

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2020-19
September 1, 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 September 1, 2020 was called to order by Council President Meffley at 7:00 p.m. Council President Meffley led the audience in the Pledge of Allegiance.

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 unanimously.

OPENING PRAYER

In the absence of the clergy, Council Manager Massey gave 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 September 1, 2020. Motion was unanimously approved.

PRESENTATION OF PROCLAMATIONS/CERTIFICATES

Councilman Coutz presented a proclamation to Officer Matthew Nussle, Elkton Police Department, in recognition for his recent actions of saving the life of a crime victim who had been shot. Vice President Gregory presented a proclamation in recognition of Suicide Prevention Month.

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 August 18, 2020. Motion was approved unanimously.

PUBLIC COMMENTS

Lawrence Waldridge, Elkton, thanked County for recognition of Officer Nussle.

Danielle Hornberger, Perryville, thanked Officer Nussle for his heroism.

Harold McCanick, Elk Neck, thanked law enforcement.

Joyce Bowlsbey, Elkton, thanked public safety officers and commented on Council legislation and refinancing bonds.

Mayor Rich Taylor, Chesapeake City, thanked Council for scenic byway legislation.

PRESIDENT AND COUNCIL COMMENTS

Vice President Gregory commended Cecil County Public Schools for their first day of school and efforts to continue to educate students during the pandemic. She stated that she is working with Parks and Recreation to provide opportunities for children to participate in sports. He reminded that the school system, with support from USDA, will be offering school meals at no charge for the rest of 2020.

Councilman Patchell reminded everyone that September is National Preparedness Month and hoped that families have a plan during a crisis or disaster.

Councilman Miller thanked Dave Wehry and Skip Mayham for asking him to present certificates of recognition for the Rising Sun Fire Company. He stated that Wayne and Wilmer Sprout were named to the Cecil Harford Hall of Fame.

Councilman Coutz commented on recognizing law enforcement for their dedication to the community. He commented on the Sheriff's Intel Report that showed calls are down, while there were 16 overdoses with 3 deceased.

Council President Meffley thanked the law enforcement officers for attending. He stated that he has been busy working with citizens' issues. He attended court proceedings regarding the proposed cell tower in North Chesapeake City. He stated his hope that the proposed tower could be relocated away from the entrance to the scenic byway.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2020-11 Agricultural Preservation District – Darrell and Eva Byerly - Byerly Farm

A Bill to approve the petition of Darrell and Eva Byerly for property, located at 1285 Cecilton-Warwick Road, Warwick, Maryland, 21912, (Acres: 302.34, Election District 1, Tax Map 58, Grid 22 and 16, Parcels 13, 73, and 62), requesting the establishment of an agricultural preservation district.

Devyn King, Planner, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted. The public hearing on Bill No. 2020-11 will be advertised and scheduled on the Council legislative session of October 6, 2020.

Council Manager Massey stated for the record:

Bill No. 2020-12 Establishment – Opioid Litigation Settlement Trust Fund

An Act authorizing the establishment of the Cecil County, Maryland Opioid Litigation Settlement 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.

Jason Allison, County Attorney, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted. The public hearing on Bill No. 2020-12 will be advertised and scheduled on the Council legislative session of October 6, 2020.

Council Manager Massey stated for the record:

Bill No. 2020-13 Bond Authorization – Refunding Bonds – By Executive Order

An Act authorizing and empowering Cecil County, Maryland, from time to time, to issue and sell its general obligation bonds in one or more series for the purpose of refunding all or a portion of its outstanding general obligation bonds and the bonds authorized hereby; empowering the County Executive to execute and deliver one or more executive orders prior to issuing the bonds in order to fix, prescribe and determine the details of the bonds and the issuance and sale thereof; empowering and directing the County to levy ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, or successor provisions; providing that the County may issue and sell all or any portion of the bonds, as bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

Al Wein, Director of Administration, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, and order posted. The public hearing on Bill No. 2020-13 will be advertised and scheduled on the Council legislative session of October 6, 2020.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 52-2020 Approval – Nuisance Flooding Plan

A Resolution to adopt the Cecil County Nuisance Flooding Plan.

Al Wein, Director of Administration, provided introductory comments. Councilman Coutz clarified that all municipalities were included in the planning.

Councilman Coutz made a motion to schedule a public hearing on this legislation. Vice President Gregory seconded the motion. The motion failed on a voice vote of 2 to 3. Councilman Patchell, Councilman Miller, and President Meffley were opposed.

Introduced, read first time, order posted and scheduled for consideration on September 15, 2020.

Council President Meffley asked that Resolution Nos. 53-2020 through 58-2020 be introduced together.

Council Manager Massey stated for the record:

Resolution No. 53-2020: Amendment- Policies and Procedures of Cecil County Council- Legal Opinions

A Resolution to amend Section 1-5 in the Council's Policies and Procedures to clarify that a Council Member may request a legal opinion to the Council President; and that the Council in session, may determine to request a legal opinion.

Resolution No. 54-2020: Amendment- Policies and Procedures of Cecil County Council- Legislative Days

A Resolution to amend Section 2-1 in the Council's Policies and Procedures to add that the Council President, with Council approval, may determine additional legislative days, as needed.

Resolution No. 55-2020: Amendment- Policies and Procedures of Cecil County Council- Council Work Session and Workshop Meetings

A Resolution to amend Section 2-2 in the Council's Policies and Procedures to remove specified times for sessions and workshops so that the Council has flexibility to set times as they determine.

Resolution No. 56-2020: Amendment- Policies and Procedures of Cecil County Council- Agenda Format

A Resolution to amend Section 4-2 in the Council's Policies and Procedures to specify that the Council may schedule public meetings on an as needed basis at an appropriate time, which will be listed on the agendas of the work session or legislative session.

Resolution No. 57-2020: Amendment- Policies and Procedures of Cecil County Council- Final Reading of Bills

A Resolution to amend Section 5-12 in the Council's Policies and Procedures to remove a reference to Rule 5-13, which had been previously removed from document

Resolution No. 58-2020: Amendment- Policies and Procedures of Cecil County Council- Format Legislative Session Agenda

A Resolution to amend Appendix D in the Council's Policies and Procedures to update format of the legislative session agenda.

Council Manager Massey provided introductory remarks to Resolution Nos. 53-2020 through 58-2020. There were no Council questions or comments.

Introduced, read first time, and order posted. The public hearing on Bill Nos. 53-2020 through 58-2020 will be advertised and scheduled on the Council legislative session of October 6, 2020.

Resolution No. 59-2020: Chesapeake Country Scenic Byway – Zoning Regulations

A Resolution to request that the Planning and Zoning Division to develop zoning regulations for scenic byways; and to request the extension of the Chesapeake County Scenic Byway to begin at Long Creek on Augustine Herman Highway.

Council President Meffley provided introductory comments. There were no Council questions or comments.

Introduced, read first time, order posted and scheduled for public hearing on October 6, 2020.

Council Manager Massey stated for the record:

Resolution No 60-2020: Approval – Grant Application – Community Development Block Grant – COVID Funding

A Resolution to authorize the Cecil County Department of Community Services, Housing and Community Development Division, to apply for funds from the Maryland Community Development Block Grant Program-COVID Funding, through the Maryland Department of Housing and Community Development.

Dave Trolio, Community Services Director, provided introductory comments. There were no Council questions or comments.

Introduced, read first time, order posted and scheduled for consideration on September 15, 2020.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 46-2020: Appointment - Cecil County Ethics Commission – Robert Boonstoppel

A Resolution to confirm the reappointment by the County Executive of Robert Boonstoppel to the Cecil County Ethics Commission, for a four-year term to expire July 18, 2024.

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

The Resolution was introduced on August 18, 2020 and scheduled for consideration on September 1, 2020.

Councilman Coutz made a motion to table Resolution No. 46-2020. Vice President Gregory seconded the motion.

Discussion ensued. Councilman Miller asked why this appointment was being held up. Vice President Gregory commented on her experience with Mr. Boonstoppel during her ethics hearing.

Roll call vote: Coutz-Y, Miller-N, Patchell-N, Gregory-Y, Meffley-N

The motion failed by a vote of 2 to 3. Councilman Miller, Councilman Patchell, and President Meffley were opposed.

Councilman Miller made a motion to approve Resolution No. 46-2020, which was seconded by Councilman Patchell.

Roll call vote: Coutz-N, Miller-Y, Patchell-Y, Gregory-N, Meffley-Y

The motion was approved by a vote of 3 to 2. Councilman Coutz and Vice President Gregory were opposed.

Council Manager Massey stated for the record:

Resolution No. 48-2020: Supplemental Appropriation – Grant Funds – Land Use and Development Services –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 \$16,600 to the Special Revenue Other Grants Fund- Department of Land Use and Development Services to record the grant awarded from the Upper Shore Regional Council for the purpose of bringing internet access to underserved areas of Cecil County.

The Resolution was introduced and posted on August 18, 2020, and scheduled for consideration on September 1, 2020.

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

Councilman Miller moved to approve Resolution No. 48-2020, which was seconded by Councilman Coutz.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

The motion was unanimously approved.

Council Manager Massey stated for the record:

Resolution No. 49-2020: Approval – Westlaw Edge Software – Multiple Year Contract

A Resolution to approve a three (3) year lease agreement between the Cecil County Government and Thomson Reuters West Publishing Corp. to purchase Westlaw Edge Software with State and Municipal Analytics Subscription for a total cost of \$52,218.

The Resolution was introduced and posted on August 18, 2020, and scheduled for consideration on September 1, 2020.

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

Vice President Gregory moved to approve Resolution No. 49-2020, which was seconded by Councilman Coutz.

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

Council Manager Massey stated for the record:

Resolution No. 50-2020: Supplemental Appropriation – Fund Balance – Cecil College Transportation Training Facility

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 Cecil College additional General Fund expenditure appropriation authority in the amount of \$85,000. The additional expenditure authority will provide the necessary funding to relocate Cecil College's transportation training facility and operational grounds to a different location on the property owned by the Bainbridge Development Corporation.

The Resolution was introduced and posted on August 18, 2020, and scheduled for consideration on September 1, 2020.

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

Councilman Miller moved to approve Resolution No. 50-2020, which was seconded by Councilman Coutz.

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

Council Manager Massey stated for the record:

Resolution No. 51: Approval – Workers Compensation Claims Administration Subscription – Multiple Year Contract

A Resolution to approve a three (3) year fee compensation agreement between Cecil County, Maryland and Riggs, Counselman, Michaels & Downes, Inc. (RCM&D) Self-Insured Services Company, Inc. (SISCO) for a total cost of \$148,666.

The Resolution was introduced and posted on August 18, 2020, and scheduled for consideration on September 1, 2020.

There were no comments from the administration. Council comments ensued. Councilman Coutz requested a report on the cost savings and stated that he saw no advantage to extending the contract for three years. Councilman Miller stated that this multiple year contract would guarantee the same rate

adjustment for succeeding second and third year. Lisa Saxton, Finance Director, provided additional explanation on the continuity of service.

Councilman Miller made a motion to approve Resolution No. 51-2020, which was seconded by Councilman Patchell.

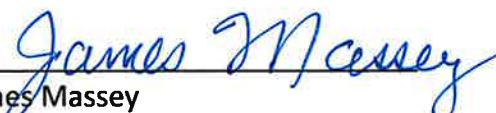
Roll call vote: Coutz-N, Miller-Y, Patchell-Y, Gregory-N, Meffley-Y
The motion was approved by a vote of 3 to 2. Councilman Coutz and Vice President Gregory were opposed.

ADJOURNMENT

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

The next Council Legislative Session is scheduled on Tuesday, September 15, 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