

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE SESSION MINUTES  
LSD 2019-01  
January 8, 2019**

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:

Robert Meffley, Council President  
Jackie Gregory, Vice President  
William H. Coutz, Council Member  
Al Miller, Council Member  
George Patchell, Council Member

**NOTE:** The video and audio recording with transcription 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 January 8, 2019 was called to order by Council President Meffley at 7:00 p.m. and opened with the Pledge of Allegiance.

**OPENING PRAYER**

Councilman Miller introduced Pastor Harold Phillips from Pleasant View Baptist Church, who led the opening prayer.

**APPROVAL OF AGENDA**

On motion made by Councilwoman Gregory, seconded by Councilman Coutz, the Council moved to approve the legislative agenda of January 8, 2019. Motion was unanimously approved.

**PRESENTATIONS OF PROCLAMATIONS/CERTIFICATES**

Frank Vari, Chesapeake City Councilman and President of the Chesapeake City Ecumenical Council, presented Maryland Day to Serve certificates to former Council President Joyce BOWlsbey, Council President Bob Meffley and Councilwoman Jackie Gregory. Former Councilman Dan Schneckenburger was not present.

Councilman Vari also suggested that Cecil County should sponsor a Maryland Day to Serve program in 2020 on September 11, 2020.

**PUBLIC HEARINGS**

**Special Taxing District for Rural Broadband Expansion**

Council President Meffley stated that the first public hearing was requested by the administration regarding their proposal to alter the existing special tax district statute in order to enable broadband expansion to rural areas of Cecil County. County Executive McCarthy asked for support for a request to ask the delegation to sponsor state legislation to alter the existing special taxation district regulations

for Cecil County. The amendments to the current statute would allow special taxation districts anywhere in the unincorporated areas of the county and to require two-thirds of the property owners in an area to agree to the request.

David Black, GIS Coordinator and Project Manager, gave a presentation on expanding broadband in areas of Cecil County that are unserved by any carriers. He summarized the history of broadband in Cecil County and explained why broadband access is a critical need for businesses and residents. He presented myths about broadband expansion and special taxing districts. He provided an overview of the broadband study and summarized the statistics of unserved residents. The study found that 2,500 homes have no access to broadband, but 106 of these are accessible now.

Mr. Black explained how the "customer contribution model" can be implemented to provide broadband services to areas where two-thirds of the residents agree voluntarily to petition for broadband. The County Council is required to hold a public hearing and approve or disapprove the petition. The vendor will determine the total cost to implement and the cost that the vendor will pay. The difference of these amounts is the total cost to the residents. The County will front fund this cost and add the cost on the customers' property tax bills based on the number of years that the customer chooses to pay. Once the debt is paid off, the special taxing district ends.

He stated that the county's website lists frequently asked questions for the public. He explained that the cost of providing broadband access varies because of geographic factors of distance, existing poles, proximity to existing drop lines. He explained that there are three special taxing districts in Cecil County currently. Council questions and comments ensued.

Council Manager Massey stated for the record:

**Rezoning #2018-04; Applicant: Dawn & Gregory Hartzell.** Request: Request to rezone 10.218 acres from Rural Residential, (RR) to Northern Agricultural Residential, (NAR); Property Location: 2108 Theodore Road, Rising Sun, MD 21911, Election District: 5, Tax Map: 24, Parcel: 219.

Notice of the public hearing was published on December 26, 2018 and January 2, 2019.

Witnesses presenting testimony were sworn in by the Council Manager.

Dawn Hartzell, applicant, presented the request to rezoning, based upon a mistake in the zoning classification of the property during the last comprehensive rezoning.

Eric Sennstrom, Director of Land Use and Development Services, stated that the planning staff and Planning Commission had recommended approval based on a mistake in the zoning classification of the property during the last Comprehensive Rezoning.

Steve O'Connor, Zoning Administrator, presented the findings of facts.

There were no Council questions or comments.

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

There were no closing remarks.

Council President Meffley concluded the public hearing and announced that the rezoning case will be considered at the next legislative session on January 15, 2019.

Council Manager Massey stated for the record:

**Bill No. 2018-18 Budget Transfer – Wastewater Capital Budget – Replace Port Deposit Wastewater Treatment Plant Project**

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2019 to transfer existing bond appropriation authority within the Wastewater Capital Projects Budget in the amount of \$1,719,269.13 from completed Wastewater Capital Projects (Construct Principio Sanitary Sewer - North \$569,062.13, Replace CSX Sewer Line at Red Toad- \$40,000, I&I Meadowview, Cherry Hill, Highlands - \$50,000 & Upgrade NERAWWTP - \$1,060,207) to the Replace Port Deposit WWTP Project. The bill also removes existing bond authority of \$555,000 from two inactive projects, (Expand Meadowview WWTP -\$430,000 & Upgrade Two Port Deposit Pump Stations -\$125,000) and add it to the Replace Port Deposit WWTP Project. The bill adds additional bond authority of \$763,175 to the Wastewater Capital Budget to allow for sufficient funding for the Replace Port Deposit WWTP Project. The bill will remove \$2,500,000 in estimated State grant funding and \$2,500,000 of other funding from the project funding schedule to reflect the County's plan to build a locally funded package plant to serve the sewer needs of the Town of Port Deposit. The end result of the bill is County bond expenditure authority of \$8,737,444 to Replace Port Deposit WWTP.

The Bill was introduced on December 4, 2018, advertised on December 26, 2018 and January 2, 2019. The public hearing was advertised and scheduled on January 8, 2019.

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

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

Council President Meffley concluded the public hearing and announced that final consideration of Bill No. 2018-18 is scheduled on January 15, 2019.

Council Manager Massey stated for the record:

**Bill No. 2018-19 Budget Transfer – Roads and Bridges Capital Budget – Upgrade Nottingham Roads Facility Project**

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2019, to transfer existing bond appropriation authority within the Roads and Bridges Capital Projects Budget in the amount of \$95,000 from the completed Replace Razor Strap Road Bridge Project to the Upgrade Nottingham Roads Facility Project.

The Bill was introduced on December 4, 2018, advertised on December 26, 2018 and January 2, 2019. The public hearing was advertised and scheduled on January 8, 2019.

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

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

Council President Meffley concluded the public hearing and announced that final consideration of Bill No. 2018-19 is scheduled on January 15, 2019.

Council Manager Massey stated for the record:

**Bill No. 2018-20 Supplemental Appropriation – Facilities Maintenance Capital Budget – Courthouse Holding Cell Renovation Project**

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2019, to add bond appropriation authority within the Facilities Management Capital Projects Budget in the amount of \$50,000 to complete the Courthouse Holding Cell Renovation Project.

The Bill was introduced on December 4, 2018, advertised on December 26, 2018 and January 2, 2019. The public hearing was advertised and scheduled on January 8, 2019.

There were no comments from the administration. There were no Council questions or comments.

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

Council President Meffley concluded the public hearing and announced that final consideration of Bill No. 2018-20 is scheduled on January 15, 2019.

**APPROVAL OF MINUTES**

On motion made by Councilwoman Gregory, seconded by Councilman Coutz, the Council moved to approve the minutes of December 18, 2018. Motion was approved unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**PRESIDENT AND COUNCIL COMMENTS**

Councilman Patchell stated that a new Lidl store opened recently in Aberdeen and he hoped that the distribution center in Perryville and store in Elkton would be opening soon.

Councilman Miller stated that he attended the MACo winter conference, and that he enjoyed meeting other elected officials and attending many programs of interest.

Councilman Coutz attended Economic Development Commission and stated his support for other projects that will be coming to Cecil County. He stated that the MACo winter conference was a valuable opportunity to attend workshops and network with his contemporaries who share similar concerns. He also encouraged the audience to attend Cecil Night in Annapolis.

Councilwoman Gregory wished everyone a Happy New Year.

Council President Meffley attended the MACo winter conference and met with the Frederick County Council to discuss Council procedures. He commented that their county Charter had been written based on Cecil County's Charter. He stated that the Frederick County officials were appreciative of Joyce Bowsbey and Jim Massey for their assistance since they transitioned to Charter government.

#### **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey stated for the record:

**Resolution No. 01-2019 Appointment—Commission on Aging – Joyce Bowsbey**

A Resolution to confirm the appointment of Joyce Bowsbey to the Commission on Aging to a three-year term to expire on June 1, 2021.

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

Introduced, read first time and posted on January 8, 2019 and scheduled for consideration on January 15, 2019.

Council Manager Massey stated for the record:

**Resolution No. 02-2019 Appointment—Property Tax Assessment Appeal Board- Robert R. Reed**

A Resolution to recommend to the Governor of Maryland the appointment of Robert R. Reed to the Cecil County Property Tax Assessment Appeal Board to a five year term, which will expire on June 1, 2024.

There were no questions or comments.

Introduced, read first time and posted on January 8, 2019 and scheduled for consideration on January 15, 2019.

Council Manager Massey stated for the record:

**Resolution No. 03-2019 Support – Grant Application – Clene Nanomedicine – Maryland Neighborhood Business Works**

A Resolution to approve support for an application from Clene Nanomedicine for grant funds from the Maryland Neighborhood Business Works program through the Maryland Department of Housing and Community Development.

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

Introduced, read first time and posted on January 8, 2019 and scheduled for consideration on January 15, 2019.

**ADJOURNMENT**

On motion made by Councilman Coutz, seconded by Councilwoman Gregory, Council President Meffley adjourned the meeting at 7:50 p.m.

The next Council Legislative Session is scheduled on Tuesday, January 15, 2019 at 7:00 p.m. in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Approved:

  
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Robert Meffley  
Council President

Attest:

  
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James Massey  
Council Manager