

**COUNTY COUNCIL OF CECIL COUNTY  
WORK SESSION MINUTES  
September 21, 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](http://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 September 14, 2021, as presented. The motion was approved unanimously.

**CLOSED SESSION**

**September 7, 2021**

**5:46 P.M.**

On motion made by Councilman Miller, 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., Dan Schneckenburger, Director of Administration; Lawrence Scott, County Attorney.

The Council reviewed the new applications for members to the Redistricting Commission. They agreed to the selection of nominees to be included in the legislation.

On motion made by Vice President Gregory, seconded by Councilman Coutz, the Council concluded the work session at 6:25 p.m.

### **Library Update**

Morgan Miller, Library Director, provided an update on library usage that showed that the Cecil County Public Library has over 60,000 library users, including 1,570 new library cards issued this year. She stated that there have been 41,000 visits to the new North East Library and commented on the popularity of children's book collection as well as the heavy use of computer, technology and study rooms. She stated that the Elkton Library will be reconfigured so that the former administration space can become part of the public library functions. She stated that grant and private contributions are supporting a new sensory garden at the Perryville Library and an outdoor classroom to the Rising Sun library. She hopes that the library can restore the hours that have been reduced by 30%. She also spoke about a partnership with the county Parks and Recreation to sponsor story trails at Brantwood Park. She also spoke about the bookmobile's outreach during the pandemic and partnering with Community Connection Us in Port Deposit. Katelyn McLimans, Youth Services & Outreach Coordinator, spoke about a library program to involve teens to make activity kits for younger children. Council questions and comments ensued.

### **Raising Chickens in Residential Zones**

Vice President Gregory led discussion on the issue of permitting backyard chicken raising in residential zones. She is proposing to allow backyard chickens on a parcel of one-half acre. Vice President Gregory had contacted other counties to compare their regulations and find out if there were problems with backyard chicken raising. Councilman Miller expressed his concern about the potential of a bird flu-like epidemic and how the backyard chickens could spread the disease to commercial chicken growers.

The administration was asked to report on the number of complaints about backyard chickens. There was discussion that a homeowner association's bylaws would supersede county regulations within a neighborhood. Discussion also included how a backyard chicken regulations would be enforced. Vice President Gregory indicated that she would be introducing this legislation in two weeks.

### **Solar Generation Facilities**

Councilman Coutz discussed the Planning Commission's recommendation for Bill No. 2021-13 regarding solar generation facilities. Council President Meffley discussed his findings about concerns of solar facilities being located on the most productive agricultural soil. Lawrence Scott, County Attorney, stated that the administration does not support the Planning Commission's recommendations to decrease the setback, the size of the parcel, and increasing the percentage of the parcel used for solar generation.

Councilman Miller raised objections that solar generation is not an agricultural activity, solar generating should not be permitted on highly productive soils, and the operator or landowner must be responsible during decommissioning for restoring the soil to the original condition of the land.

Council President Meffley asked Council Members to submit their amendments to this legislation so that the administration has time to consider before the public hearing.

## **Review of Legislative Agenda**

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

A public hearing will be held for Bill No. 2021-12 Residential Noise Ordinance. Council Manager Massey provided comments. Council President Meffley stated that he intends to amend the bill to eliminate daytime noise restrictions and to reduce the amount of fines to \$50 for the first violation, \$100 for the second violation, and \$300 for the third violation. Lawrence Scott, County Attorney, stated that the administration is opposed because there is already a noise limit.

Bill No. 2021-14 Public Schools – Bus Safety – Cameras, will be introduced at tonight's session. Robert Buckley, Associate Superintendent, Cecil County Public Schools, provided comments. Council questions and comments ensued. Dr. Buckley stated that Cecil County Public Schools has contracted with BusPatrol as a sole source, which is used in many counties to install and operate the system. He stated that the Sheriff and State's Attorney were supportive of this program. He stated that the revenue will be used initially to pay the vendor for the equipment and installation. After the cost of the system is paid, the school system will be dividing the revenue between the school system and the Sheriff's Office. Revenue will be used to invest in other safety programs for each agency.

Lawrence Scott, County Attorney, presented concerns by the administration, which included not seeing the contract, the amount that the vendor will be paid, lack of coordination with the District Court officials, not following public purchasing regulations, and the school system's actions in allowing cameras to be installed prior to this legislation being approved.

Major George Stanko of the Sheriff's Office stated that school officials met with the Sheriff's Department about the arrangements for generating civil citations and stated that this system could be handled with existing staff.

Resolution No. 54-2021 Approval – Agreement – Cecil County Fraternal Order of Police, will be introduced at tonight's session. Lawrence Scott, County Attorney, provided comments. Councilman Coutz clarified that an average step increase would be about 2 to 2.5 percent.

Resolution No. 47-2021 Approval – Annexation – Town of Elkton – Belle Hill Road et al – Zoning Designation, will be considered for approval at tonight's session. Dan Schneckenburger, Director of Administration, read a letter from County Executive Hornberger asking that the Council delay action on this legislation to allow time for the State Highway Administration to respond regarding the proposed break in access at MD 279. He stated that the administration was opposed to this legislation. Lawrence Scott, County Attorney, stated that the Council has five years to approve the change in zoning of this parcel.

Jeanne Minner, Elkton Town Planner, provided correspondence, dated May 20, 2021, with the State Highway Administration that indicated that the break in access will be permitted but will require an impact and traffic study. Cameron Brown, representing the property owner, stated that the change in zoning will not end the process and suggested that there will be checks and balances through the approval cycle. Mr. Scott expressed the administration's opposition to this legislation because Belle Hill Road will become the access onto 279 if the State denies the break requested by

the Town. Mr. Brown stated that any developer would take responsibility to make any improvements to the road and entrances.

Council President Meffley stated that Resolution No. 47-2021 will be considered for approval at tonight's session.

Resolution No. 52-2021 Appointment – Redistricting Commission – 2021, will be considered for approval at tonight's session. Council Manager Massey provided comments. Dan Schneckenburger, Director of Administration, made no comments.

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

Under New Business, Cecil County Public Schools budget amendment #90, in the amount of \$118,664,974 for July/August 2021, will be considered for approval at tonight's session. There were no Council questions or comments.

#### **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**

Councilman Coutz moved to adjourn the work session, which was seconded by Vice President Gregory. Council President Meffley adjourned the work session at 6:45 pm.

The next Council work session will be held on Tuesday, September 28, 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](http://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.

Approved:

  
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Robert Meffley, Council President

  
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James Massey  
Council Manager