

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2020-15
July 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 and selecting "livestream".

The following members of the Council were present:

Robert Meffley, Council President
Al Miller, Council Member
Jackie Gregory, Vice President
William H. Coutz, Council Member
Absent: 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 July 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-Absent, Gregory-Present, Meffley-Present.

Council President Meffley announced that there were four 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-Absent, Gregory-Y, Meffley-Y

The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

OPENING PRAYER

Councilman Miller introduced Reverend Jason Cornish from Providence United Methodist Church in Elkton, who led the opening prayer.

APPROVAL OF AGENDA

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

PUBLIC HEARINGS

Council Manager Massey stated for the record:

Resolution No. 35-2020: Amendment – Solid Waste Management Plan 2016-2025

A Resolution to amend the Cecil County Solid Waste Management Plan, which also includes the Cecil County Recycling Plan 2016-2025; which includes addition of West Coast Mushrooms composting facility to Chapter 3 and Table III-2, and the addition of Office Building Recycling Program.

The Bill was introduced on June 16, 2020, advertised on July 8, 2020 and July 15, 2020, and scheduled for public hearing on July 21, 2020.

Scott Flanigan, Public Works Director, provided comments on the updates to the plan. There were no Council questions or comments.

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

Council President Meffley concluded the public hearing on Resolution No. 35-2020 and announced that final consideration of this legislation will be held on August 4, 2020.

APPROVAL OF MINUTES

On motion made by Councilman Miller, seconded by Vice President Gregory, the Council moved to approve the minutes of the legislative session of July 7, 2020. Motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

PUBLIC COMMENTS

There were no public comments

PRESIDENT AND COUNCIL COMMENTS

Vice President Gregory thanked the audience for joining the session. She stated that there were no events to attend because of the pandemic restrictions.

Councilman Coutz thanked the audience for listening. He encouraged everyone to check on the elderly and others who were sensitive to the extreme heat. He stated his concern for the continued increase in emergency calls for fatal overdoses.

Councilman Miller attended the first meeting of the Farm Bureau since the health crisis began. He stated that he will be hosting the Miss Cecil County Farm Bureau and Junior Miss next weekend. He commended the new Fair Hill design on the water tower. He announced plans for the 4H to have their annual livestock sales and commended the Farm Bureau for sponsoring this virtual event.

Council President Meffley participated in a virtual meeting of the Maryland Rural Development Executive Committee. He reported on their need for qualified staff and opening the Aberdeen preschool program in temporary facilities. He stated that a new structure is being built. He attended the Firemen's Association at Hacks Point and recognized John Denver and Monica Pennhollow. He stated that volunteer fire companies are offering smoke detectors. He thanked the tradesmen who work with HVAC system who have been working around the clock during this heat wave.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 43-2020: Maryland Agricultural Land Preservation Foundation – Application Finalists – FY 2021

A Resolution to approve twelve applications as FY 2021 Application Finalists to be submitted to the Maryland Agricultural Land Preservation Foundation.

Eric Sennstrom, Director of Administration, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, order posted and scheduled for consideration on August 4, 2020.

Council Manager Massey stated for the record:

Resolution No. 44-2020: Loan Application – Maryland Neighborhood BusinessWork Program – Clene Nanomedicine.

A Resolution to provide local government approval for Clene Nanomedicine to apply for funds from the Maryland Neighborhood BusinessWorks program through the Maryland Department of Housing and Community Development.

Chris Moyer, Economic Development Director, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, order posted and scheduled for consideration on August 4, 2020.

Council Manager Massey stated for the record:

Resolution No. 45-2020: Supplemental Appropriations – Fund Balance – Board of Education – Small Capital Projects

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2021 in order to provide the Board of Education Small Capital Budget within the General Fund, expenditure appropriation authority to authorize \$137,767 to be expended for FY2020 small capital projects, which were not completed by June 30, 2020.

Al Wein, Director of Administration, provided introductory comments. Council questions and comments ensued.

Introduced, read first time, order posted and scheduled for consideration on August 4, 2020.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 33-2020: Amendment – Personnel Policies and Procedures Manual

A Resolution to repeal the existing Cecil County, Maryland Personnel Policies and Procedures Manual, and to enact a new Personnel Policies and Procedures Manual 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 June 9, 2020, and public hearing held on July 7, 2020, and scheduled for final consideration on July 21, 2020.

Sally Kilby, Human Resources Director, provided comments on the Resolution. She also stated that the administration has sponsored Amendment No. 1 to Resolution No. 33-2020. There were no Council questions or comments.

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

Council Manager Massey stated for the record:

AMENDMENT NO. 01 TO RESOLUTION NO. 33-2020

Amendment – Personnel Policies and Procedures Manual

Synopsis: To include positions in State's Attorney's office in unclassified positions in Section HR-001A: Cecil County Overview; and to insert Sick Leave Accrual and Employee Sick Leave in Section HR-006L: Sick Leave in Exhibit A Manual.

Introduced by: Council President on behalf of County Executive

In Exhibit A: Manual, page 2, Section HR-001A: Cecil County Overview, Section Unclassified positions; insert "Deputy & Assistant State's Attorneys, Criminal Investigators and Executive Secretaries".

In Exhibit A: Manual, page 34, Section HR-006L: Sick, delete the following:

"Sick Leave Accrual: Full-time, active employees will accrue Sick from date of hire and receive sixty (60) hours after successful completion of continuous 6-month probationary period.

Employee Sick Leave: After the successful completion of the initial 6-month probationary period, employees will receive sixty (60) hours of Sick Leave..."

And insert the following:

"Sick Leave Accrual: Full-time, active employees will accrue Sick leave from date of hire at the rate of ten (10) hours for each full month worked. Employee Sick Leave: After the successful completion of the initial 6-month probationary period, employees will receive sixty (60) hours of Sick leave.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Amendment No. 01 to Resolution No. 33-2020.

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

The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

On motion by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve Resolution No. 33-2020 As Amended.

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

The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

Council Manager Massey stated for the record:

Resolution No. 37-2020: Appointment – Planning Commission – A. Chad Johnston and Peter Kirsh

A Resolution to confirm the reappointment by the County Executive of A. Chad Johnston and Peter Kirsh to the Cecil County Planning Commission; to a three year term, which is to expire on August 15, 2023.

The Resolution was introduced on July 7, 2020, and scheduled for final consideration on July 21, 2020.

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

On motion by Councilman Miller, seconded by Councilman Coutz, the Council moved to approve Resolution No. 37-2020.

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

The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

Council Manager Massey stated for the record:

Resolution No. 38-2020 Appointment – Board of Appeals – Brad Carrillo, Jr. and Michael Linkous

A Resolution to confirm the reappointment by the County Executive of Brad Carrillo, Jr. and Michael Linkous to the Cecil County Board of Appeals, for a three year term to expire on August 15, 2023.

The Resolution was introduced on July 7, 2020, and scheduled for final consideration on July 21, 2020.

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

On motion by Councilman Miller, seconded by Councilman Coutz, the Council moved to approve Resolution No. 37-2020.

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

The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

Council Manager Massey stated for the record:

Resolution No. 39-2020 Approval – Water and Sewer – Sewer Use – Connection Charge-Extension

A Resolution to extend the reduction of the connection fee for residential living units from \$12,000 per equivalent living unit to \$6,000 per equivalent living unit within the Cecil County Sanitary District; to establish that the \$6,000 reduction applies to all subdivisions receiving approval prior to July 31, 2022, and will remain in effect as long as the subdivision maintains its validity; and to reestablish that terms of any installment payment of the wastewater connection charge to be subject to terms as specified in the Sanitary District Policy.

The Resolution was introduced on July 7, 2020, and scheduled for final consideration on July 21, 2020.

There were no comments from the administration. Council questions and comments ensued.

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

Council Manager Massey stated for the record:

**AMENDMENT NO. 01
TO RESOLUTION NO. 39-2020**

Approval – Water and Sewer – Sewer Use – Connection Charge-Extension

Introduced: Councilman Coutz

Synopsis: An Amendment to adjust the sunset date of the wastewater connection reduction charge from July 31, 2022 to July 31, 2021; and to adjust the sunset date of subdivisions receiving approval prior from July 31, 2022 to July 31, 2021.

Introduced by: Councilman Coutz

On Page 1, under Synopsis, line 4, delete “prior to July 31, 2022”
and insert “prior to July 31, 2021”

On Page 2, line 16, delete “sunset date to July 31, 2022”
and insert “sunset date to July 31, 2021”

On Page 2, line 17, delete “prior to July 31, 2022”
and insert “prior to July 31, 2021”

On Page 3, Line 32, delete “and will sunset on July 31, 2022”
and insert “and will sunset on July 31, 2021”.

On Page 3, Line 32, delete “All subdivisions receiving approval prior to July 31, 2022”
and insert “All subdivisions receiving approval prior to July 31, 2021”.

Council questions and comments ensued.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Amendment No. 1 to Resolution No. 39-2020.

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

The motion was approved by a vote of 3 to 1. Councilman Miller was opposed. Councilman Patchell was absent.

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Resolution No. 39-2020 As Amended.

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

The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

Council Manager Massey stated for the record:

Resolution No. 40-2020 Supplemental Appropriation – Grant Award – Broadband Expansion

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2021 in order to provide a total of \$413,758 to the Special Revenue Other

Grants Fund- Department of Land Use and Development Services to record the grant awarded from the Maryland Department of Housing and Community Development, the Governor's Office of Rural Broadband for the purpose of bringing internet access to underserved areas of Cecil County.

The Resolution was introduced on July 7, 2020 and scheduled for consideration on July 21, 2020.

Al Wein, Director of Administration, provided comments. Council questions and comments ensued.

On motion by Councilman Miller, seconded by Councilman Coutz, the Council moved to approve Resolution No. 40-2020.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Absent, Gregory-Y, Meffley-Y
The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

Council Manager Massey stated for the record:

Resolution No. 41-2020 Supplemental Appropriation – Fund Balance – Broadband Expansion – Fair Hill Area

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2021 to authorize the Department of Land Use and Development Services budget, within the General Fund, expenditure appropriation authority of a County match to the Rural Broadband Grant of \$150,000 to be expended by investing in County broadband infrastructure in the area of Big Elk Chapel Road, Telegraph Road and Gallaher Road that will provide the necessary internet access for the Maryland Five Star Event at Fair Hill.

The Resolution was introduced on July 7, 2020 and scheduled for consideration on July 21, 2020.

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

On motion by Councilman Miller, seconded by Councilman Coutz, the Council moved to approve Resolution No. 41-2020.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Absent, Gregory-Y, Meffley-Y
The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

Council Manager Massey stated for the record:

Resolution No. 42-2020 Supplemental Appropriation – Fund Balance – Doctor Jack Road Bridge

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2021 in order to provide the Department of Public Works – Roads Maintenance Department within the General Fund, additional expenditure appropriation authority in the amount of \$200,000. The additional expenditure authority will provide the necessary funding to rehabilitate Bridge CE-0003 Doctor Jack Road over Octoraro Creek, due to recent and continuing damage to the structure.

The Resolution was introduced on July 7, 2020 and scheduled for consideration on July 21, 2020.

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. 42-2020.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Absent, Gregory-Y, Meffley-Y
The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2020-06 Amendment – Forest Conservation Regulations

A Bill to amend the Cecil County Forest Regulations, Article VI, Forest Conservation Plan, to add text to Final Forest Conservation Plan; Article VII, Afforestation and Retention, to add text to Afforestation Requirement; Article X, Payment Instead of Afforestation and Reforestation, to add text to Forest Conservation Fund; Article X-3, Forest Retention Banks, to add new sections of Establishing Forest Retention Banks and Using a Forest Retention Bank.

The Bill was introduced on June 9, 2020 and public hearing held and concluded on July 7, 2020.

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

On motion by Councilman Miller, seconded by Councilman Coutz, the Council moved to approve Bill No. 2020-06.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Absent, Gregory-Y, Meffley-Y
The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

Council Manager Massey stated for the record:

Bill No. 2020-07 Budget Transfer – Capital Budget – Roads and Bridges – Central Yard Fuel and Mechanics Valley Road over CSX Bridge

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2021 to transfer existing bond appropriation authority within the Roads and Bridges Capital Projects Budget in the amount of \$1,000,000 from the Belvidere Road Improvement Project Phase I to the Replace Central Yard Fuel Project (\$500,000) and the Mechanics Valley Road over CSX Bridge Project (\$500,000). This Bill will also remove new FY 2021 bond funding of \$1,125,000 from the Central Yard Fuel Point and Mechanics Valley Bridge projects to lower the County's overall capital debt burden for FY 2021.

The Bill was introduced on June 9, 2020 and public hearing held and concluded on July 7, 2020.

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

On motion by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve Bill No. 2020-07.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Absent, Gregory-Y, Meffley-Y
The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

Council Manager Massey stated for the record:

Bill No. 2020-08 Amendment – Capital Improvement Program FY 2021-2025

A Bill to amend the Capital Improvement Program for Cecil County to delete Belvidere Road Improvement Phase 1 and insert Replace Bridge Belvidere Road over CSX.

The Bill was introduced on June 9, 2020 and public hearing held and concluded on July 7, 2020.

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 Bill No. 2020-08.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Absent, Gregory-Y, Meffley-Y
The motion was approved by a vote of 4 to 0. Councilman Patchell was absent.

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #76

Councilman Coutz made a motion, seconded by Vice President Gregory, to approve Budget Amendment # 76 in the amount of \$3,972,720 for June 2020.

The motion was approved by a voice vote of 4 to 0. Councilman Patchell was absent.

ADJOURNMENT

On motion made by Councilman Miller, seconded by Councilman Coutz, Council President Meffley adjourned the meeting at 7:48 p.m.

The next Council Legislative Session is scheduled on Tuesday, August 4, 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. 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:


Robert Meffley
Council President