

**COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
June 5, 2018**

PRESENT: Council Members: President 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.

Approval of Minutes

On a motion made by Councilwoman Gregory, seconded by Councilman Schneckenburger, the Council moved to approve the minutes of the Council work session of May 15, 2018, as presented. Motion was approved unanimously.

On a motion made by Councilman Schneckenburger, seconded by Councilman Meffley, the Council moved to approve the minutes of the Council Budget Deliberation session of May 29, 2018, as presented. Motion was approved unanimously.

Review of Legislative Agenda

A public hearing for Rezoning Case #2018-02 Dwight Thomey regarding property at 34 Childs Road, Elkton, Md., is scheduled at tonight’s legislative session. Eric Sennstrom, Director of Land Use and Development Services, provided brief remarks. He noted that during the Planning Commission hearing, the applicant revised his request to rezone the property from Rural Residential (RR) to Business General (BG), rather than Light Industrial (M-1). There were no Council questions or comments.

A public hearing on Bill No. 2018-05 Amendment – Capital Budget FY 2018 Wastewater Capital Project- Grant Award – Construct CECO to Cherry Hill Connection, is scheduled for tonight’s legislative session. Al Wein, Director of Administration, provided comments on this Bill. Council questions and comments ensued. Mr. Wein stated that the \$2.8M project will provide for a pumping station and pump lines. He also stated that residents have been notified of this proposal.

A public hearing on Resolution No. 22-2018 Amendment – Personnel Policies and Procedures Manual, is scheduled for tonight’s legislative session. Sally Kilby, Human Resources Director, provided comments. Council questions and comments ensued.

Al Wein, Director of Administration, provided introductory comments on Resolution No. 23-2018 Appointment – Board of License Commissioners – W. Edwin Cole, Jr., which will be introduced at tonight’s session. There were no Council questions or comments.

Rebecca Anderson, Budget Manager, provided introductory comments on Resolution No. 24-2018 Budget Amendment – Grants – State’s Attorney’s Office – Town of Rising Sun, which will be introduced at tonight’s session. Council questions and comments ensued. Ms. Anderson explained that the Town of Rising Sun agreed to provide \$18,628 recovered from a criminal case to the State’s Attorney’s Office, which will be used to upgrade their office technology.

Resolution No. 25-2018 Appointment – Property Tax Assessment Appeal Board – Charlotte J. Loller, will be introduced at tonight’s legislative session. There were no comments or questions.

Rebecca Anderson, Budget Manager, provided introductory comments on Resolution No. 26-2018 Supplemental Appropriation – Parks and Recreation – Wrestling and Football Equipment, which will be introduced at tonight’s session. Council questions and comments ensued. Clyde Van Dyke, Parks and Recreation Director, provided additional information about these youth programs and explained that registration fees will cover the cost of this equipment.

Resolution No. 19-2018 Fees – Mosquito Control Spraying, will be considered for approval at tonight’s session. There were no comments or questions.

Bill No. 2018-04 Lease and Purchase – Vehicles and Equipment Financing, will be considered for final approval at tonight’s session. There were no comments or questions.

Bill No. 2018-03 Capital Improvement Plan – FY 2019-2023, will be considered for final approval at tonight’s session. There were no comments or questions.

Bill No. 2018-02 Annual Budget and Appropriation Ordinance – FY 2019, will be considered for final approval at tonight’s session. Council President Bowlsbey stated that the Cecil County Public Schools had submitted two requests for amendments.

In a letter, dated June 4, 2018, Dr. Devine requested Amendment #1 to Bill No. 2018-02 to transfer \$955,000 for the Board of Education – Small Capital projects to the Board of Education – Operating budget allocation to meet their negotiated agreements. Dr. Devine requested Amendment #2 to Bill 2018-03 to provide additional funding to the FY2019-FY2023 capital improvement plan to fund the additional projects listed in FY 2019 for the Board of Education. Additional projects included: Bohemia Manor High: Replace VAV units \$260,000 (re-appropriate in FY 19), Resurface the track, replace fence, install new \$235,000 (deferred maintenance); Rising Sun Elementary: Septic piping in septic pump pit \$160,000 (deferred maintenance); Cecil Manor Elementary: Handicap ramp attached to stairs \$50,000 (deferred maintenance); and Bohemia Manor Middle: Secure entrance to the building \$250,000 (safe schools); for a total amount of \$955,000.

Jason Allison, County Attorney, stated that there is one exception under state law where the Council may increase revenue. In Section 5-102 of the Education Article, the Council may restore funding to the school system that the County Executive decreased, but the Charter requires that the budget must be balanced. He stated that the Council could restore the school’s reduction by two options.

The Council could increase the property tax rate to raise the additional funds. Otherwise, the Council could make reductions in the operating budget to equal the amount of increase to the school budget. He stated that increasing the tax rate by four cents (\$.04) would raise approximately \$1M. He also stated that the County Executive is opposed to any tax increase.

Mr. Allison stated that the school board's proposal is not feasible because our Charter, Section 507a, does not provide the Council with the authority to change the form of the budget, which is what the school board is asking.

Council President Bowsbey clarified that if the Council agrees to the school board's request, the maintenance of effort would be increased by \$955,000. She polled Council Members about their support of these amendments.

Tom Kappra, Chief Financial Officer, Cecil County Public Schools, requested to speak regarding the proposed amendments. He explained that the 2% COLA was for all employees but was being phased in over three years. He stated that he disagreed with the County Attorney regarding the small capital budget as an operating expense. He stated that when the County published the budget, the school allocation was one line, which he concluded that his proposal does not change the form of the budget.

He stated that this proposal does not require a tax increase because it reduces the small capital budget by the same amount that the operating budget is being increased. He stated that the school system would like to see the small capital projects funded through the Capital Budget, but if not, the school system is willing to see them cut because their priority is the employees' COLA. He also stated that there are savings in several capital project accounts, which could cover the costs of these small capital projects. He stated that, in addition to the proposed \$955,000, the school system was willing to reduce operating expenses by \$800,000 in order to meet the cost of the COLA. The school system also reduced their operating budget request by \$1M that would have funded new positions.

He stated that any changes to the school budget after July 1, 2018, would be recorded as additional allocation and be included in the maintenance of effort for FY 2020. Mr. Kappra stated that the school system was opposed to using the fund balance to cover ongoing expenses.

Mr. Kappra reiterated that the priority for the school system was to fund its negotiated agreements with bargaining associations. He also stated that the County allowed the school system to take funds from the small capital budget for their operating budget when last minute budget reductions were made.

Discussion continued on whether the small capital budget is considered within the capital or operating budget, the use of the school system's unassigned fund balance for ongoing expenses, and the school's intention with school security projects.

Council President Bowsbey suggested that the new School Superintendent should meet with the County Executive prior to contract negotiations in order to discuss county economic and financial

conditions. Mr. Allison suggested that all negotiated contracts should include language to make the contract contingent on approval of funds by the Council.

The Council encouraged the school system to work with the administration after July 1, 2018, to negotiate a solution.

Council President Bowsbey called for the question on the school system's proposed amendments.

Councilwoman Gregory made a motion not to support the proposed amendments from the school system. The motion was seconded by Councilman Meffley and approved by a unanimous vote.

Resolution No. 21-2018 Adoption of Property Tax Rate – FY 2019, will be considered at tonight's legislative session. There were no comments or questions.

Cecil County Public Schools Budget Amendment #50, will be considered for approval at tonight's session.

Council Manager Report

Mr. Massey updated Council Members about upcoming meetings and events.

Council Member Comments

Councilman Patchell had no comments.

Councilman Meffley commented on the cancellation of the clean-up at Brentwood Park and hoped that it will be rescheduled. He attended the Cecil College graduation commencement, Maryland Rural Development Corporation board meeting, Fair Hill Races, and Elkton Memorial Day parade. He presented the college scholarship to Jessica Criddle at Bohemia Manor High School senior awards assembly. He also attended a dinner with General Taylor of Aberdeen Proving Ground and commented on the General's interest in helping Cecil County. He attended the Gallery Walk of Capstone Projects and commented on a robotic hand project. Mr. Meffley attended the Vietnam Traveling Memorial Wall with County Executive McCarthy and commented on the humbling experience. Nine Cecil County fallen heroes were honored at the event.

Councilwoman Gregory attended the Youth Celebration Banquet for the Boys and Girls Club and commented on the impact of this organization on youths and families. She attended dinner with General Taylor off Aberdeen Proving Ground, and Memorial Service at the VFW Post in North East. She also attended Fair Hill Races and spoke with Governor Hogan. She attended the senior scholarship assembly at North East High School where she presented scholarships to Russell Houlitze from North East High School and Brianna Shecklells, who earned the scholarship from the School of Technology. She also responded to an article in the recent Cecil Guardian about the importance of being factual.

Vice President Schneckeburger attended the Fair Hill Races and spoke to Governor Hogan. He attended Memorial Day Services at the American Legion Post in Perryville and VFW Post in North

East. He attended the Rising Sun High School senior scholarship assembly and presented a scholarship award to Abigail Mackeprang. He also attended the Sunfest in Rising Sun. He stated that he will be attending graduations at Elkton High School and Rising Sun High School. He will be attending the Army Alliance next week.

Council President Bowsbey attended the Planning Commission and reported on several special exception requests.

Adjournment

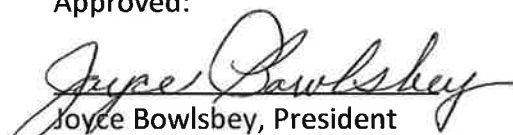
On a motion made by Councilwoman Gregory, seconded by Councilman Meffley, the work session was adjourned by Council President Bowsbey at 10:04 am.

The next Council work session will be held on Tuesday, June 12, 2018 at 9 am.

Attest:


James Massey
Council Manager

Approved:


Joyce Bowsbey, President