

**COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
September 7, 2021**

OPEN SESSION – Elk Room

4:30 P.M.

NOTE: Recording and transcription of this meeting are available on the County website at www.ccgov.org.

PRESENT: Council Members: Robert Meffley, William Coutz, Jackie Gregory, George Patchell, and Al Miller. James Massey, Council Manager; Terry Hale, Council Assistant; Charles MacLeod, Council Attorney, members of the administration, and members of the public.

Call to Order

Council President Meffley called the meeting to order at 4:30 pm and announced that there were five Council Members present, which constitute a quorum.

Approval of Minutes

On a motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve the minutes of the Council work session of August 17, 2021, as presented. The motion was approved unanimously.

On a motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve the minutes of the Council closed session of August 17, 2021, as presented. The motion was approved unanimously.

CLOSED SESSION

August 10, 2021

5:58 P.M.

On motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to convene a closed session, pursuant to the Maryland Annotated Code, General Provisions § 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 approved unanimously by a vote of 5 to 0.

PRESENT: Council Members: President Meffley, Vice President Gregory, Councilman Coutz, Councilman Miller; Councilman Patchell; James Massey, Council Manager; Terry Hale, Council Assistant. Also: Charles MacLeod, Council Attorney, Chestertown, MD.

The Council reviewed the nominees for members to the Redistricting Commission to determine eligibility. They agreed to request additional names for districts where the nominee was determined to be ineligible.

On motion made by Councilman Coutz, seconded by Vice President Gregory, the Council concluded the work session at 6:23 p.m.

Raising Chickens in Residential Zones

Vice President Gregory led discussion on current regulations of raising chickens in a residential zone. She stated that the current regulation requires a minimum of one acre. She stated that during the pandemic, many families are raising “backyard chickens” and suggested that regulations should be changed to allow chicken raising on smaller properties.

Steve O’Connor, Director of Land Use and Development Services, stated that the current zoning regulations require a minimum of one acre for animal husbandry. He stated that there are County costs for enforcement and inspection. Lawrence Scott, County Attorney, stated that if the legislation was changed to allow chickens raised on smaller properties, the Homeowner Associations would likely need to address this issue.

Council President Meffley stated that the Council will be considering suggestions to resolve this issue at the next work session.

Review of Legislative Agenda

Council President Meffley led a review of legislation for tonight’s agenda.

A public hearing will be held for Resolution No. 47-2021 Approval – Annexation – Town of Elkton – Belle Hill Road et al – Zoning Designation. Steve O’Connor, Director of Land Use and Development Services, commented in opposition of the legislation because it is not consistent with the Comprehensive Plan. Cameron Brown, representing the property owners, stated that the Town of Elkton had resolved the maintenance of the road by property owner.

Council President Meffley requested that a letter from Mayor Alt, dated September 2, 2021, be read, which stated that the Town was in favor of this annexation and requests the Council’s consent to the requested zoning change.

Lawrence Scott, County Attorney, stated that the Town has already approved the annexation so that the Council cannot change the zoning designation. He also stated that it was illegal to pass legislation that was contingent on the Council’s approval of the requested zoning change. Mr. Scott further stated that the Town will not be granted direct access to Route 279.

Cameron Brown, representing the property owners, stated that the Town had approved the annexation contingent on the Council’s approval of the zoning change. He stated that the County’s Comprehensive Plan is not a permanent document and zoning changes are made to reflect the community’s current and future needs.

Charles MacLeod, County Attorney, explained that the zoning change was requested so that the property can be developed, without waiting five years for the Town to make this change in zoning. He stated that the property is zoned by the County as High Density Residential (RM), and the Town is requesting that the Council change the zoning to the Town’s Highway Interchange Commercial (C-3), which is substantially different and requires the Council’s consent.

Council President Meffley stated that the public hearing on Resolution No. 47-2021 will be held as planned.

Bill No. 2021-13 Amendment – Zoning Ordinance – Solar Related – Definitions, Permissible Uses and Power Generating Facilities, will be introduced at tonight’s session. Lawrence Scott, County Attorney, provided comments. Steve O’Connor, Director of Land Use and Development Services, provided additional details. He stated that the Planning Commission took no action.

Council President Meffley asked Joyce Bowsbey, Planning Commission member, to provide comments. Ms. Bowsbey stated that committee members did not see the proposed legislation until the meeting and requested more time to review. She stated that commission member Wyatt Wallace, Don Harmer and she provided written comments after they reviewed the legislation. Mr. O’Connor stated that the Planning Commission will be meeting on September 20, 2021 and will discuss this legislation. Jackie Gregory, Vice President, confirmed that the Planning Commission held a public hearing on this legislation.

Council President Meffley asked Don Harmer, Planning Commission member, to provide comments. He stated that there was too much information to assess the legislation. He also stated that Ms. Bowsbey, Mr. Wyatt and he are going off the Commission. Council President Meffley asked that their comments be distributed to Council Members. Councilman Miller stated that he will also submit his comments for consideration.

Resolution No. 52-2021 Appointment – Redistricting Commission – 2021, will be introduced at tonight’s session. James Massey, Council Manager, provided comments. Council President Meffley stated that the Council will be discussing this legislation in closed session today.

Resolution No. 53-2021 Appointment—Agricultural Preservation Advisory Board- Paul Drummond, will be introduced at tonight’s session. Dan Schneckenburger, Director of Administration, provided comments. There were no Council questions or comments.

Resolution No. 50-2021 Approval – IT Protection Services – Multiple Year Contract, will be considered for approval at tonight’s session. Dan Schneckenburger, Director of Administration, provided comments. There were no Council questions or comments.

Resolution No. 51-2021 Appointment – Ethics Commission – Francis Peterson, Jr., will be considered for approval at tonight’s session. Dan Schneckenburger, Director of Administration, provided comments. There were no Council questions or comments.

Council President Items

Council President Meffley asked why did the administration award and allocated funds from the Maryland Recovery Grant Fund without Council approval of a supplemental appropriation. He also asked why Council Members were unaware of the fund allocation until reading the county’s press release.

Dan Schneckenburger, Director of Administration, stated that this funding was an extension of CARES Fund, which had been included in the 2020 State funding. He also stated that the administration released the funds because of the time constraint.

Council Manager Report

Due to a time constraint, Council Manager Massey agreed to defer his report.

Council Member Items

Due to a time constraint, Council Members agreed to defer their comments.

Adjournment

Council President Meffley asked for a motion to recess the work session in order to go into a closed session.

CLOSED SESSION

5:46 P.M.

Councilman Coutz made a motion to recess the work session and to go into a closed session, which was seconded by Vice President Gregory.

Roll Call Vote

Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

Motion was approved by a vote of 5 to 0.

Pursuant to the Maryland Annotated Code, General Provisions § 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.

The work session was recessed at 5:46 pm.

OPEN SESSION

6:25 P.M.

Council President Meffley reconvened the work session at 6:25 pm.

Vice President Gregory moved to adjourn the work session, which was seconded by Councilman Coutz. Council President Meffley adjourned the work session at 6:25 pm.

The next Council work session will be held on Tuesday, September 14, 2021 at 4:30 pm in the Elk Room of the County Administration Building. 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 contact the Council Office for instructions to be connected via telephone.


James Massey
Council Manager

Approved:


Robert Meffley, Council President