

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE SESSION MINUTES  
LSD 2019-12  
June 18, 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 June 18, 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 Charles Finney of Missionary Baptist Church of Rising Sun 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 June 18, 2019. Motion was unanimously approved.

**PUBLIC HEARING**

Council Manager Massey stated for the record:

Rezoning Case #2019-01; Applicant: York Building Products Co., Inc.; Request: Request to rezone 1.753 acres from Rural Residential, (RR) to Rural Residential (RR) and Mineral Extraction B (MEB); Property Location: 258 Principio Road, Port Deposit, MD 21904; Election District: 7, Tax Map: 29, Parcel: 633, Lot 2; Property Owner: Glenda Webb.

Notice of the public hearing was published on June 5, 2019 and June 12, 2019.

Witnesses presenting testimony were sworn in by the Council Manager.

Mike Pugh, representing the applicant, presented the request to rezoning, based upon a mistake in the zoning classification of the property during the last comprehensive rezoning and a substantial change in the character of the neighborhood. James Gawthrop from York Products who provided additional

testimony on behalf of York Products. Mr. Pugh presented a PowerPoint to illustrate this presentation as Exhibit A.

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.

Mr. Sennstrom presented the findings of facts.

Councilman Coutz clarified the history of three adjacent properties that have been rezoned for mineral extraction.

Council President Meffley opened the public hearing for public comments.

Darlene Ostroski, 270 Principio Road, Port Deposit; commented on her concerns as a property owner within 300 feet of the property to be rezoned and specified her concerns for the depth of mining and impact on water table and her well, controlling of dust, mining work hours, start and completion dates. She asked for 500' buffer instead of 300'.

Harold McCanick, 694 McKinneytown Road, Elkton; posed questions of whom owned the exhausted land after it was mined out and does the county government receive any benefits from York Products.

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 July 2, 2019.

Council Manager Massey stated for the record:

Rezoning Case #2019-02; Applicant: York Building Products Co., Inc.; Request: Request to rezone 6.487 acres from Rural Residential, (RR) to Rural Residential (RR) and Mineral Extraction B (MEB); Property Location: E/S Principio Road, Port Deposit, MD 21904; Election District: 7, Tax Map: 29, Parcel: 712; Property Owner: Carolyn Diane Merriman.

Notice of the public hearing was published on June 5, 2019 and June 12, 2019.

Witnesses presenting testimony were sworn in by the Council Manager.

Mike Pugh, representing the applicant, presented the request to rezoning, based upon a mistake in the zoning classification of the property during the last comprehensive rezoning and a substantial change in the character of the neighborhood. James Gawthrop from York Products who provided additional testimony on behalf of York Products. Mr. Pugh presented a PowerPoint to illustrate this presentation as Exhibit A.

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.

Mr. Sennstrom presented the findings of facts.

Councilman Coutz clarified that it is a two-year process for York Products to get into mining the site. Councilman Patchell clarified that during the Board of Appeals hearing, details such as when the mining would take place, water table impact to surrounding wells, dust mitigation could be addressed as conditions for the special exception; and that a public hearing will be required.

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

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 July 2, 2019.

#### **APPROVAL OF MINUTES**

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

#### **PUBLIC COMMENTS**

Allan Peppelman, Earleville, commented on difficulty in obtaining building permits on properties within Indian Acres because of the Indian River property company and the Department of Land Use and Development Services.

Harold McCanick, Elk Neck, commented on the position of each Council Member on the county budget.

#### **PRESIDENT AND COUNCIL COMMENTS**

Councilman Patchell attended the Parks and Recreation Board meeting and reported that 138 teams played at Calvert Park last weekend and estimated that total number of participants at 8,000, which resulted in fees of \$16,000 for the county. He also stated that the Friends of Parks and Recreation are raising funds to build a therapeutic playground at Brantwood Park.

Councilman Miller attended Calvert Park with his family last weekend and reported on the large crowd. He stated that the fields were in good shape and credited the Parks and Recreation staff. He stated that he hopes to bring local produce to park visitors as well as an "APP"

Councilman Coutz attended the Regional White House Conference and commented on a presentation on the opioid epidemic. He attended Flag Day ceremonies in North East and Rising Sun; and anticipates that there will be similar ceremonies on July 4.

Vice President Gregory provided her comments during the morning work session.

Council President Meffley apologized that he was unable to attend the Wade-In program because of his granddaughters dance recital.

#### **INTRODUCTION OF BILLS**

Council Manager Massey read into the record:

**Bill No. 2019-08: Roads – Cecil County – Repeal of Public Law – Purchasing Manual**

A Bill repealing Md. Code Ann., § 12-532 (Building and repairing roads in Cecil County), Local Government Article, a public local law, pertaining to building and repairing roads in Cecil County.

Council President Meffley commented on resolving an issue with the administration on the text of this legislation. He thanked Jason Allison, County Attorney, for his cooperation.

Introduced, read first time and posted on June 18, 2019. The public hearing for this legislation will be advertised and scheduled on July 16, 2019.

#### **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey read into the record:

**Resolution No. 36-2019 Appointment—Human Services Agency – Joshua M. Lewis and Mary Way Bolt**

A Resolution to confirm the reappointments of Joshua M. Lewis and Mary Way Bolt, to the Human Services Agency to a four-year term, to expire on July 2, 2023.

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

Introduced, read first time and posted on June 18, 2019; and scheduled for consideration on July 2, 2019.

Council Manager Massey read into the record:

**Resolution No. 37-2019 Supplemental Appropriation – Volunteer Fire Service – Vehicle Replacement Program**

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2020 in order to provide the Volunteer Fire Service Department's budget within the General Fund expenditure appropriation authority to authorize \$225,000 to be expended for the County's match portion towards the Vehicle Replacement Program.

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

Introduced, read first time and posted on June 18, 2019; and scheduled for consideration on July 2, 2019.

Council Manager Massey read into the record:

**Resolution No. 38-2019 Supplemental Appropriation- Wastewater Enterprise Fund- Wastewater**

### **Treatment Plant Services- Chesapeake City**

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2020 in order to provide the Wastewater Fund – WWTP Services- Chesapeake City Department budget additional revenue and expenditure appropriation authority in the amount of \$131,823. The amendment supports the Wastewater Treatment Facilities & Sanitary Sewer Collection System Operation Agreement between Cecil County, Maryland and the Town of Chesapeake City, Maryland.

Lisa Saxton, Finance Director, provided introductory comments. Councilman Coutz clarified that this action will be processed in the FY 2020 budget, beginning on July 1, 2019. Council President Meffley commented that Chesapeake City made this request to the county recently.

Introduced, read first time and posted on June 18, 2019; and scheduled for consideration on July 2, 2019.

### **CONSIDERATION 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.

There were no comments from the administration on this legislation. Councilman Coutz was supported of Council action on this legislation.

The Resolution was introduced and posted on June 4, 2019, and scheduled for consideration on June 18, 2019.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Resolution No. 35-2019.

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

The motion was approved unanimously.

### **OLD BUSINESS**

Council President Meffley stated that Bill No. 2019-07 As Amended was returned by the Executive without action. He stated that pursuant to Section 306(a) of the Charter of Cecil County that this legislation becomes law on June 17, 2019 with an effective date of August 16, 2019.

### **NEW BUSINESS**

Cecil County Public Schools - Budget Amendment #63

Councilman Coutz made a motion, which was seconded by Vice President Gregory, to approve Budget Amendment #63 in the amount of \$448,426 for May 2019.

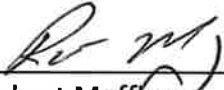
The motion was approved by a unanimously by voice vote.

**ADJOURNMENT**

On motion made by Vice President Gregory, seconded by Councilman Coutz, Council President Meffley adjourned the meeting at 8:08 p.m.

The next Council Legislative Session is scheduled on Tuesday, July 2, 2019 at 7:00 p.m. in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Approved:

  
\_\_\_\_\_  
Robert Meffley  
Council President

Attest:

  
\_\_\_\_\_  
James Massey  
Council Manager