

**COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
September 6, 2022**

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/council.

PRESENT: Council Members: Robert Meffley, Jackie Gregory, William Coutz, Al Miller, and Donna Culberson; 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 constitutes a quorum.

CLOSED SESSION

August 16, 2022

5:30 P.M.

Council Manager Massey stated for the record:

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.

Councilman Coutz made a motion, which was seconded by Councilman Miller to go into closed session.

Roll Call Vote: Coutz-Y, Miller-Y, Gregory-Y, Culberson-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, Councilwoman Culberson; James Massey, Council Manager; Terry Hale, Council Assistant.

The Council discussed the hiring the Council Manager and directed Council President to work with Human Resources Department to post the position as soon as possible.

The Council discussed the hiring of the Council Attorney and approved the hiring of Charles MacLeod for FY 2023.

On motion made by Vice President Gregory, seconded by Councilwoman Culberson, the Council concluded the work session at 7:02 p.m.

Approval of Minutes

On a motion made by Councilman Coutz, seconded by Councilwoman Culberson, the Council moved to approve the minutes of the Council work session of August 23, 2022, as presented. The motion approved unanimously.

On a motion made by Councilman Coutz, seconded by Councilwoman Culberson, the Council moved to approve the minutes of the closed session of August 23, 2022, as presented. The motion approved unanimously.

Financial Report

James Appel, Finance Director, presented a preliminary draft of the FY 2022 yearend financial report. He stated that his department is still working on closing out the books. He stated that the independent auditors will begin their work in October 2022 so that the CAFR can be presented to Council in December.

Mr. Appel presented a breakdown of FY 2022 revenue of actual through June 2022 as compared with the FY 2021 that totaled \$235,337,388.67 or 12% better than budgeted. He presented a breakdown of FY 2022 expenditures by department and expense categories of actual through June 2022 as compared with the FY 2021 that totaled \$201,360,095.23 or 7% less than budgeted. Comparing these figures, he stated that the revenue over expenditures of \$33,977,293.44, which will go to the county's fund balance.

Mr. Appel stated that the final report will include more details and show the restricted and non-restricted funds. He stated that the current fund balance is \$110M.

Council questions and comments ensued. Council President Meffley led discussion on not having the 2nd or 3rd financial projection presentations and asked about having monthly financial reports. Mr. Appel stated that the 3rd quarter financial report is provided in the annual budget book. He stated that monthly financial reports would be difficult but hoped that a new software will allow more financial information to be available to Council.

Mr. Appel clarified that special projects include small projects such as a replacement telephone system that is not capitalized.

Legislative Initiatives

Council Manager Massey provided an update on the legislative initiatives that were discussed at the previous session. He stated that the proposed update of Council procedure for rezoning cases is included in Resolution No. 52-2022, which is being introduced today. He stated that the Council did not support the proposal to authorize the Council Attorney to represent the legislative body. The Council Attorney determined that the proposal to set the thirty days for

the Council to take action on appointments on the date of the introduction of the resolution in Council session requires a Charter Amendment. The request for a reappointment to the Bainbridge Development Corporation board of directors is being introduced at today's session as Resolution NO. 53-2022. There will be no action on the request to merge the Core Services Agency Advisory Board and Drug and Alcohol Abuse Council until the State Health Department indicates their approval.

Review of Legislative Agenda

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

A public hearing will be held for Rezoning Case #2022-03 Marion Richard Payne and Marianne Payne will be held at tonight's session. Steve O'Connor, Land Use and Development Services Director, provided a brief introduction and suggested any Council questions should wait for tonight's hearing.

Bill No. 2022-12 Amendment- Zoning Ordinance- Floodplain District, will be introduced at tonight's session. Steve O'Connor, Land Use and Development Services Director, provided introductory comments. There were no Council questions or comments.

Resolution No. 52-2022 Amendment- Policies and Procedures of the Cecil County Council- Rezoning Cases, will be introduced at tonight's session. Council Manager Massey provided introductory comments. Steve Overbay, Director of Administration, stated that the administration has not reviewed the legislation. Councilman Miller stated that the Council office was performing additional roles in rezoning procedure.

Resolution No. 53-2022 Appointment- Bainbridge Development Corporation Board of Directors- David Rudolph, will be introduced at tonight's session. Council Manager Massey provided introductory comments. Charles MacLeod, Council Attorney, stated that he provided his legal opinion that the Council has authority to make this appointment. Council questions, comments and discussion ensued. Vice President Gregory stated that she wants an official opinion from the Attorney General's Office. Council President Meffley asked Mr. MacLeod to contact the Assistant Attorney General assigned to the Bainbridge Development Corporation for additional clarification. Council President Meffley asked Mr. Overbay for the previous opinion that Lawrence Scott, County Attorney, has mentioned that gives the authority to the Executive to make appointments.

Resolution No. 54-2022 Appointment- Economic Development Commission-Kimberly Justus, will be introduced at tonight's session. Steve Overbay, Director of Administration, provided introductory comments. Mr. Overbay clarified that Ms. Justus is also the Executive Director of the Susquehanna Workforce Network.

Resolution No. 46-2022 Approval- Franchise Agreement- Breezeline, will be considered for approval at tonight's session. Steve Overbay, Director of Administration, provided comments. There were no Council questions or comments.

Resolution No. 50-2022 Supplemental Appropriation-Fund Balance- Public Works Department- Public Schools Stormwater Retrofit Project, will be considered for approval at tonight's session. James Appel, Finance Director, provided comments. There were no Council questions or comments.

Resolution No. 51-2022 Supplemental Appropriation- Private Funds- Public Works Department- Belvidere Road Bridge Replacement Project, will be considered for approval at tonight's session. James Appel, Finance Director, provided comments. There were no Council questions or comments.

Bill No. 2022-11 Taxation- Tax Credit- Sworn Officers, will be considered for final approval at tonight's session. Steve Overbay, Director of Administration, and James Appel, Finance Director, provided comments. Council Manager Massey read Amendments Nos. 1 to 4 to Bill No. 2022-11. Mr. Appel clarified that this legislation will affect 60 officers.

Under New Business, Steve Overbay, Director of Administration, read a letter from the County Executive nominating Shon McCollum to the position of Finance Director. Mr. McCollum introduced himself and described his experience. Council questions and comments ensued.

Council Manager Report

Council Manager Massey reported that the State Board of Elections have petitioned the court to allow local boards of election to begin counting mail-in ballots on October 1.

Council Member Items

Council Members Items were postponed until tonight's legislative session.

Adjournment

Councilman Coutz made a motion to adjourn, which was seconded by Councilwoman Culberson, in order to go into a closed session.

Coutz-Y, Miller-Y, Culberson-Y, Gregory-Y, Meffley-Y.
The motion was approved by a vote of 5 to 0.

Council Manager Massey stated for the record:

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.

Council President Meffley stated that the Council will be going into closed session and will adjourn the session without returning to an open session.

CLOSED SESSION

5:46 P.M.

The next Council work session will be held on Tuesday, September 13, 2022, at 4:30 pm in the Elk Room of the County Administration Building. The session will also 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