

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2019-11
June 4, 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.

CALL TO ORDER

The meeting of the County Council of Cecil County of June 4, 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 Dennis Gilbert, Sr. of Charlestown Missionary Baptist Church who led the opening prayer.

APPROVAL OF AGENDA

On motion made by Councilman Coutz, seconded by Councilwoman Gregory, the Council moved to approve the legislative agenda of June 4, 2019. Motion was unanimously approved.

PRESENTATION OF PROCLAMATIONS/CERTIFICATES

The Council presented a proclamation to Josie Perry, a teacher from Rising Sun High School, in recognition of her award as 2019 Cecil County Teacher of the Year.

The Council also presented a proclamation to Ecki and Hilde Wiesenbergs from Waldkirch, Germany to welcome them to Cecil County. The Wiesenbergs are visiting their daughter, Gabriele Coutz, wife of Councilman Coutz.

APPROVAL OF MINUTES

On motion made by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve the minutes of the legislative session of May 21, 2019. Motion was approved unanimously.

On motion made by Councilman Coutz, and seconded by Vice President Gregory, the Council moved to approve the minutes of the budget public hearing of May 23, 2019. Motion was approved unanimously.

PUBLIC COMMENTS

There were no public comments.

PRESIDENT AND COUNCIL COMMENTS

Councilman Patchell thanked the audience for attending tonight's session. He commented that this was his fifth budget since he was elected to the Council.

Councilman Miller reported that construction work has begun on the new race track at Fair Hill. He thanked the audience for attending tonight's session.

Councilman Coutz thanked the audience for attending tonight's session. He attended the Sunfest in Rising Sun and commented on the largest turnout that he has seen. He attended the Court of Honor for Eagle Scout Ryan Mann and commented on his Eagle project of cleaning and mapping the headstones at Immaculate Conception Parish in Elkton. He also attended the dedication of Gilpin Manor Elementary School.

Vice President Gregory thanked the audience for attending tonight's session.

Council President Meffley thanked the audience for attending tonight's session. He welcomed Mr. and Mrs. Wiesenberg from Germany who were attending the session.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 35-2019 Appointment – Board of License Commissioners – Bernard M. Chiominto

A Resolution to confirm the appointment by the County Executive of Bernard M. Chiominto to the Cecil County Board of License Commissioners, to a 3 year term to expire June 18, 2022.

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

Introduced, read first time and posted on June 4, 2019; and scheduled for consideration on June 18, 2019.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 26-2019 Fees – Structure Permits

A Resolution to establish a technology fee of Ten Dollars (\$10.00) to defray the cost of updating permitting technology as part of the fee structure for structural building permits.

There were no comments from the administration on this legislation. Councilman Coutz clarified that this legislation will reduce the current fee of \$30 to \$10.

The Resolution was introduced and posted on April 2, 2019, and the public hearing was held and concluded on May 23, 2019.

On motion by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve Resolution No. 26-2019.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

Council Manager Massey stated for the record:
Resolution No. 29-2019 Amendment – Purchasing Manual
A Resolution to amend the Cecil County Purchasing Manual.

Al Wein, Director of Administration, commented on this legislation and stated that the administration supported the amendments. There were no questions or comments from Council Members.

The Resolution was introduced and posted on April 2, 2019, and public hearing held on May 21, 2019.

Council President Meffley asked for the amendments to be read into the record.
Council Manager Massey stated for the record:

**AMENDMENT NO. 1
TO RESOLUTION NO. 29-2019**

On Page 4, Section 3.3 of Appendix 1: delete “Department funding shall not be utilized to cover expense”; and insert “Clothing purchased with any department name and/or County logo will require the approval of the Director of Administration or Council President for Council Office.

**AMENDMENT NO. 2
TO RESOLUTION NO. 29-2019**

On page 18, Section 18.9 of Appendix 1, insert “or Council President for Council Office”.

**AMENDMENT NO. 3
TO RESOLUTION NO. 29-2019**

On page 8, Section 10.4.11 of Appendix 1, delete “that are not forfeited” and “at the discretion of the Purchasing Agent” and insert “as appropriate, unless otherwise forfeited.”

**AMENDMENT NO. 4
TO RESOLUTION NO. 29-2019**

On page 12, Section 10.10.2 of Appendix 1, insert “or by Council President for the Council Office.”

On motion by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve Amendment Nos. 1 to 4 to Resolution No. 29-2019.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Resolution No. 29-2019 as amended.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2019-07 Trust Fund – Volunteer Length of Service Award Program - VLOSAP

A Bill authorizing the establishment of the Cecil County, Maryland Volunteer Length of Service Award Program Trust Fund; approving the form of Trust Agreement relating thereto and the provisions therein regarding the administration of the Trust Fund; authorizing and empowering the trustees of the Trust Fund to invest and manage the assets of the Trust Fund; and generally providing certain matters with respect to the Trust Fund.

Al Wein, Director of Administration, commented on this legislation and stated that the administration was opposed to Amendment Nos. 3 and 4. There were no questions or comments from Council Members.

The Bill was introduced on April 16, 2019 and the public hearing was held and concluded on May 21, 2019.

Council President Meffley asked for the amendments to be read into the record.

Council Manager Massey stated for the record:

**AMENDMENT NO. 1
TO BILL NO. 2019-07**

On page 2, line 26 of the Bill, insert the following:

Section 5. The Trustees hereunder shall consist of (1) the Director of Finance of the County, or his or her designee (2) the Budget Manager, or his or her designee, (3) the Director of Human Resources, or his or her designee, (4) the Director of Emergency Services, or his or her designee, (5) the President of the Cecil County Fireman’s Association, or his or her designee, and (6) a current member of the Cecil County Council as appointed by the Council as a non-voting member.

**AMENDMENT NO. 2
TO BILL NO. 2019-07**

On page 5, Article III, Item 3.02 Appointment of Trustees, of Appendix 1, delete in its entirety and add the following:

3.02 Appointment of Trustees: The Trustees hereunder shall consist of (1) the Director of Finance of the County, or his or her designee (2) the Budget Manager, or his or her designee, (3) the Director of Human Resources, or his or her designee, (4) the Director of Emergency Services, or his or her designee, (5) the President of the Cecil County Fireman’s Association, or his or her designee, and (6) a current member of the Cecil County Council as appointed by the Council as a non-voting member.

**AMENDMENT NO. 3
TO BILL NO. 2019-07**

On page 3, Section 6, lines 31-33, of the Bill, to delete in its entirety and add the following:
Section 6. As set forth in Section 7.02 of the Trust Agreement, the Trust Agreement may be amended by executive order of the County Executive, after such amendment is approved by 2/3 vote of the Trustees and approved by Bill by the County Council.

**AMENDMENT NO. 4
TO BILL NO. 2019-07**

On page 13, Article VII, Section 7.02 (c), of Appendix 1, delete in its entirety and insert the following:
(c) Any amendment to this Trust Agreement shall be made by executive order of the County Executive, after such amendment is approved by 2/3 vote of the Trustees, and approved by Bill approved by the County Council.

**AMENDMENT NO. 5
TO BILL NO. 2019-07**

On page 14, Article VII, Item 7.03(b) Termination of the Trust Fund or Program, of Appendix 1, delete in its entirety and add the following:
(b) In the event the Program is terminated by the County Executive and County Council, the Trust may be continued at the direction of the County. In such event, the trustees shall continue to administer the Trust until all Participants and Beneficiaries have been paid the VLOSAP Benefits to which they are entitled and until all other expenses incurred in the operation and administration of the Trust have been paid. Any assets that remain in the Trust after all VLOSAP benefits and expenses have been paid, shall be returned to the County.

**AMENDMENT NO. 6
TO BILL NO. 2019-07**

On page 12, Article V, Item 5.01 Replacement of Trustees., delete in its entirety and add the following:
With the exception of a Trustee appointed by the Council, the County Executive may remove and replace any Trustee at any time and from time to time with a written notice to such Trustee of removal and replacement. Except where necessary to protect the rights and VLOSAP Benefits of the Program Participants and Beneficiaries, the County shall give 60 days written notice of removal and replacement to any Trustee.

Council President Meffley agreed to the request to consider each amendment under separate motions.

On motion by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve Amendment No. 1 to Bill No. 2019-07.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Amendment No. 2 to Bill No. 2019-07.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

The motion was approved unanimously.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Amendment No. 3 to Bill No. 2019-07.

Roll Call Vote: Coutz-Y, Miller-N, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved by a vote of 4 to 1. Councilman Miller was opposed.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Amendment No. 4 to Bill No. 2019-07.

Roll Call Vote: Coutz-Y, Miller-N, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved by a vote of 4 to 1. Councilman Miller was opposed.

On motion by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve Amendment No. 5 to Bill No. 2019-07.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Amendment No. 6 to Bill No. 2019-07.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Bill No. 2019-07 as amended.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

Council Manager Massey stated for the record:

Bill No. 2019-04 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 2020 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 details of such financing; and relating generally to such financing.

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

The Bill was introduced on April 2, 2019 and the public hearing was held and concluded on May 23, 2019.

On motion by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve Bill No. 2019-04.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

Council Manager Massey stated for the record:

Bill No. 2019-05 Capital Improvement Plan – FY 2020-2024

A Bill to approve the Capital Improvement Program for Cecil County for Fiscal Years 2020 through 2024.

There were no comments from the administration. Vice President Gregory stated that she opposed this legislation.

The Bill was introduced on April 2, 2019 and the public hearing was held and concluded on May 23, 2019.

On motion by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve Bill No. 2019-05.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-N, Meffley-Y
The motion was approved by a vote of 4 to 1. Vice President Gregory was opposed.

Council Manager Massey stated for the record:

Bill No. 2019-06 Annual Budget and Appropriation Ordinance – FY 2020

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, 2020, and to appropriate funds for all expenditures for the fiscal year beginning July 1, 2019.

Al Wein, Director of Administration, provided comments. Councilman Coutz stated that he hoped that the Executive and Council can improve communications and he expressed his concerns over the budget deliberations. Vice President Gregory thanked Lisa Saxton, Finance Director, and Rebecca Anderson, Budget Manager, for their assistance in responding to her budget questions. She stated that she could not support this budget and had proposed to reduce the property tax rate to constant yield rate. She stated that the administration was unwilling to negotiate with her proposal and stated that the budget could have been reduced by \$1.9M. Councilman Miller stated that he had learned a great deal about the

budget and stated that it was a good budget; and that economic growth is happening. Council President Meffley thanked the county department directors for their efforts in supporting Cecil County growth. He also stated that he would be opposed to reducing the property tax rate to constant yield rate. The Bill was introduced on April 2, 2019 and public hearing held and concluded on May 23, 2019.

Council President Meffley asked for Amendment No. 1 to Bill No. 2019-06 to be read into the record. Council Manager Massey stated for the record:

AMENDMENT NO. 1

TO BILL NO. 2019-06

In Appendix A-1, Fund 001-General Fund, Department 311-Law Enforcement, reduce proposed amount from \$13,598.056 to \$13,525.441, a reduction of \$72,615 that had been proposed for telephone system, which is not being implemented.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Amendment No. 1 to Bill No. 2019-06.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was unanimously approved.

On motion by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve Bill No. 2019-06 as amended.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-N, Meffley-Y
The motion was approved by a vote of 4 to 1. Vice President Gregory was opposed.

ADOPTION OF TAX RATE

Council Manager Massey stated for the record:

Resolution No. 27-2019 Adoption of Property Tax Rate – Fiscal Year 2020

A Resolution to levy and impose a property tax for the fiscal year beginning July 1, 2019 and ending June 30, 2020; setting the tax rates for property and providing for the collection of the property tax.

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

On motion by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve Resolution No. 27-2019.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-N, Meffley-Y
The motion was approved by a vote of 4 to 1. Vice President Gregory was opposed.

ADJOURNMENT

On motion made by Councilman Coutz, seconded by Vice President Gregory, Council President Meffley adjourned the meeting at 7:54 p.m.

The next Council Legislative Session is scheduled on Tuesday, June 18, 2019 at 7:00 p.m. in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:


James Massey
Council Manager

Approved:


Robert Meffley
Council President