

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE SESSION MINUTES  
LSD 2018-11  
June 5, 2018**

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](http://www.ccgov.org).

**CALL TO ORDER**

The meeting of the County Council of Cecil County of June 5, 2018 was called to order by Council President Bowsbey at 7:00 p.m. and opened with the Pledge of Allegiance.

**OPENING PRAYER**

Vice President Schneckenburger introduced Pastor Neil Gutmaker from Chesapeake City United Methodist Church who lead the opening prayer.

**APPROVAL OF AGENDA**

On motion made by Councilwoman Gregory, seconded by Vice President Schneckenburger, moved to approve the legislative agenda of June 5, 2018. Motion was carried unanimously.

**PUBLIC HEARINGS**

Council Manager Massey stated for the record:

Rezoning Case #2018-02 APPLICANT: Dwight Thomey: REQUEST: to rezone 1.9554 acres from Rural Residential (RR) to Business General (BG), PROPERTY LOCATION: 94 Childs Road, Elkton, MD 21921, Election District: 3, Tax Map: 20, Parcel 857, PROPERTY OWNER: Kevin W. Jones and Laurel P. Jones, Presently Zoned: Rural Residential (RR)

Notice of public hearing was published on May 23, 2018 and May 30, 2018.

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 2011 Comprehensive Rezoning. Mr. Thomey interviewed Kevin W. Jones and Laurel P. Jones of North East, the property owners. He then interviewed Dale Wolf, President, KW Solar Solutions, of Bear, Delaware, the buyer intending to purchase this property. He also provided photos of the property, as Exhibit 1.

Eric Sennstrom, Director of Land Use and Development Services, stated that the Planning and Zoning staff and Planning Commission recommended approval based on a demonstrated mistake in the Comprehensive Rezoning. Steve O'Connor, Zoning Administrator, presented the staff report of the Findings of Facts, which recommended approval, based on a demonstrated mistake in the Comprehensive Rezoning.

Council questions ensued. Mr. Wolf stated that there would be no welding on the property. Mr. Sennstrom indicated that the property was zoned for Heavy Industry from 1962-1979, Agricultural-Residential from 1979-1993, Suburban Residential from 1993-2011 and Rural Residential from 2011 to present.

Council President Bowsbey opened the public hearing for public comments.

Bruce Magaw, 128 Childs Street, Elkton, commented in favor of the rezoning.

Mr. O'Connor read a letter of support from Rebecca Demmler, PO Box 21, Childs, MD, in support of the rezoning.

Gayle Barker, 37 Paper Mill Road, Elkton, commented in opposition to the rezoning

John Berkey, 40 Paper Mill Road, Elkton, commented in opposition to the rezoning.

Mr. Thomey provided concluding remarks.

There were no Council questions or comments.

Council President Bowsbey concluded the public hearing and announced that the rezoning case will be considered at the next legislative session on June 19, 2018.

Council Manager Massey stated for the record:

**Bill No. 2018-05 Amendment – Capital Budget FY 2018 – Wastewater Capital Project – Grant Award – Construct CECO to Cherry Hill Connection**

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 grant appropriation authority from the Maryland Department of the Environment (MDE) of \$2,850,000 to the Wastewater Capital Improvement Program for the construction of a force main and pump station to connect the sewer collection system in Manchester Park (CECO Utilities, Inc.) to the Cherry Hill Wastewater Treatment Plant.

The Bill was introduced on May 1, 2018, advertised on May 23, 2018 and May 30, 2018, and scheduled for public hearing on June 5, 2018.

Al Wein, Director of Administration, provided comments on this legislation.

Council questions and comments ensued. Scott Flanigan, Public Works Director, stated that the capacity of the North East River Advanced Wastewater Treatment Plant at Seneca Point was 250,000 gpd. They are currently processing 100,000 gpd. CECO utilities would add 30,000 gpd to their WWTP.

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

Council President Bowsbey concluded the public hearing and announced that final consideration will be held on June 19, 2018.

Council Manager Massey stated for the record:

**Resolution No. 22-2018 Amendment - Personnel Policies and Procedures Manuel**

A Resolution to repeal the existing Cecil County, Maryland Personnel Policies and Procedures Manual , and to enact a new Personnel Policies and Procedures Manuel, pursuant to Cecil County Code Chapter A384, §§ A384-1 (Adoption of Personnel Policies and Procedures Manual) and A384-2 (Change or Repeal of Provisions; No Express or implied Contract of Employment).

The Resolution was introduced on May 1, 2018, advertised on May 23, 2018 and May 30, 2018, and scheduled for public hearing on June 5, 2018.

Sally Kilby, Human Resources Director, provided comments on this legislation.

There were no Council questions or comments.

Council President Bowsbey opened the public hearing for public comments.

Steve O'Connor, Elkton, commented in favor of the legislation.

Council President Bowsbey concluded the public hearing and announced that final consideration will be held on June 19, 2018.

**APPROVAL OF MINUTES**

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve the minutes of May 15, 2018. Motion was carried unanimously.

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve the minutes of public hearing on May 22, 2018. Motion was carried unanimously.

**PUBLIC COMMENTS**

Stephanie Palko, Cecil Guardian Reporter, commented on her credibility as a news reporter.

Harold McCanick, Elk Neck, commented on government spending, the proposed North East Library, and the lack of aviation training at Cecil College.

Hank Passi, North East, commented on the Airman of Note concert on June 16 at Harts Amphitheater.

**PRESIDENT AND COUNCIL COMMENTS**

Councilman Patchell had no comments

Councilman Meffley attended the Gallery Walk of Capstone Projects and commented on the outstanding skills of the students. He attended the Vietnam Traveling Memorial Wall with County Executive McCarthy

and commented on the nine Cecil County fallen heroes honored. Dr. McCarthy and he were presented commemorative pins for their armed forces service.

Councilwoman Gregory presented college scholarships to Russell Houltz from North East High School ; Brianna Sheckells from the School of Technology at the senior awards assembly at North East High School. She commented on remarks made by Stephanie Palko, Cecil Guardian reporter.

Vice President Schneckenburger thanked the audience for attending and commented on the difference in this year's budget. He stated that he hoped to work with administration to use the budget surplus to cover the budget gaps in the public school budget and fire equipment. He also stated that he would like to see tax relief for the public by implementing the former discount program for paying taxes early and for senior citizens. He thanked Andrew Ondish and Weyrich, Cronin and Sorra for their budget consultation.

Council President Bowsbey thanked the audience for attending. She presented a college scholarship award to Jaycie Devonta Coates at Elkton High School.

### **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey stated for the record:

#### **Resolution No. 23-2018 Appointment—Board of License Commissioners - W. Edwin Cole, Jr.**

A Resolution to confirm the reappointment by the County Executive of W. Edwin Cole, Jr. to the Cecil County Board of License Commissioners to four year term, which will expire on June 30, 2021.

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

Introduced, read first time and order posted on June 5, 2018 and scheduled for consideration on June 19, 2018.

Council Manager Massey stated for the record:

#### **Resolution No. 24-2018 Budget Amendment – Grants –State's Attorney's Office – Town of Rising Sun**

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 a total of \$18,628 in additions to the Special Revenue – Other Grants Fund – State's Attorney's Office from the Town of Rising Sun asset forfeiture.

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

Introduced, read first time and order posted on June 5, 2018 and scheduled for consideration on June 19, 2018.

Council Manager Massey stated for the record:

#### **Resolution No. 25-2018 Appointment—Property Tax Assessment Appeal Board- Charlotte J. Loller**

A Resolution to recommend to the Governor of Maryland the reappointment of Charlotte J. Loller to the Cecil County Property Tax Assessment Appeal Board to a five year term, which will expire on June 1, 2023.

There were no introductory comments or Council questions.

Introduced, read first time and order posted on June 5, 2018 and scheduled for consideration on June 19, 2018.

Council Manager Massey stated for the record:

**Resolution No. 26-2018 Supplemental Appropriation – Parks and Recreation – Wrestling and Football Equipment**

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2018, to increase the revenue estimate and budget expenditure authority within the General Fund Department of Parks and Recreation budget by \$20,000, in order to have sufficient budgetary authority to pay for necessary equipment for the wrestling and football programs.

There were no introductory comments or Council questions.

Introduced, read first time and order posted on June 5, 2018 and scheduled for consideration on June 19, 2018.

**CONSIDERATION OF RESOLUTIONS**

Council Manager Massey stated for the record:

**Resolution No. 19-2018 Fees - Mosquito Control Spraying**

A Resolution to establish fees for mosquito control (spraying) pursuant to Md. Code Ann., § 5-404, Agriculture Article and Cecil County Charter § 508.

The Resolution was introduced on April 3, 2018 and public hearing held on May 22, 2018.

Al Wein, Director of Administration, provided comments. 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. 19-2018.

Roll Call Vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger-Y, Bowsbey-Y  
Motion was approved by unanimous vote.

**CALL FOR FINAL READING OF BILLS**

Council Manager Massey stated for the record:

**Bill No. 2018-04 Lease and Purchase – Vehicle and Equipment Financing**

A Bill authorizing and empowering Cecil County, Maryland to enter into new financing under a lease purchase agreement or similar arrangement in an aggregate principal amount not to exceed Two Million Dollars (\$2,000,000) for Fiscal Year 2019 for the purpose of financing the acquisition of certain necessary and essential vehicles and equipment for use in the County's governmental programs; providing that the obligations of the County under the agreement shall not be a general obligation of the County, shall not constitute a pledge of the full faith and credit or the taxing power of the County and shall not constitute a

debt of the County within the meaning of any statutory or constitutional provision, but shall be subject to appropriation in each and every fiscal year during the term of the agreement; empowering the County Executive to execute and deliver an executive order prior to the execution and delivery of the agreement in order to award the agreement to the successful bidder and to fix, prescribe and determine the detail of such financing; and relating generally to such financing.

The Bill was introduced on April 3, 2018 and public hearing held on May 22, 2018.

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

On motion made by Vice President Schneckenburger, seconded by Councilwoman Gregory, the Council moved to approve Bill No. 2018-04.

Roll Call Vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger-Y, Bowsbey-Y  
Motion was approved by unanimous vote.

Council Manager Massey stated for the record:

**Bill No. 2018-03 Capital Improvement Plan – FY 2019-2023**

A Bill to approve the Capital Improvement Program for Cecil County for Fiscal Years 2019 through 2023.

The Bill was introduced on April 3, 2018 and public hearing held on May 22, 2018.

Councilwoman Gregory explained why she would not be supporting this Bill.

On motion made by Councilman Meffley, seconded by Vice President Schneckenburger, the Council moved to approve Bill No. 2018-03.

Roll Call Vote: Meffley-Y, Patchell-Y, Gregory-N, Schneckenburger-Y, Bowsbey-Y  
Motion was approved by 4 to 1 vote. Councilwoman Gregory was opposed.

Council Manager Massey stated for the record:

**Bill No. 2018-02 Annual Budget and Appropriation Ordinance – FY 2019**

A Bill to adopt the County Budget including the Current Expense Budget, Capital Budget, Special Purpose Budgets and Grants Budget for the fiscal year ending June 30, 2019, and to appropriate funds for all expenditures for the fiscal year beginning July 1, 2018.

The Bill was introduced on April 3, 2018 and public hearing held on May 22, 2018.

Councilwoman Gregory explained why she was supporting this Bill and expressed her hope that the administration will use the budget surplus for tax relief.

On motion made by Vice President Schneckenburger, seconded by Councilwoman Gregory, the Council moved to approve Bill No. 2018-02.

Roll Call Vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger-Y, Bowsbey-Y  
Motion was approved by unanimous vote.

**ADOPTION OF THE TAX RATE**

Council Manager Massey stated for the record:

**Resolution No. 21-2018 Adoption of Property Tax Rate - FY 2019**

A Resolution to levy and impose a property tax for the fiscal year beginning July 1, 2018 and ending June 30, 2019; setting the tax rates for property and providing for the collection of property tax. Real property is fixed at \$1.0414 on each \$100 of assessed valuation of such property; personal property and operating real property is fixed at 2.6035, and Winding Brook Special Taxing District property tax is levied at the rate of 286.52 per parcel.

The Resolution was introduced on April 3, 2018 and public hearing held on May 22, 2018.

There were no comments or questions.

On motion made by Councilwoman Gregory, seconded by Councilman Meffley, the Council moved to approve Resolution No. 21-2018.

Roll Call Vote: Meffley-Y, Patchell-Y, Gregory-Y, Schneckenburger-Y, Bowsbey-Y  
Motion was approved by unanimous vote.

**NEW BUSINESS**

**Cecil County Public Schools – Budget Amendment #50**

Vice President Schneckenburger made a motion to approve Cecil County Public Schools Budget Amendment #50, which was seconded by Councilwoman Gregory. This budget amendment authorizes budget changes in April 2018 in the amount of \$238,764.

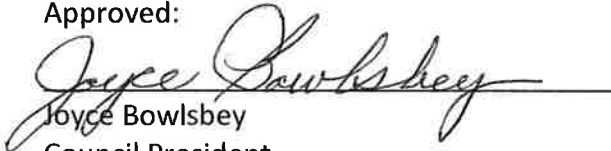
Motion was approved by a voice vote of 5 to 0.

**ADJOURNMENT**

Council President Bowsbey adjourned the meeting at 8:23 p.m.

The next Council Legislative Session is scheduled on Tuesday, June 19, 2018 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Approved:

  
Joyce Bowsbey  
Council President

Attest:

  
Council Manager