

**COUNTY COUNCIL OF CECIL COUNTY  
WORK SESSION MINUTES  
October 3, 2017**

**PRESENT:** Council Members: President Joyce Bowsbey, Vice President Dan Schneckenburger, Bob Meffley, George Patchell and Jackie Gregory; James Massey, Council Manager; Terry Hale, Council Assistant, members of the press; and members of the public.

**OPEN SESSION – Elk Room**

**9:00 A.M.** –Council President Bowsbey called the meeting to order at 9:00 a.m. and determined a quorum.

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

Council President Bowsbey asked for a moment of silence in memory of the Las Vegas shooting victims and their families.

**Approval of Minutes**

On a motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve the minutes of the Council work session of September 26, 2017, as presented. Motion was unanimously approved.

**Proposed Poultry CAFOs Zoning Regulations**

Council President Bowsbey led discussion of the proposed Poultry CAFOs zoning regulations.

Eric Sennstrom, Director of Land Use and Development Services, provided documentation that the Council's proposed zoning amendment must be submitted to the Planning Commission for review and make a recommendation. After the Planning Commission has taken action, the Council can then introduce the proposed zoning amendment as legislation, which will also require a public hearing.

Mr. Sennstrom also addressed the issue of the Council's intent to grandfather proposed poultry CAFOs that were known to be in process. Mr. Sennstrom provided documentation that addresses "vested right" in a zoning use. Citing two cases, he explained that a property owner must have a valid building permit and there must be a manifest commencement of construction readily visible and recognizable on the inspection of the property by a reasonable member of the general public in order to have vested right in an existing zoning use. Otherwise, any proposed poultry CAFOs will have to adhere to any updated zoning regulations.

The Council discussed the principle of "vested rights", the process for the Horst poultry CAFOs, and the process involving the Soil Conservation District, MDE and Cecil County permitting.

Council President Bowsbey asked if it was the intent of the Council to allow proposed poultry CAFOs to adhere to existing zoning regulation. Councilwoman Gregory suggested that a waiver could be granted by the Board of Appeals under certain circumstances. The Council discussed delaying the adoption of the zoning amendment to allow proposed poultry CAFOs to obtain their building permit and begin construction.

Vice President Schneckenburger made a motion to approve the zoning amendments as presented, which was seconded by Councilwoman Gregory. The motion was approved unanimously.

Councilwoman Gregory made a motion to delay the presentation of the zoning amendments to the Planning Commission by three months. The motion was seconded by Councilman Meffley and approved by a vote of 4 to 1. Vice President Schneckenburger was opposed.

#### **Consolidated Transportation Plan**

Council Manager Massey summarized the projects funded by the MDOT and SHA as discussed at the CTP Pretour meeting. For FY19, they proposed an additional \$52,000 for right of way for the bridge over Rock Run on MD 222 in the Town of Port Deposit, \$7.2M for the completion of the bridge over AMTRAK on MD 272 entering the Town of North East, and funding for road resurfacing, bridge replacement and road improvements. Cecil Transit will receive several new buses to replace existing ones. There is no funding for the proposed MARC Northeast Maintenance Facility because of an impasse in negotiations for the site. There was no discussion of a proposed Elkton Train Station.

Al Wein, Director of Administration, reviewed Cecil County's FY 2018 Transportation Priorities as submitted in April 2017. He stated that the only change was that the county has added the implementation of a new I-95 interchange in the Belvedere Road area.

#### **Proposed Legislative Initiatives**

Al Wein, Director of Administration, reviewed the proposed agenda for the meeting with the delegation to discuss legislative requests. He reviewed two local legislative requests.

The Cecil County Sheriff's Office has requested legislation to raise the ranks included in the FOP bargaining unit from Sergeant and below to Captain and below.

The Board of License Commissioners, also known as the Liquor Control Board, requested legislation to require mandatory alcohol awareness program training for alcohol service employees, both supervisors and bartenders.

Mr. Wein also discussed other issues of importance to Cecil County including the maintaining state funding for local government, the restoration of Highway User Revenue, and the advocacy for the county's transportation priorities.

Mr. Wein stated that County transportation priorities reflect toll relief, MARC extension, and the Belvidere Road interchange.

Mr. Wein also reviewed MACo legislative initiatives for local infrastructure fast track for Maryland (LIFT4MD), strong and smart state funding for school construction, aligning public access laws with modern technologies, and advancing Maryland's Next-Generation 911 system.

Council questions and comments ensued.

### **Review of Legislative Agenda**

A public hearing on Bill No. 2017-17 Budget Appropriation and Budget Transfer - Board of Education Capital Project - Gilpin Manor Elementary School Replacement Project, is scheduled at tonight's legislative session. Al Wein, Director of Administration provided comments. There were no Council questions or comments.

A public hearing on Bill No. 2017-18 County Council - Procurement - Exemption - Publication of Notices and Codification of Laws, is scheduled at tonight's legislative session. Council Manager Massey provided comments. Additional comments were made by Winston Robinson, Finance Director. Council questions and comments ensued.

A public hearing on Resolution No. 45-2017 Approval - Transfer of Real Property - Town of Rising Sun - Rails to Trails, is scheduled at tonight's legislative session. Al Wein, Director of Administration provided comments. There were no Council questions or comments.

A public hearing on Resolution No. 46-2017 Approval - Abandonment and Sale - Hayes Lane, is scheduled at tonight's legislative session. There were no Council questions or comments.

There were no introductory comments or questions on Resolution No. 50-2017 Appointment - Cecil County Ethics Commission - Wyatt Wallace, which will be introduced at tonight's session.

Al Wein, Director of Administration, provided introductory comments on Resolution No. 51-2017 Approval - Maryland Economic Development Assistance and Authority Fund - Lidl, which will be introduced at tonight's legislative session. Christopher Moyer, Director of Economic Development, stated that the county's share of this loan is funded from the Video Lottery Terminal. The county is providing \$36,000 in conditional loans, which may be reduced upon the creation of 800 jobs by the end of 2019. He stated that Lidl will generate \$12M in property taxes and \$700,000 in income tax revenue. Council questions and comments ensued.

Christopher Moyer, Director of Economic Development, provided introductory comments on Resolution No. 52-2017 Approval - Maryland Economic Development Assistance and Authority Fund - Project Melo, which will be introduced at tonight's legislative session. He stated that the county is providing \$170,000 in conditional loans, which may be reduced upon the creation of 225 jobs by the end of 2021 and an additional 225 jobs by the end of 2022. The source of funding for this project is from the Video Lottery Terminal. He stated that this project will generate \$5.5M in property tax and \$3M in income tax revenue. Council questions and comments ensued.

There were no introductory comments or questions on Resolution No. 54-2017 Appointment - Board of Parks and Recreation - Megan Coleman, which will be introduced at tonight's session.

Resolution No. 47-2017 Appointment - Human Services Agency - John Donohue, will be considered for approval at tonight's session. There were no Council questions or comments.

Resolution No. 48-2017 Appointment - Commission on Aging - Stacy Kortas, Shalini Arora, and Robert Wilson, will be considered for approval at tonight's session. There were no Council questions or comments.

Resolution No. 49-2017 Supplemental Appropriation - Special Revenue - Other Grants Fund - MDOT - Asphalt Overlay Program, will be considered for approval at tonight's session. Al Wein, Director of Administration, provided comments. There were no Council questions or comments.

#### **Council Manager Report**

Mr. Massey updated Council Members about upcoming meetings and events. He reported on several issues from MACo and Clean Chesapeake Coalition.

#### **Council Member Comments**

Councilman Patchell had no comments.

Councilman Meffley attended the opening of Bohemia Manor Overlook, Cecil County Manufacturers Appreciation Luncheon, Palette and the Page artists showing. He attended the Cecil County Drug and Alcohol Abuse Council meeting and commented on increasing drug education because of the increase in users and fatalities. He attended the Voices of Hope 5K walk and commented on the Town of Elkton's moratorium on methadone clinics. He will be attending the ribbon cutting for the new turf field at Perryville High School.

Councilwoman Gregory attended the opening of Bohemia River Overlook and commented on resolving the neighborhood issues. She attended the Cecil County Drug and Alcohol Abuse Council meeting and commented on the illegal drugs coming from China. She attended an early childhood workshop by Jim Gill, a music educator, and commented on its value to teachers. She also attended the North East Fire Company Annual Banquet and commented on honoring their first responders.

Vice President Schneckenburger commented that he attended many of the same events as mentioned. He attended the opening of Bohemia River Overlook, Manufacturers Appreciation Luncheon, and North East Fire Company annual banquet. He attended the Cecil County Drug and Alcohol Abuse Council meeting and presented a proclamation commemorating National Recovery Month. He commented about the presentation by Ray Lynn, Heroin Coordinator for the Cecil County Sheriff's Office, who he has invited to address the County Council. He plans to attend the Economic Development Commission meeting.

Council President Bowsbey commented on the Elkton Chamber Choir who are raising funds to support their travel and performance at Disney World. She also commented on the economic impact of recent hurricanes on building construction and supplies, and job market.


#### **Adjournment**

On a motion made by Councilwoman Gregory, seconded by Councilman Meffley, the work session was adjourned by Council President Bowsbey at 10:06 a.m.

Attest:

  
James Massey  
Council Manager

Approved:

  
Joyce Bowsbey, President  
County Council of Cecil County