

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE SESSION MINUTES  
LSD 2020-08  
April 21, 2020**

The County Council of Cecil County met in legislative session in an online virtual meeting because of the current health crisis and based on the Governor's orders to avoid public meetings. Council Members, presenters and members of the public participated in this meeting by going online to [www.ccgov.org/council](http://www.ccgov.org/council) and selecting "livestream".

The following members of the Council were present:

Robert Meffley, Council President  
Al Miller, Council Member  
George Patchell, Council Member  
Jackie Gregory, Vice President  
William H. Coutz, 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 April 21, 2020 was called to order by Council President Meffley at 7:00 p.m.

**ROLL CALL OF COUNCIL MEMBERS**

Council President Meffley asked for a roll call of attending Council Members. The Council Manager called the roll and recorded the following Council Members in attendance:

Roll Call Vote: Coutz-Present, Miller-Present, Patchell-Present, Gregory-Present, Meffley-Present.

Council President Meffley announced that there were five Council Members present, which constitute a quorum.

**SUSPENSION OF RULES**

Councilman Coutz made a motion to suspend the rules to allow Council Members who are connected to participate and vote in this legislative session, because of the current health crisis and orders by the Governor to avoid public meetings. The motion was seconded by Vice President Gregory.

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

The motion was unanimously approved.

**OPENING PRAYER**

Councilman Miller introduced Rev. Robert Tucker from Five Rivers Church in Elkton, who led the opening prayer.

## **APPROVAL OF AGENDA**

On motion made by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve the legislative agenda of April 21, 2020. Motion was unanimously approved.

## **PUBLIC HEARING**

Council Manager Massey stated for the record:

Rezoning Case 2020-01

APPLICANT: Roger D. & Glendora Dvorak. REQUEST: Request to rezone 39.41 acres from Low Density Residential, (LDR) to Northern Agricultural Residential, (NAR); PROPERTY LOCATION: 119 Nottingham Road, Elkton, MD 21921. Election District: 3, Tax Map: 26, Parcel: 10; PROPERTY OWNER: Roger D. & Glendora Dvorak; PRESENTLY ZONED Low Density Residential, (LDR).

Notice of the public hearing was published on March 4, 2020 and March 11, 2020.

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 Comprehensive Rezoning of May 1, 2011. He introduced Roger Dvorak, applicant, as a witness.

Mr. Thomey provided Exhibits 1A, an aerial photograph (b&w) of the area of the property, Exhibit 1B, an aerial photograph (color) of property, Exhibit 1C, a photograph (color) of property showing driveway, Exhibit 2, a photograph (color) of property showing road frontage, Exhibit 3, a photograph (color) of property showing house and buildings, Exhibit 4, a photograph (color) showing back of property, Exhibit 5, a photograph (color) showing back of property lined with trees, Exhibit 6, a photograph (color) showing back of property lined with trees, Exhibit 7, a photograph (color) showing house and driveway. Mr. Thomey cited several similar cases to this application.

Eric Sennstrom, Director of Land Use and Development Services, presented the staff report and findings of facts. He stated that the Planning staff and Planning Commission recommended approval of the application, based on a demonstrated mistake in the Comprehensive Rezoning.

Council President Meffley asked Mr. Thomey to identify the type of land and if there was a runoff problem.

Council President Meffley opened the public hearing for public comments.

Greg Warner, Nexamp Solar Company, commented in support of the application. Mr. Sennstrom stated that the department had received two email message's from Kate Grace and Bill and Outi Denny who expressed their concerns about the water runoff, use of herbicides and the impact on wildlife.

In Mr. Thomey's closing remarks, he stated that no herbicides will be used and that the animals will be protected by a substantial fence.

Council President Meffley concluded the hearing and announced that the rezoning case will be considered at the next legislative session on May 5, 2020.

### **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 April 7, 2020. Motion was approved unanimously.

### **PUBLIC COMMENTS**

Harold McCanick, Elk Neck, commented on reducing the budget and eliminating unnecessary capital projects.

Joyce Bowlsbey, Elkton, commented in supporting the proposed budget and the importance of public libraries.

Ernie Beck, Elkton, commented on the budget, the importance of volunteer fire companies and bad times for small business during this health crisis.

### **PRESIDENT AND COUNCIL COMMENTS**

Vice President Gregory thanked the public for participating in this session and commended the community for helping their neighbors during this health crisis. She commented on the upcoming Primary Election being held on June 2 and reminded the public that May 27 was the last day to register to vote.

Councilman Coutz thanked first responders who showed their appreciation to hospital workers. He stated that when the Council looks at the proposed budget, they do not know always know how it impacts the community. He hoped that everyone will stay safe at home.

Councilman Miller thanked the audience for watching and participating in this session. He commended the teamwork of farmers, health care workers, the Department of Emergency Service for their dedication through this crisis.

Councilman Patchell thanked the public for participating in this session and following the budget discussions. He commented about today's capital budget discussion by the administration. He hoped that everyone would stay safe.

Council President Meffley expressed his concern for small business surviving this health crisis. He stated that he hoped that the federal government will help small businesses like Mr. Beck's. He commended the first responders for their outstanding job. He expressed concern over a small businessman who had caught the Coronavirus and was in serious condition. He wished that everyone will stay safe.

### **INTRODUCTION OF RESOLUTIONS**

Council Manager Massey stated for the record:

#### **Resolution No. 20-2020 Supplemental Appropriation – Grants Fund –Cecil Transit –Transportation Needs - Recovery Houses**

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 \$562,845 to the Community Services Fund – Cecil County Transit to record the award of the Federal Integrated Mobility Innovation (IMI) Grant

administered by the Maryland Transit Administration for a pilot program to address unmet transportation needs of residents in recovery houses. David Trolio, Community Services Director, provided introductory comments.

Councilman Coutz clarified how this innovative program is planned to provide transportation for persons staying at the county's recovery houses.

Introduced, read first time, and order posted on April 21, 2020. This Resolution will be scheduled for consideration on May 5, 2020.

Council Manager Massey stated for the record:

**Resolution No. 21-2020 Supplemental Appropriation and Budget Transfer – Emergency Medical Services – COVID-19 Expenses**

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 transfer expenditure authority from various departmental expenditures per Appendix 1 to provide a total of \$450,000 in additional expenditure authority to the General Fund Emergency Medical Services Department to provide funding for COVID-19 pandemic related expenses.

Al Wein, Director of Administration, provided introductory comments.

Council questions and comments ensued. Vice President Gregory clarified that if these funds are not used, they will go to the fund balance. She also asked the administration if the county was saving any funds from being closed during the health crisis. Mr. Wein stated that the third quarter financial projection report is being prepared.

Councilman Miller commended the administration for taking a proactive approach to freezing the current budget and reserving this amount for emergency needs.

**CONSIDERATION OF RESOLUTIONS**

Council Manager Massey stated for the record:

**Resolution No. 14-2020 Master Water and Sewer Plan – Tables – Town of Perryville**

A Resolution to amend the Cecil County Master Water and Sewer Plan, Tables, in order to revise Table 13. Immediate, 5 and 10 year priorities for sewerage development, and Table 15A. Sewer Pump Stations and Force Mains, in the Town of Perryville, in order to reflect upgrades to their wastewater collection system.

The Resolution was introduced and posted on March 3, 2020. The public hearing was held and concluded on April 7, 2020. The Resolution was scheduled for consideration on April 21, 2020.

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

On motion by Councilman Coutz, seconded by Councilman Patchell, the Council moved to approve Resolution No. 14-2020.

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. 16-2020 Appointment - Drug and Alcohol Abuse Council – Aaron Wright**

A Resolution to confirm the appointment by the County Executive of Aaron Wright to the Cecil County Drug and Alcohol Abuse Council to a three-year term, to expire on April 7, 2023.

The Resolution was introduced and posted on April 7, 2020; and scheduled for consideration on April 21, 2020.

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

On motion by Councilman Miller, seconded by Vice President Gregory, the Council moved to approve Resolution No. 16-2020.

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. 17-2020 Approval - Tax Credit – Rising Sun Little League**

A Resolution granting property tax credits to the Rising Sun Little League, pursuant to the authority conferred under *Md. Code Ann., § 9-303, Tax-Property Article*.

The Resolution was introduced and posted on April 7, 2020; and scheduled for consideration on April 21, 2020.

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

On motion by Councilman Miller, seconded by Councilman Coutz, the Council moved to approve Resolution No. 17-2020.

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. 18-2020 Supplemental Appropriation – Grants Fund – State’s Attorney’s Office – Asset Forfeiture**

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2020, in the amount of \$47,232 within the Special Revenue – Other Grants Fund – State’s Attorney’s Office, in order to record the Town of Elkton, Maryland, granting a portion of an asset forfeiture to the agency.

The Resolution was introduced and posted on April 7, 2020; and scheduled for consideration on April 21, 2020.

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

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Resolution No. 18-2020.

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. 2020-01 Approval - Agricultural Preservation District – McKeown Family LLC**

A Bill to approve the petition of Robert McKeown Jr., and Deborah McKeown property located Knollwood Farm, Eastside of Locust Point Road, Elkton, MD 21921 (Acres: 220, Election District: 2, Tax Map: 38, Grid: 8, Parcels: 511 & 532), requesting the establishment of an agricultural preservation district.

The Bill was introduced and posted on March 3, 2020. The public hearing was held and concluded on April 7, 2020. The Bill was scheduled for final consideration on April 21, 2020.

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

On motion by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve Bill No. 2020-01.

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

The motion was approved unanimously.

#### **OLD BUSINESS**

##### **Resolution No. 11-2020 Appointment – Cecil County Ethics Commission – Janice K. Colvin**

A Resolution to confirm the appointment by the County Executive of Janice K. Colvin to the Cecil County Ethics Commission, for a four-year term to expire March 3, 2024.

Councilman Coutz made a motion to table consideration of Resolution No. 11-2020, which was seconded by Vice President Gregory.

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.

#### **ADJOURNMENT**

On motion made by Councilman Coutz, seconded by Vice President Gregory, Council President Meffley adjourned the meeting at 8:14 p.m.

The next Council Legislative Session is scheduled on Tuesday, May 5, 2020 at 7:00 p.m., which is planned as a virtual meeting because of the current health crisis and Governor's orders to avoid public meetings. The session will be livestreamed on the County Council's webpage at [www.ccgov.org/council](http://www.ccgov.org/council). Members of the public who do not have broadband access, should call the Council Office for instructions to connect to the session via telephone.

Attest:

  
James Massey  
Council Manager

Approved:

  
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Robert Meffley  
Council President