloria Kilby, Colora;

- Greg Decowsky, 14 Reading Road, Earleville;
- Sissy Smith, Zion;
- David Simpler, South Forest Road, Chesapeake City;
- Mike Wallace, Earleville;
- John Bolinski, 986 Irishtown Road, North East; provided his suggestions and revisions to Ordinance 2012-13 in written format which was titled Exhibit 3;
- Donna Caudell, 114 Long Drive, Elkton;
- Valerie Refner, 531 Bell Manor Road, Conowingo;
- Christina Clark, Port Deposit;
- Kate Ramey, 2192 Oldfield Point Road, Elkton;
- Briann Masenoir, Ruff Life Rescue, Calvert Road, Rising Sun;
- Anke Masters, 88 Mendenhall Road; Elkton; and
- Sarah Duplan, 51 O'leary Lane, Port Deposit

Exhibit's 1-3 have been included with these minutes.

Ordinance 2012-13, Amendments to Chapter 209-Animal Care and Control will be presented for the Board's adoption at the November 13, 2012 Commissioners Meeting.

## **INTRODUCTION—**

### **Amendment to the Water Service Agreement between the Board of County Commissioners for Cecil County and the Mayor and Commissioners of the Town of North East**

County Administrator Wein introduced the amendment to the Water Service Agreement between the Board of County Commissioners for Cecil County and the Mayor and Commissioners of the Town of North East.

County Administrator Wein advised the Board that water is to be served to all lots, excluding Phase 1, in the development known as Bedrock.

The amendment to the Water Service Agreement between the Board of County Commissioners for Cecil County and the Mayor and Commissioners of the Town of North East will be presented for the Board's consideration at their November 13, 2012 Commissioner Meeting.

### **Proposed recommendations for future bicycle improvements**

WILMAPCO Senior Planner Tamika Graham introduced the proposed recommendations for future bicycle improvements.

Members of the Board discussed the financial obligations of the County.

The proposed recommendations for future bicycle improvements will be presented for the Boards consideration at their November 20, 2012 Commissioner Meeting.

### **Deed between 6 Pearl Street, LLC and the Board of County Commissioners for the road dedication of Spring Meadow Lane**

Public Works Director Flanigan introduced the Deed between 6 Pearl Street, LLC and the Board of County Commissioners for the road dedication of Spring Meadow Lane.

The Deed between 6 Pearl Street, LLC and the Board of County Commissioners for the road dedication of Spring Meadow Lane will be presented for the Boards consideration at their November 13, 2012 Commissioner Meeting.

### **Permanent Utility Easement between the Cecil County Board of County Commissioners and Elkton Gas for Cherry Hill Road from Shannon Drive to Singerly Road**

Public Works Director Flanigan introduced the Permanent Utility Easement between the Cecil County Board of County Commissioners and Elkton Gas for Cherry Hill Road from Shannon Drive to Singerly Road.

The Permanent Utility Easement between the Cecil County Board of County Commissioners and Elkton Gas for Cherry Hill Road from Shannon Drive to Singerly Road will be presented for the Boards consideration at their November 13, 2012 Commissioner Meeting.

### **Fee-In-Lieu Agreement for Offsite Road Improvements for New East Crossing**

Public Works Director Flanigan introduced the Fee-In-Lieu Agreement for Offsite Road Improvements for New East Crossing.

The Fee-In-Lieu Agreement for Offsite Road Improvements for New East Crossing will be presented for the Boards' consideration at their November 13, 2012 Commissioner Meeting.

### **PUBLIC COMMENT—**

Donna Caudell, 114 Long Drive, Elkton; presented a petition opposing the proposed County Auditor position, and stated her concerns for the proposed bicycle master plan.

Jackie Gregory, 7 Cami Way, Elkton; stated her opposition to creating a County Auditor position, and commented on the proposed bicycle master plan.

### **ACTION ITEMS—**

#### **Appointments**

#### **Department of Social Services Board:**

- Doris Murray for a new appointment for a three year term to expire on June 30, 2015

On motion made by Commissioner Dunn, seconded by Commissioner Hodge, the Board moved to appoint Doris Murray to the Department of Social Services Board for a three year term. Motion carried unanimously.

### **Ordinance 2012-09, Amendment to Chapter 195 Energy Conservation Standards**

Permits and Inspections Director Patrick Conway presented Ordinance 2012-09, Amendment to Chapter 195 Energy Conservation Standards.

On motion made by Commissioner Moore, seconded by Vice President Broomell, the Board moved to adopt Ordinance 2012-09, Amendment to Chapter 195 Energy Conservation Standards. Motion carried four in favor and one in opposition.

Vote: Mullin:-Y, Broomell-Y, Dunn-Y, Moore-Y, Hodge-N

Members of the Board discussed the State mandates for the Energy Conservation Standards.

Director Conway advised the Board that the Energy Conservation Standards is a State mandate.

Ordinance 2012-09, Amendment to Chapter 195 Energy Conservation Standards has been included with these minutes.

### **Deed of Right-of-Way for Road Beds, Lake Forest Drive; Clear Field Court; and Wood Chip Court between York Building Products and the Board of Cecil County Commissioners**

Public Works Director Flanigan presented the Deed of Right-of-Way for Road Beds, Lake Forest Drive; Clear Field Court; and Wood Chip Court between York Building Products and the Board of Cecil County Commissioners.

On motion made by Commissioner Dunn, seconded by Commissioner Moore, the Board moved to approve the Deed of Right-of-Way for Road Beds, Lake Forest Drive; Clear Field Court; and Wood Chip Court between York Building Products and the Board of Cecil County Commissioners. Motion carried unanimously.

### **Bid 13-04: Cecil County Sports Complex: Football Field and Baseball Field Grading and Drainage**

Parks and Recreation Director Clyde Van Dyke presented Bid 13-04: Cecil County Sports Complex: Football Field and Baseball Field Grading and Drainage and recommended award of this Bid to Edgemoor Materials of Maryland.

On motion made by Commissioner Moore, seconded by Commissioner Dunn, the Board moved to award Bid 13-04: Cecil County Sports Complex: Football Field and Baseball Field Grading and Drainage to Edgemoor Materials of Maryland. Motion carried unanimously.

Members of the Board discussed the following:

- Contractor who is going to be doing the work; and
- Hiring more than one contractor.

### **RFP 13-05: Kitchen Equipment Maintenance**

County Administrator Wein presented RFP 13-05: Kitchen Equipment Maintenance.

On motion made by Commissioner Dunn, seconded by Commissioner Moore, the Board moved to approve RFP 13-05: Kitchen Equipment Maintenance. Motion carried unanimously.

#### **BUDGET ADMENDMENTS—**

County Administrator Wein presented budget amendments 32-33 for the Board's consideration.

On a motion made by Commissioner Moore, seconded by Commissioner Dunn, the Board moved to approve budget amendments 32-33 as presented. Motion carried unanimously.

Budget Amendments 32-33 have been included with these minutes.

#### **ADJOURNMENT**

On motion made by Vice President Broomell, seconded by Commissioner Moore, the Board moved to adjourn the meeting. Motion carried unanimously.

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