

**COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
February 2, 2021**

The County Council of Cecil County met in work 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 and presenters participated in this meeting; the public observed the meeting by connecting online at www.ccgov.org/council and selecting "livestream".

The following members of the Council were present:

Robert Meffley, Council President
William H. Coutz, Council Member
Al Miller, Council Member
George Patchell, Council Member
Jackie Gregory, Vice President

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 February 2, 2021 was called to order by Council President Meffley at 4:30 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 work 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.

**CLOSED SESSION
January 26, 2021
Virtual Meeting
5:30 P.M.**

On motion made by Coutz, seconded by Vice President Gregory, the Council moved to convene in closed session pursuant to the Annotated Code of Maryland, § 3-305 (b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y.
The motion was carried unanimously by a vote of 5 to 0.

Present: Council Members: President Meffley, Vice President Gregory, Councilman Coutz, Councilman Miller, and Councilman Patchell; James Massey, Council Manager; Terry Hale, Council Assistant, and Maggie Tome, IT Assistant.

Mr. Massey and Ms. Hale were asked to leave the room. Council President Meffley led discussion that the administration has deferred to the Council on any compensation adjustment for Council Manager and Council Assistant. The Council agreed on a compensation adjustment in FY 2022. In addition, the Council agreed to an adjustment for the Council Attorneys.

On motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to conclude the closed session at 6:04 P.M.

Approval of Minutes

On a motion made by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve the minutes of the Council work session of January 26, 2021, as presented. The motion was approved unanimously.

On a motion made by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve the minutes of the closed session of January 26, 2021, as presented. The motion was approved unanimously.

Cecil County Public Library Update

Morgan Miller, Library Director, provided an update of the library's services during the pandemic, which included an online library card, virtual programming, bookmobile outreach, contactless pickup and printing, Wi-Fi access expansion, and access to learning videos. She also provided the library's Annual Report for Council Members to review. She reported on the progress of the new North East Library and planned opening in April 2021. She reported on several legislation proposed in the General Assembly that benefitted libraries. She stated the four library locations will be open by appointment for computer use, beginning February 8, 2021.

Council questions and comments ensued.

FY 2021 Second Quarter Financial Projections

James Appel, Finance Director, reviewed the second quarter financial projections report. He stated that revenue projections are \$2,147,602 less than budget, mainly because of a shortfall in Personal Property Tax. Real property taxes are expected to be \$113,767 below budget. The County's income tax budget should meet budget. Revenues are more than 10% ahead of the previous year. He stated that there is still uncertainty about future income tax collection with increased unemployment due to COVID.

He stated that the projected expenditures are expected to approach but not equal budget, a total of \$2,542,514 less than budget.

The Landfill Enterprise Fund is projecting \$556,796 increase in operating revenues compared to budget and \$200,804 lower in expenditures for a net of \$757,601 better than budget. The Wastewater Fund is projecting favorable operating revenues of \$43,792 and \$616,032 favorable projection of expenditures for a net of \$659,824 better than budget.

In the General Fund, Revenues compared to the same period last year are down by \$883,122 due to Personal Property Taxes. Expenditures increased by \$1,865,887 compared to FY 2020 because of increases in debt service and intergovernmental transfers. Council questions and comments ensued.

State Legislation Update

Vice President Jackie Gregory, Council representative on the MACo Legislative Committee, provided a review of State legislation.

HB 575 Cecil County - Motor Vehicle Registration - Exception for Golf Carts; no position
HB 692 Cecil County – Board of Education – Member Terms and Compensation: support
HB 693 Cecil County – Fishing – Restrictions; support
HB 859 Cecil County – Video Lottery Terminals – Distribution of Proceeds; support
HB 153 Election Law – Elections by Mail - Oppose
HB 211 Election Law – Early Voting Centers – Days of Operations – Oppose
HB 274 Election Law – Elections by Mail – Oppose
SB 29 Election Law – Voting – Elections by Mail, Polling Place, and early voting centers-Oppose
SB 121/HB 51 Zoning – Environmental Justice Consideration; Oppose
HB 37/ SB 35 Procurement – Prevailing Wage – Applicability; Oppose
HB 508/SB 210 COVID-19 Claim – Civil Immunity; Support
SB 389/HB 552 Maryland Medical Assistance Program – Emergency Service Transporters – Reimbursement; support
HB 649/SB 36 Transportation – Highway User Revenues – Revenue and Distribution; support

Letters of support and opposition will be prepared and submitted to the committees, delegation, and members, if needed.

Review of Legislative Agenda

The Council proceeded with the review of the legislative agenda.

Council President Meffley stated that the Council reached a consensus to reintroduce the five appointees to the Ethics Commission, which had been rejected at introduction on January 19, 2021; in order to any legal disputes over the handling of this legislation. He stated the five Resolutions will be introduced at tonight's legislative session and consideration will be scheduled on February 16, 2021. He stated that the Council wishes to take action within 30 days of the original introduction. Vice President Gregory agreed that the appointees need to be vetted by the Council, but expressed concern on the legality of the Council's actions.

Council Attorney John Downs stated that we have two conflicts. The Council was given legal advice that their action at rejecting Resolution Nos. 08-2021 through 12-2021 at introduction on January 19, 2021 resulted in rejecting the legislation and appointees included in the legislation. The administration has indicated that they do not believe that the Council's actions rejected the appointees and cite Charter section 412(d) that if the Council takes no action on the Executive's appointments within 30 days, then the appointees are confirmed by operation of law.

Mr. Downs stated that the Council and administration do not want to get tied up in a legal battle over these appointments. He advised the Council to reintroduce these Resolutions to appoint each of the five appointees at tonight's session so that the Council would have two weeks to vet the appointees before voting on February 16, 2021.

The following Resolutions, regarding the appointments of members to the Ethics Commission, will be introduced tonight. Resolution No. 14-2021 Appointment – Ethics Commission – Janet Pope; Resolution No. 15-2021 Appointment – Ethics Commission – Andrew Goins; Resolution No. 16-2021 Appointment – Ethics Commission – Joseph Graf; Resolution No. 17-2021 Appointment – Ethics Commission – Charles Kelso; and Resolution No. 18-2021 Appointment – Ethics Commission – Heather O'Rourke. Council questions and comments ensued.

Vice President Gregory asked how these Resolutions could be introduced without the County Executive's approval. John Downs, Council Attorney, was asked for an opinion. Mr. Downs stated that the Council has the right to rescind their motion made at the Council legislative session of January 19, 2021. He also stated that the original submission of this legislation was submitted by the administration. There was additional discussion of following the Charter. Council President Meffley stated that the Council had a right to reconsider their motion and follow the legislative process to consider these Resolutions.

Resolution No. 05-2021 Appointment—Weed Control Advisory Board, will be considered at tonight's session. Scott Flanigan, Public Works Director, stated that he is available for any questions. Council President Meffley stated his support for this committee and their members.

Resolution No. 06-2021 Appointment—Human Services Agency – David Trolio, will be considered at tonight's session. There were no comments from the administration. There were no Council questions or comments.

Resolution No. 07-2021 Supplemental Appropriation – Grant Funds – COVID, will be considered at tonight’s session. There were no comments from the administration. There were no Council questions or comments.

Resolution No. 13-2021 Supplemental Appropriation-Fund Balance- Volunteer Fire Services – Vehicle Replacement Program, will be considered at tonight’s session. There were no comments from the administration. There were no Council questions or comments.

Council Manager Report

Council Manager Massey updated the Council on the State of the County to be held on March 11, homeless survey held on January 28, and Rooted in our Community program to be held on March 6.

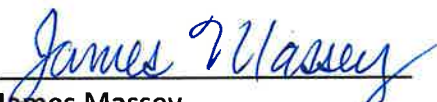
Council Member Items

Council Members agreed to hold their comments until this evening’s legislative session.

Adjournment

Council President Meffley asked for a motion to adjourn. Councilman Coutz made a motion for adjournment, which was seconded by Councilman Miller. Motion was approved unanimously. Council President Meffley adjourned the work session at 6:14 pm.

The next Council work session will be held on Tuesday, February 9, 2021 at 4:30pm, which is planned as a virtual meeting because of the current health crisis. The session will be livestreamed on the County Council’s webpage. Members of the public who do not have broadband access should contact the Council Office for instructions to be connected via telephone.


James Massey
Council Manager

Approved:



Robert Meffley
Council President