

**COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
September 28, 2021**

OPEN SESSION – Elk Room

4:30 P.M.

NOTE: The 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; Maggie Tome IT Specialist, 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 21, 2021, as presented. The motion was approved unanimously.

Director of the Department of Social Services

Lisa Beeman, newly appointed Director of the Department of Social Services, introduced herself to the Council and summarized her background in social services. She stated that there has been a significant turnover of agency employees and she is working to hire their replacements. She stated that Cecil County has 158 foster children and that her department staff have heavy workloads. She stated that her priority was to bring the staffing level into compliance.

Bond Report

James Appel, Finance Director, provided a report to the Council on the bond sale that was finalized on September 23, 2021. He stated that \$37,795,000 general obligation public improvement bonds, series 2021A, were sold, which will fund FY 20-21 capital improvement projects. These include \$31,315,000 in general government projects and \$6,480,000 in wastewater projects, which will be amortized over 30 years. Wells Fargo Bank, N.A. was awarded the bid, out of the twelve bids, with an interest rate of 2.03 percent. This rate is substantially lower than the County's previous average interest rate of 3.47 percent.

Mr. Appel stated that the County also closed the sale on September 23, 2021 of \$77,745,000 general obligation consolidated refunding bonds, series 2021B. He stated that the winning bid was Bank of America Securities out of the eight bids received. He explained that these funds will restructure the county's wastewater debt from a 20 to 30 year amortization, which included Series 2012, Series 2014, Series 2015, Series 2016, Series 2017, and Series 2019. He stated that these funds will restructure a portion of general government debt from 20 to 30 year amortization, which included Series 2011, Series 2012, Series 2013, and Series 2014, which more closely matches the useful life of the assets. He stated that the winning bid lowers the interest rate from an average of 3.47 percent to 2.11 percent.

Mr. Appel stated that the total cost of refinancing of \$115,000,000 in bonds was \$250,000. He stated that Cecil County received new ratings as part of the bond sale, which maintains the Standard and Poor's rating of AA+ and the Moody's credit rating of AA2.

Mr. Appel stated that the annual savings goes back into the general fund, which can be reallocated. Councilman Coutz suggested that the library should be allocated \$190,000 that had been cut from their FY 2022 budget request. Vice President Gregory stated that the county has saved \$28M over the lifetime of the loan.

Solar Legislation

Council President Meffley led discussion on the proposed amendments that have been submitted by Council Members and Planning Commission Members.

The following amendments were discussed and agreement to propose as amendments:

Amendment No. 1 Page 5, line 87, insert the following:

"2. A goal of our land use in the 2010 Comprehensive Plan recognizes the importance of the conservation of agriculture, a more rural lifestyle, and the preservation of scenic views as a quality of life issue. All Community Based Solar facilities should not be permitted on Class One Soil Types in the NAR and SAR zones in order to prevent the loss of prime agriculture soil."

Amendment No 2 Page 5, line 92, insert the following:

"5. Solar facilities shall be located on a minimum of 50 acre parcel and can occupy no more than 25% of the site acreage, for example, the facility would be committed to 12.5 acres on a 50 acre parcel. Applicant can combine two or more contiguous parcels to achieve 50 acre minimum"

Amendment No. 3 Page 5, line 96, insert new section:

"6. Community Based Solar shall be enclosed by a security fence that is located between the landscape buffer and the Community Based Solar; which must be a minimum height of 6 feet and suitable to prevent unauthorized access.

- a. The fence shall be constructed to meet any applicable State or Federal regulations and address the physical security of power system facilities.
- b. Fencing shall be designed and installed to allow for the passage of small wildlife.
- c. The fence shall not be used to display any signage except, as required by law."

Amendment No. 4 Page 5, line 95, insert the following:

"8. Bufferyard E Standard shall be required along the perimeter of the project, unless State or federal regulations provide minimum vegetation clearance distances; and in such cases, the landscaping requirements shall apply to the extent that plantings can be installed in conformance with such standards."

Amendment No. 5 Page 5, line 96, insert a new section:

"9. Signage
The only signage permitted shall be no larger than 6 square feet, which shall identify the Community Based Solar operator, the contact phone numbers, and

which shall be posted at each entrance and exit of the property at no less than two locations.”

Amendment No. 6 Page 5, line 97, insert “operator and landowner”

a. THE APPLICANT, “operator and landowner,” SHALL ...

Amendment No. 7 Page 5, line 99, add at the following, “including yearly soil tests, at the expense of the operator or landowner”.

“FUNCTIONING SYSTEMS AND TO RESTORE THE SITE TO ITS PREVIOUS CONDITION, including yearly soil tests, at the expense of the operator or landowner”.

Amendment No. 8 Page 7, line 142

“a. ~~THE MINIMUM PARCEL SIZE SHALL BE 50 ACRES.~~ As a condition of special exception approval, the owner and/or operator agree to allow entry to remove an abandoned or decommissioned Community Based Solar Facility. Soil conditions must be returned to their original base in Northern Agricultural Residential and Southern Agricultural Residential zones. Community Based Solar must be reassessed for taxation purposes every three years.”

Amendment No. 9 Page 4, line 82, insert the following: “for 2 MW:

“A community based solar power generation facility for 2 MW may be permitted...”

Amendment No. 10. Page 5, line 91, insert the following:

“3. Designs for hookup to grid, transformers, and inverters should be in proximity to utility pole and located near the center of facility to minimize noise.”

Amendment No. 11. Page 5, line 83, delete “Three Hundred (300) feet” and insert “Two Hundred (200) feet”

“3. Solar Facilities shall be located at least two hundred (200) feet from the edge of pavement or road right of way, whichever is greater, and one hundred (100) feet from all other property lines.”

Amendment No. 12. Page 5, line 87, insert the following:

“Solar community based facility projects that have been approved by the Cecil County Board of Appeals, prior to the enactment of this legislation, will be exempt for these regulations.”

Redistricting Commission Update

Council Manager Massey stated that the first meeting of the Redistricting Commission will be held on Wednesday, September 29, 2021 in the Elk Room. He stated that David Black, GIS Coordinator, and Ruie Lavoie, Election Director, will be make presentations. The Commission is required to submit a proposed plan for councilmanic district to the Council by November 15.

Council Manager Report

Council Manager Massey reviewed the community projects being planned for Cecil Cares Day on October 2.

Council Member Items

Vice President Gregory will be participating in Cecil Cares Day on October 2 and will be attending Fair Hill 5 Star Event on October 14-17. She attended the Consolidated Transportation Plan meeting last Friday and a meeting with the Cecil County Delegation. There was discussion of a Bill that failed last year to provide reimbursement to fire companies for transportation and hopes that this Bill will be introduced again in the coming General Assembly. She attended a Maryland Republican Red, White and Blue dinner, and Chief Darrell Hamilton's retirement.

Councilman Coutz attended the Consolidated Transportation Plan meeting and stated the value of meeting face to face with MDOT officials. He also attended the meeting with the Delegation to discuss the next session of the General Assembly. He attended the retirement banquet for Chief Darrell Hamilton. He reported on Intel statistics from the Sheriff's Office. He thanked the audience for attending.

Councilman Patchell thanked the MD Department of Transportation staff for coming to Cecil County for the Consolidated Transportation Plan meeting and addressing the county's priorities for transportation.

Councilman Miller participated in Walk in the Park at Calvert Park's disc golf course. He attended the retirement for Chief Darrell Hamilton who he referred to as "the ultimate town cop." He announced that Queen Elizabeth's granddaughter will be riding in competition at the Fair Hill 5 Star event and encouraged everyone to attend this national event. He thanked the Sheriff's deputies for their service to the county. He responded to the Executive's comments about the right of the Town of Elkton to annex the Belle Hill Road property. He stated his lifetime commitment to Cecil County.

Council President Meffley attended a fundraiser for Harford County's Council President Pat Vincenti. He stated that his definition of a "good ol' boy" is somebody who meets the public, goes out to find information and takes the information to higher sources in order to help the constituents. He attended the Consolidated Transportation Plan meeting and commented on the longtime request for a sidewalk on Route 222 for students at Perryville High School, which has been requested by Councilman Patchell. He stated that the interchange on I-95 at Belvidere Road project should begin in the summer of 2022. He stated that video tolling has replaced toll booths across the state. He stated that the MARC rail extension from Perryville to Delaware project is in progress. He requested MDOT to install a traffic light at Elk Forest Road and MD 213. He stated that MDOT is still working with Delaware to address the through traffic from US 301 that creates congestion in Cecilton. He discussed his concern with the increase of traffic on MD 213 with the development of South Fields.

Adjournment

Vice President Gregory moved to adjourn the work session, which was seconded by Councilman Coutz. Council President Meffley adjourned the work session at 5:43 pm.

The next Council work session will be held on Tuesday, October 5, 2021 at 5:00 pm in the Elk Room of the County Administration Building. The Board of Health will be meeting at 4:00 pm. 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.

Approved:



Robert Meffley, Council President



James Massey
Council Manager