

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2020-17
August 11, 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
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 August 11, 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 approved by a vote of 4 to 0. Councilman Patchell was absent.

OPENING PRAYER

Councilman Miller introduced Rev. Phil Meekins from Monarch Recovery Ministries in North East, 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 August 11, 2020. Motion was unanimously approved.

PUBLIC HEARINGS

Council Manager Massey stated for the record:

Rezoning Case #2020-03 APPLICANT: 109-111 Providence Road. REQUEST: Request to rezone 0.7 acres from Rural Residential (RR) to Northern Agricultural Residential (NAR); LOCATION: 109-111 Providence Road, Elkton, MD 21921. Election District: 4, Tax Map: 13, Parcel: 360. PROPERTY OWNER: 109-111 Providence Road, LLC (Dave Fennimore). PRESENTLY ZONED Rural Residential, (RR)

Notice of the public hearing was published on July 22, 2020 and July 29, 2020.

Witnesses presenting testimony were sworn in by the Council Manager. Tom Prevas, applicant,

Mr. Prevas, applicant, presented his request for rezoning, based on a mistake in the Comprehensive Rezoning of May 1, 2011. Mr. Prevas' application included a site plan and county zoning map of the area. Exhibit A includes the Council's notice and final decision in rezoning case #2019-05. Exhibit B includes correspondence from the United States Environmental Protection Agency, Region III stating that they do not have any objections to the proposed rezoning. Exhibit C includes correspondence from Victor Jackson, Council Attorney, dated May 29, 2020, that provides a legal opinion that parcel #360 was not approved by the Council in the original rezoning case #2019-05 and his suggestion that the applicant file a new request to rezone parcel #360.

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

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 August 18, 2020.

Council Manager Massey stated for the record:

BILL NO. 2020-09 Amendment – Collective Bargaining – Law Enforcement Deputy Sheriffs and Correctional Deputy Sheriffs

A Bill to amend Chapter 70 (Officers and Employees), Article II, of the Cecil County Code, pursuant to authority set forth in the Annotated Code of Maryland, to now include the labor organization

representing certain Law Enforcement Deputy Sheriffs in the Cecil County Sheriff's Office, Correctional Deputy Sheriffs in the Cecil County Sheriff's Office, and full-time, regular, non-exempt uniformed employees on the Public Safety pay scale within the Cecil County Department of Emergency Services at the rank of captain and below, formulation of a memorandum of understanding of agreements made pursuant to collective bargaining, and dispute resolution procedures, timeframes and rules for conducting non-binding arbitration where the County and a bargaining unit are unable to reach an agreement on the contents of a memorandum of understanding or collective bargaining agreement through mediation, as well as rules for remedying unfair labor practices.

Council President Meffley asked for the Amendments to this legislative be read into the record.

Council Manager Massey stated for the record:

**AMENDMENT NO. 1 TO
BILL NO. 2020-09**

Synopsis: To specify the ranks of Sheriff Deputies included in the definition of Employee; and to add the option of a collective bargaining agreement to the memorandum of understanding, within the legislation.

Introduced by: Council President on behalf of the County Executive

On page 3, line 46, insert "at the rank of Captain and below".

On page 3, line 47, insert "at the rank of Lieutenant and below".

On page 4, line 73, insert "Or Collective Bargaining Agreement".

On page 4, line 75, insert "Or Collective Bargaining Agreement".

On page 4, line 78, insert "Or Collective Bargaining Agreement".

**AMENDMENT NO. 2
TO BILL NO. 2020-09**

Synopsis: To specify the ranks of Sheriff Deputies included in the definition of Employee; and to add the option of a collective bargaining agreement to the memorandum of understanding, and to replace references to former Cecil County Board of Commissioners, within Appendix A.

Introduced by: Council President on behalf of the County Executive
Replace Appendix A in its entirety and insert revised Appendix A.

**AMENDMENT NO. 3
TO BILL NO. 2020-09**

Synopsis: To add an appendix that addresses the procedure for collective bargaining for the Division of Emergency Medical Services.

Introduced by: Council President on behalf of the County Executive
Insert Appendix B as attached.

The Bill was introduced on July 7, 2020, advertised on July 22, 2020 and July 29, 2020, and scheduled for public hearing on August 4, 2020, and postponed to August 11, 2020.

There were no comments from the administration. 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 Bill No. 2020-09 and announced that final consideration of this legislation will be held on August 18, 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 July 21, 2020. Motion was approved unanimously.

On motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve the minutes of the special legislative session of July 28, 2020. Motion was approved unanimously.

PUBLIC COMMENTS

There were no public comments

PRESIDENT AND COUNCIL COMMENTS

Vice President Gregory provided her comments during the work session.

Councilman Coutz commended the first responders and law enforcement for their heroic work in saving and helping residents during the flooding caused by the hurricane. He also announced that Governor Hogan had declared August as National Immunization Awareness Month and encouraged our community to ensure that children receive their vaccinations before school begins.

Councilman Miller commended the volunteers at the Five Star event this weekend, which included many farmers who helped make the event so successful.

Council President Meffley commended the first responders for their work in assisting citizens who were affected by the storm. He stated that Elkton had serious flooding and many roads closed. He commended Delmarva Power for their prompt response to outages. He stated that the Paris Foundation had flooded and hoped they would recover fast. He also announced that the Upper Shore Regional Council is receiving the same funding as in FY 2020. He stated that Emergency Operations should have provided more information and warning about weather conditions and services during the hurricane.

CONSIDERATION OF RESOLUTIONS

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 Resolution was introduced on June 16, 2020, and public hearing held on July 21, 2020, and scheduled for final consideration on August 4, 2020, which was postponed to August 11, 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. 35-2020.

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. 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.

The Resolution was introduced on July 21, 2020, and scheduled for final consideration on August 4, 2020, which was postponed to August 11, 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. 43-2020.

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. 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.

The Resolution was introduced on July 21, 2020, and scheduled for final consideration on August 4, 2020, which was postponed to August 11, 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. 44-2020.

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. 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.

The Resolution was introduced on July 21, 2020, and scheduled for final consideration on August 4, 2020, which was postponed to August 11, 2020.

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

On motion by Vice President Gregory, seconded by Councilman Coutz, the Council moved to approve Resolution No. 45-2020.

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

ADJOURNMENT

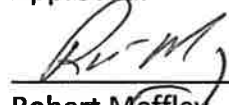
On motion made by Councilman Coutz, seconded by Councilman Miller, Council President Meffley adjourned the meeting at 7:31 p.m.

The next Council Legislative Session is scheduled on Tuesday, August 18, 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