

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2017-20
October 17, 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 October 17, 2017 was called to order by Council President Bowsbey at 7:00 p.m. and opened with the Pledge of Allegiance.

MOMENT OF SILENCE

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 October 17, 2017. Motion carried unanimously.

PUBLIC HEARING

Rezoning Application:

FILE: 2017-06 APPLICANT: North East, LLC. REQUEST: Request to rezone 170 acres from Low Density Residential (LDR) to Business General (BG). PROPERTY LOCATION: 765 Mechanics Valley Road, North East, MD 21901, Election District: 5, Tax Map: 25, Parcel: 200. PROPERTY OWNER: North East, LLC, c/o Charles Narvel. PRESENTLY ZONED: Low Density Residential (LDR).

Notice of the public hearing was published on October 4, 2017 and October 11, 2017.

Witnesses presenting testimony were sworn in by Council Manager Massey.

Dwight Thomey, representing the applicant, presented the request for rezoning, based on a mistake in the Comprehensive Rezoning of May 1, 2011. He introduced Charles Narvel, the applicant and owner of the property, as a witness. Mr. Thomey referred to the map in the application of the surrounding properties.

Eric Sennstrom, Director of Land Use and Development Services, stated that the Planning staff and Planning Commission recommended approval based on a mistake in the Comprehensive Rezoning of May 1, 2011.

Stephen O'Connor, Zoning Administrator, presented the staff report of findings of facts, which recommended approval based on a mistake in the Comprehensive Rezoning of May 1, 2011.

Council President Bowsbey opened the public hearing for public comments. Harold McCanick, Elk Neck, commented in support of the application.

There were no closing remarks.

Council questions and comments ensued.

Council President Bowsbey concluded the public hearing and announced that the rezoning case will be considered at the next legislative session on November 7, 2017.

APPROVAL OF MINUTES

On motion made by Councilwoman Gregory, seconded by Vice President Schneckenburger, the Council moved to approve the minutes of October 3, 2017. Motion carried unanimously.

PUBLIC COMMENTS

Harold McCanick, Elk Neck, commented the school budget surplus, the county's budget default, Delaware school tax, the County's tax increase, Cecil Transit and adult education.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Gregory thanked the audience for attending. She commented that it was a busy week of events and activities. She attended the North East Feeder School meeting and commented on the need for parents to talk with their children about drugs. She encouraged the public to attend future educational forums at area high schools. She stated that she was looking at Cecil Transit use, cost benefit, and understood the importance of adult education.

Vice President Schneckenburger welcomed the audience and acknowledged representation by Indian Acres. He attended the Bainbridge Development Corporation annual meeting and commented on the economic potential of the property and the US Navy's agreement to clean up the contamination. He attended the Fair Hill International and commented on their pursuit of the four star designation. He also attended two apple butter festivals.

Councilman Patchell stated that he had reported during the morning work session.

Councilman Meffley stated that he had attended eight events last week. He attended the Consolidated Transportation Plan meeting and commented on our request to move the toll plaza to the state line. He attended the Delegation Legislative Request meeting and commented that there were no new projects funded for Cecil County. He also attended the Grand Prix in Elkton and the Bainbridge Development

Corporation annual meeting. He commented on the value of Cecil Transit and his support for adult education.

Council President Bowsbey commented that the Council does not control how the school systems spends their budget and that Delaware has a separate school tax, which is increased by referendum. She stated that she appreciated that the school system saved \$6M by savings in utility costs and moving their retirees to health reimbursement arrangement. She also stated that the school system intends to use their budget surplus for small capital projects, which has been requested in the county budget for several years.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2017-19 Budget Transfer - Wastewater Capital Project Budget - I&I Meadowview, Cherry Hill, Highlands Project

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2018 to transfer existing bond appropriation authority within the Wastewater Capital Projects Budget in the amount of \$386,000 from completed Wastewater Capital Projects including the Repair Carpenters Point Sewer Trenches (\$102,736) and the Construct Highland Interceptor Sewer Project (\$283,264); to the Inflow and Infiltration Projects(I&I) Meadowview, Cherry Hill, Highlands Project.

Winston Robinson, Finance Director, provided introductory comments on this legislation.

There were no questions or comments on this legislation.

Introduced, read first time and order posted on October 17, 2017. The public hearing will be advertised and scheduled on the Council Legislative Session of November 21, 2017.

Council Manager Massey stated for the record:

Bill No. 2017-20 Budget Amendment - Wastewater Capital Project Budget - Elkton West Sanitary Sewer District - USDA Loan

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2018, to replace existing County General Obligation (GO) Bonds appropriation authority of \$8,070,000 for the construction of the Elkton West Sanitary Sewer Sub-district project within the Wastewater Capital Projects Budget, with a loan approved for the project from the United States Department of Agriculture (USDA).

Winston Robinson, Finance Director, provided introductory comments on this legislation.

There were no questions or comments on this legislation.

Introduced, read first time and order posted on October 17, 2017. The public hearing will be advertised and scheduled on the Council Legislative Session of November 21, 2017.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 45-2017 Approval- Transfer of Real Property - Town of Rising Sun - Rails to Trails

A Resolution to approve the transfer of real property located within the Town of Rising Sun for use by the Town as part of its Rails to Trails Program.

The Resolution was introduced and posted on September 5, 2017. The public hearing was held and concluded on October 3, 2017.

Winston Robinson, Finance Director, provided comments. There were no Council questions or comments.

On motion made by Vice President Schneckenburger, seconded by Councilman Meffley, the Council moved to approve Resolution No. 45-2017.

Roll call vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger- Y, Bowsbey-Y

Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 46-2017 Approval- Abandonment and Sale - Hayes Lane

A Resolution to approve the abandonment of a "paper" road called Hayes Lane, which is located in the Fifth Election District, Cecil County, Maryland, and an agreement to sell Hayes Lane to Eric Polansky and Charmie Polansky, and to PLLH, LLC, for consideration totaling Ten Thousand Dollars (\$10,000.00).

The Resolution was introduced and posted on September 5, 2017. The public hearing was held and concluded on October 3, 2017.

There were no Council questions or comments.

On motion made by Councilwoman Gregory, seconded by Vice President Schneckenburger, the Council moved to approve Resolution No. 46-2017.

Roll call vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger- Y, Bowsbey-Y

Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 50-2017 Appointment—Cecil County Ethics Commission-Wyatt Wallace

A Resolution to confirm the appointment of Wyatt Wallace made by the County Executive to the Cecil County Ethics Commission, completing the term of Donna Caudell, term to expire October 3, 2021.

There were no Council questions or comments.

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve Resolution No. 50-2017.

Roll call vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger- Y, Bowsbey-Y
Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 51-2017 Approval - Maryland Economic Development Assistance and Authority Fund Loan - Lidl

A Resolution endorsing a Maryland Economic Development Assistance and Authority Fund Loan, pursuant to which Lidl US, LLC will establish a new 790,000 square foot distribution center and acquire the real property upon which the distribution center will be situated in Principio Business Park in North East, Cecil County, Maryland.

Christopher Moyer, Economic Development Director, provided comments on the legislation.

There were no Council questions or comments.

On motion made by Vice President Schneckenburger, seconded by Councilman Meffley, the Council moved to approve Resolution No. 51-2017.

Roll call vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger- Y, Bowsbey-Y
Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 52- 2017 Approval - Maryland Economic Development Assistance and Authority Fund Loan- Project Melo

A Resolution endorsing a Maryland Economic Development Assistance and Authority Fund Loan, pursuant to which the Borrower will establish a new 1M plus square foot distribution center and acquire the real property upon which the distribution center will be situated in Principio Business Park in North East, Cecil County, Maryland.

Christopher Moyer, Economic Development Director, provided comments on the legislation.

There were no Council questions or comments.

On motion made by Vice President Schneckenburger, seconded by Councilwoman Gregory, the Council moved to approve Resolution No. 52-2017.

Roll call vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger- Y, Bowsbey-Y
Motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 54-2017 Appointment—Board of Parks and Recreation—Megan Coleman

A Resolution to confirm the appointment by the County Executive of Megan Coleman to the Board of Parks and Recreation term to expire on October 17, 2020.

There were no Council questions or comments.

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve Resolution No. 54-2017.

Roll call vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger- Y, Bowlsbey-Y
Motion was unanimously approved.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2017-17 Budget Appropriation and Budget Transfer - Board of Education Capital Project - Gilpin Manor Elementary School Replacement Project

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2018, in order to provide an additional appropriation of \$78,698.23 in revenue and expenditure authority within the General Fund for the consideration received for property from the Town of Elkton; and amends the Board of Education's Capital Project's Fund revenue and expenditure authority by \$78,698.23 in order to transfer the consideration to Cecil County Public Schools for the payment of permit fees for the Gilpin Manor Elementary School Replacement Project.

Winston Robinson, Finance Director, provided a summary of the Bill.

There were no Council questions or comments.

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve Bill No. 2017-17.

Roll call vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger- Y, Bowlsbey-Y
Motion was unanimously approved.

Council Manager Massey stated for the record:

Bill No. 2017-18 County Council - Procurement - Exemption - Publication of Notices and Codification of Laws

A Bill to amend the Code of Cecil County in order to exempt the legal notices and codification of the Code from procurement procedures.

There were no Council questions or comments.

On motion made by Vice President Schneckenburger, seconded by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve Bill No. 2017-17.

Roll call vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger- Y, Bowlsbey-Y
Motion was unanimously approved.

NEW BUSINESS

Cecil County Public Schools - Budget Amendment #44

Vice President Schneckenburger made a motion, seconded by Councilwoman Gregory, to approve budget amendment #44 in the amount of \$1,588,815.


The Council voted unanimously to approve the motion.

ADJOURNMENT

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, Council President Bowsbey adjourned the meeting at 7:48 p.m.

The next Council Legislative Session is scheduled for Tuesday, November 7, 2017 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:


James Massey
Council Manager

Approved:


Joyce Bowsbey
President