

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2017-13
July 11, 2017

The County Council of Cecil County met in legislative session at the County Administration Building, 200 Chesapeake Blvd., Elk Room, Elkton, MD. The following members of the Council were present:

Joyce Bowsbey, Council President
Dan Schneckenburger, Vice President
Bob Meffley, Council Member
George Patchell, Council Member
Jackie Gregory, Council Member

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

CALL TO ORDER

The meeting of the County Council of Cecil County of July 11, 2017 was called to order by Council President Bowsbey at 7:00 p.m. and opened with the Pledge of Allegiance.

OPENING PRAYER

Council President Bowsbey led the Council in a moment of silence.

APPROVAL OF AGENDA

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, moved to approve the legislative agenda of July 11, 2017. Motion carried unanimously.

PRESENTATION OF PROCLAMATIONS

The Council presented a proclamation in recognition of the sixty-fourth year of Cecil County Fair to Al Miller, Fair Board President. The Council also recognized Al Miller for his nine years of service as the president of the board. A proclamation in honor of Grove Miller was read to recognize him for twenty-two years of service for the Cecil County Fair.

PUBLIC HEARING

Council Manager Massey stated for the record:

FILE: 2017-04- APPLICANT: Penntex Ventures, LLC, c/o Dwight E. Thomey. REQUEST: to rezone 1 acre from Business Local (BL) to Business General, (BG). PROPERTY LOCATION: 2825 North East Road, North East, MD 21901, Election District: 9, Tax Map: 11, Parcel: 319. PROPERTY OWNER: Deverell Commercial Realty, LLC. PRESENTLY ZONED: Business Local, (BL).

Notice of the public hearing was published on June 28, 2017 and July 5, 2017.

Witnesses presenting testimony were sworn in by the Council Manager.

Dwight Thomey, representing the applicant, presented the request for rezoning, based on a mistake in the comprehensive rezoning of May 1, 2011. He introduced Ted Donald, Penntex Ventures; Betty Tustin, Traffic Concepts; and John Gonzales, Landmark Engineering; as witnesses.

Mr. Thomey provided copies of Exhibit A, a spiral-bound four-page document that was entitled, Rezoning Project, North East, Maryland, which included a map of the property.

Steve O'Connor, Zoning Administrator, stated that the Planning and Zoning staff and Planning Commission recommended approval based on a demonstrated mistake in the comprehensive rezoning. He presented the staff report of findings of facts, which recommended approval based on a demonstrative mistake in the comprehensive rezoning.

There were no Council questions or comments.

Council President Bowsbey opened the public hearing for public comments. There were no public comments.

There were no closing remarks.

Council President Bowsbey concluded the public hearing and announced that the rezoning case will be considered at the next legislative session on July 18, 2017.

APPROVAL OF MINUTES

On motion made by Councilwoman Gregory, seconded by Vice President Schneckenburger, the Council moved to approve the minutes of June 20, 2017. Motion carried unanimously.

PUBLIC COMMENTS

Karen Blankford, Habitat for Humanity Susquehanna, commented in support of Resolution No. 31-2017 regarding reducing connection fees.

Bob Ward, Bob Ward Companies, commented in support of Resolution No 31-2017.

Bill Luther, Gemcraft Homes, commented in support of lowering connection fees.

Tory Pierce, Frederick Ward Associates, commented in support of lowering connection fees.

Amy DiPietro, Morris Ritchie Associates, commented in support of lowering connection fees.

Brian Morgan, KCI Technology, commented in support of lowering connection fees.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Gregory thanked the audience for attending.

Vice President Schneckenburger commented on the County's economic develop success with Amazon and additional opportunities with the opening of LIDL and TRUaire. He also expressed his condolences for the family of Brian Williams, a Perryville volunteer fireman and first responder.

Councilman Patchell also expressed his condolences to the family of Brian Williams and the loss to Perryville and the fire company.

Councilman Meffley commented on his support for lowering connection fees as proposed by Resolution No. 31-2017. He also commented on arranging for the striping of Middleneck Road on July 17.

Council President Bowsbey expressed her condolences for the family of Brian Williams. She encouraged all Council Members to participate in Cecil Cares Day, which will be held on Saturday, September 23.

SPECIAL PRESENTATION

Eric Sennstrom, Director of Land Use and Development Services, presented the 2016 Annual Report from the Cecil County Planning Commission. He stated that this report documents land activities that have occurred in 2016. Council questions and comments ensued.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 27-2017 Appointments—Department of Social Services Board - Raymond Hamm and Berkeley Orr

A Resolution to confirm the reappointment of Raymond W. Hamm, Jr. and Berkeley C. Orr, Jr. to the Department of Social Services Board for three (3) year terms to expire June 30, 2020.

There were no introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted on July 11, 2017 and scheduled for consideration on July 18, 2017.

Council Manager Massey stated for the record:

Resolution No. 28-2017 Appointment—Agricultural Preservation Advisory Board-Shelley Hastings

A Resolution to confirm the reappointment by the County Executive of Shelley Hastings to the Agricultural Preservation Advisory Board, term to expire August 15, 2022.

There were no introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted on July 11, 2017 and scheduled for consideration on July 18, 2017.

Council Manager Massey stated for the record:

Resolution No. 29-2017 Appointments—Planning Commission - A. Chad Johnston and Peter Kirsh

A Resolution to confirm the reappointment by the County Executive of A. Chad Johnston and the appointment of Peter Kirsh, replacing Ken Wiggins to the Planning Commission; term to expire on August 15, 2020.

There were no introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted on July 11, 2017 and scheduled for consideration on July 18, 2017.

Council Manager Massey stated for the record:

Resolution No. 30-2017 Appointment—Board of Appeals - Brad Carrillo and Michael Linkous

A Resolution to confirm the reappointment of Brad Carrillo and Michael Linkous to the Cecil County Board of Appeals for a three year term to expire August 15, 2020.

There were no introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted on July 11, 2017 and scheduled for consideration on July 18, 2017.

Council Manager Massey stated for the record:

Resolution No. 31-2017 Water and Sewers - Sewer Use - Connection Charge

A Resolution to establish within the Cecil County Sanitary District a reduction of the connection fee for residential living units from \$12,000 per equivalent living unit to \$6,000 per equivalent living unit and to allow terms of any installment payment of the wastewater connection charge to be subject to terms as specified in the Sanitary District Policy.

Al Wein, Director of Administration, provided introductory comments. Council questions and comments ensued.

Introduced, read first time, and order posted on July 11, 2017 and scheduled for consideration on July 18, 2017.

Council Manager Massey stated for the record:

Resolution No. 32-2017 Budget Amendment - Land Use and Development Department- Development Plans Review Division

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2018 in order to transfer \$353,320 from the Development Services Division of the Department of Public Works to the new Development Plans Review Division of the Department of Land Use and Development Services to accommodate the merger of planning and plans review into one department.

Al Wein, Director of Administration, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted on July 11, 2017 and scheduled for consideration on July 18, 2017.

Council Manager Massey stated for the record:

Resolution No. 33-2017 Budget Amendment - Orphans' Court, County Council, Department of Public Works Roads Division, and the Maryland School for the Blind

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2018 in order to provide additional expenditure appropriation in the General Fund of \$3,750 for the Orphan's Court, \$20,000 for the County Council's advertising expenditure, \$36,360

for the temporary salaries for the Department of Public Works Roads Division's seasonal workers and interns, \$5,005 for the tuition costs for students attending the Maryland School for the Blind. The resolution also reduces the expenditure appropriation within the Department of Public Works Engineering and Construction Division by \$65,115 within the General Fund.

Al Wein, Director of Administration, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted on July 11, 2017 and scheduled for consideration on July 18, 2017.

Council Manager Massey stated for the record:

Resolution No. 34-2017 Creation and Appointment - Poultry House CAFOs Committee

A Resolution to establish the Poultry House CAFOs Committee to develop recommendations for poultry house CAFOs in Cecil County.

There were no introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted on July 11, 2017 and scheduled for consideration on July 18, 2017.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 22-2017 Amendment - Master Water and Sewer Plan - Conowingo Mobile Home Court and Maybelle Manor Mobile Home Estates

A Resolution to amend the Cecil County Master Water and Sewer Plan, Tables 8, 9, 11; and associated map; in order to separate the sewage systems of Conowingo Mobile Home Court and Maybelle Manor Mobile Home Estates.

The Resolution was introduced and posted on May 16, 2017 and the public hearing was held and concluded on June 20, 2017.

There were no Council questions or comments.

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve Resolution No. 22-2017.

Roll Call Vote: Meffley - Y, Schneckenburger - Y, Patchell - Y, Gregory - Y, Bowsbey - Y.
Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 26-2017 Appointment—Department of Social Services Board

A Resolution to confirm the appointment of Deron G. Brown to the Department of Social Services Board for three (3) year terms to expire June 30, 2020.

The Resolution was introduced and posted on June 20, 2017.

There were no Council questions or comments.

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve Resolution No. 26-2017.

Roll Call Vote: Meffley - Y, Schneckenburger - Y, Patchell - Y, Gregory - Y, Bowsbey - Y.
Motion carried unanimously.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2017-13 Monthly Statement of Claims - Posting on County Website

A Bill Amending Chapter 21, Section 21-2 Monthly Statement of Claims of the Code of Cecil County, authorizing the posting of a monthly statement of accounts for all expense payments above \$500 made in the preceding month on the County website and/or publishing in a County newspaper of general circulation.

Council comments ensued.

On motion made by Councilwoman Gregory, seconded by Vice President Schneckenburger, the Council moved to disapprove Bill No. 2017-13.

Roll Call Vote: Meffley - Y, Schneckenburger - Y, Patchell - Y, Gregory - Y, Bowsbey - Y.
Motion carried unanimously. Bill No. 2017-13 failed.

ADJOURNMENT


Council President Bowsbey adjourned the meeting at 8:09 p.m.

The next Council Legislative Session is scheduled for Tuesday, July 18, 2017 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:


James Massey
Council Manager

Approved:


Joyce Bowsbey
President