

**COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES**

August 20, 2024

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, Rebecca Hamilton, Al Miller, Donna Culberson and Jackie Gregory; David Culver, Council Manager; Christine Palmer, Council Assistant, members of the administration and members of the public.

Call to Order

President Gregory called the meeting to order at 5:10 pm and announced that there were five Council Members present which constitute a quorum. President Gregory noted that we were having technical difficulties with the live stream and a video would be posted for the meeting.

Approval of Minutes

On a motion made by Vice President Meffley, seconded by Councilwoman Culberson, the Council moved to approve the minutes of the Council work session of August 6, 2024, as presented. The motion passed unanimously.

Review of Legislative Agenda

a. Introduction of Bills

1. Bill 2024-18 - Amendment – Ethics - Chapter 39, Section 39-4, Membership; Terms and Section 39-5, Chairman

President Gregory noted that this bill is being introduced to amend the County Code to match Charter Section 607 which was amended in 2022 as part of the General Election. Assistant County Attorney Kevin Jensen noted that this amendment would clarify the Code on how appointments are made to this Commission. President Gregory noted that Council would have two appointments and the County Executive would have three, including the Chair. Councilman Miller noted that this Commission would now have staggered four year terms.

2. Bill 2024--19 - Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Accelerate North East Middle/High School Complex Construction

Director of Administration Steven Overbay noted that this project is currently funded in the CIP, however, based on funding issues with the State, the project would take longer if the County does not front fund a portion of the State's share that would be reimbursed. He noted this delay in the project would create safety issues with phasing of the two schools during construction. Director Overbay noted this Bill, along with Resolution 40-2024, would move \$21,500,000 to the FY25 budget as pay go funds to allow this project to be completed by FY27. The total County share would remain as \$78,000,000 and the State at \$103,000,000. The accelerated building should also result in the County savings of eight to ten million dollars in construction costs, have less impact on the community and also allow students from the High and Middle school to be moved into the new facility at the same time and not have the safety concerns of students attending school in an active construction site.

President Gregory inquired if this would all be pay go or would bond proceeds be utilized and Director Overbay noted it would be pay go for this portion, but bonds would be sold for the remaining amount. Councilwoman Culberson inquired if this would provide all the funding needed to allow the Board of Education (BOE) to award the construction contract and Director Overbay noted it would. Councilwoman Culberson noted that she supports the accelerated schedule and stressed the need to provide a safe environment for the students instead of having some students in an active construction site. Vice President Meffley inquired if the BOE and the Interagency Commission on School Construction (IAC) were in agreement with this schedule and if the contractor could meet the schedule. Director Overbay noted they were in agreement and the chosen contractor would be aware of the schedule. Councilwoman Hamilton inquired on the 5-year build schedule and the State's commitment of funds in that scenario and Director Overbay noted that the State did commit to the projects and already provided more than \$40,000,000 in funds but the remaining costs were deferred and would need approval in future State budgets.

President Greagory also agreed that an accelerated build schedule would be better and safer for the students and the State did commit to the projects but did not commit to any funding schedule and that the shown CIP funding schedule was the Board of Education projection not the State's. Director Overbay again noted that the State is committed to the projects and confirmed that building both schools at the same time does eliminate safety concerns. Councilman Miller noted that this proposed schedule does save eight to ten million dollars in construction costs and creates a safer environment for the students. Councilwoman Culberson inquired on other school projects and State funding. Director Overbay indicated other projects would still be funded through the CIP depending on the State's approval and availability of funding, but the total State commitment to these projects is \$103,000,000 but this issue still remains the funding timeline and the gap it creates for funding and construction.

b. Introduction of Resolutions

1. Resolution No. 39-2024 – Appointment – Commission on Aging – John Kapral

Director of Administration Steven Overbay noted the importance of the Commission on Aging and that Mr. Kapral is very well qualified. Councilwoman Culberson noted that Mr. Kapral has a very impressive record of public service.

2. Resolution No. 40-2024 - Authorization to provide a loan to the Cecil County Public Schools to complete construction of the North East Middle/High School Complex.

Director of Administration Steven Overbay noted that this is the companion resolution to Bill 2024-19 and will provide the mechanism for the payback of State funds for this project to the Board of Education and then to Cecil County. He noted the Interagency Commission on School Construction (IAC) is unable to directly enter into an agreement for this funding to go directly to the County. The IAC is only allowed to send the funding to the Local Education Agency (LEA), and the language in the resolution is acceptable to both the IAC and Board of Education (BOE). He noted the agreement would require that these projects remain the number one priority project until the funds are repaid. The \$4,000,000 that is noted was added as a placeholder amount and the BOE can repay the balance sooner if the funds are received earlier from the State. He also noted that no interest would be charged on the outstanding amount.

Councilwoman Hamilton inquired how the \$4,000,000 would affect other school projects and Director Overbay noted the CIP submitted by the BOE to the State would note this amount as the first priority for funding but would not affect other future projects. He also noted the State is committed to these projects and it is just the final funding stream that is at issue. Councilwoman Culberson inquired on the MOU that is noted in the resolution and Director Overbay noted it is being negotiated. Councilwoman Hamilton inquired on how the funds are distributed and if Council is notified when the funds are spent. Director Overbay noted the County would send the funding to the BOE once the invoice is received and that updates on expenditures and progress of the construction could be given to Council upon request. Vice President Meffley inquired on the fund balance being used and the lost opportunity on interest and Director Overbay again noted that no interest would be charged on the loan to the BOE and the County fund balance interest would likely go lower since we would be expending funds and not making interest. Councilwoman Hamilton noted that the money is only paid as invoiced so some interest on investments would still be achieved and Director Overbay concurred and noted just not as the same level. Councilwoman Culberson inquired if the invoices could be shown on the Council review of contracts form or in the over \$500 check notice and Director of Finance Shon McCollum noted that this would not be a contract, and that the money transfer would not be on the check list, but he could report to Council on the expenditures when requested.

c. Consideration of Resolutions

1. Resolution 36-2024 - Appointment – Electrical Inspection Agencies - Bay Area Inspection Agency and American Inspection Agency

Director of Administration Steven Overbay noted that the County received two proposals for electrical inspections and both firms are being utilized. He noted both firms have been providing this service for over a decade to Cecil County. Councilman Miller noted the updated letters he requested were sent to Council. Councilwoman Hamilton inquired if the term of the contracts could be extended from one year to a two- or three-year term and Director Overbay noted they could be in the future and that one-year term does guarantee competition annually. Vice President Meffley

noted that is good to have multiple inspectors so that the contractors can choose which service to utilize but it is also important to have continuity with the inspectors.

2. Resolution 37-2024 - Supplemental Appropriation – FY2025 - General Fund Balance – Cecil County Public Schools – Rising Sun High School Water Line Replacement

Director of Administration Steven Overbay noted this project was approved in FY24 but is still being completed so the funds need to be reallocated in FY25.

d. New Business

1. Cecil County Public Schools Budget Amendment #126

President Gregory noted that the Cecil County Public Schools Budget Amendment #126 is for \$3,799,392 but since the BOE is not here to present the amendment she will ask for this to be tabled at the Legislative Session.

Presentations

1. Monthly Review of County Contract (Section 516)

Director of Finance Shon McCollum noted 32 contracts over \$100,000 were executed in July and most of these were renewal of annual contracts. Director McCollum reviewed each contract and if it was a renewal or a new service.

Councilwoman Hamiton inquired on contract with Diamond Tree Service and if this was a blanket contract to remove trees as needed or for one project and Director McCollum noted it was for services as needed up to \$125,000 annually. Councilwoman Culberson inquired on the Republic Services, Inc. contract on removing recyclables from the landfill and if the County receives any revenue on recyclable items. Director McCollum noted we do receive about \$400,000 a year in revenue from the sale of the recyclables and the County only loss on recyclables is for paint. Councilwoman Culberson inquired on the contract with Bignell Watkins Hasser Architects, Inc. on Task 4 and 5 for the sallyport at the Sheriff's Office. Director McCollum noted the Sheriff's Office renovations were broken into several different contracted and this is for the final design of the sallyport. Councilman Miller noted that the Cecil County recyclable program is one of the leaders in the State and congratulated the Solid Waste Division on this accomplishment. Councilman Miller also noted that many of these contracts were not to local companies and Director McCollum noted many renewal contracts are to national firms that provide the service and that local firms are preferred and utilized, when available, using the local preference. Vice President Meffley inquired on the amount of change in the insurance rate from the previous year and Director McCollum noted that the County still uses LGIT and that they would check on the any changes and report back to Council. Vice President Meffley also noted the format that Finance uses to report these contracts is very good.

Council Manager Report

Council Manager Culver noted the updated Council Manager report is in the packet.

Council Member Items

Councilmembers deferred comments to the Legislative Session of August 20, 2024.

CLOSED SESSION

President Gregory announced that the Council is going into Closed Session and asked Council Manager Culver to read the announcement.

Council Manager Culver announced that County Council is entering 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.

Council President Gregory asked for a motion to recess the work session and to go into a closed session.

Vice President Meffley made a motion to go into closed session, which was seconded by Councilwoman Culberson.

Roll Call Vote

Hamilton - Y, Miller - Y, Culberson - A, Meffley - Y, Gregory - Y

Council President Gregory recessed the work session at 6:18 pm.

Council President called the Closed Meeting to Order at 6:20 pm.

PRESENT: Council Members: Robert Meffley, Rebecca Hamilton, Al Miller, and Jackie Gregory; David Culver, Council Manager; Christine Palmer, Council Assistant

Councilman Miller made a motion to adjourn the closed session and reconvene the work session, which was seconded by Councilwoman Culberson.

Roll Call Vote

Hamilton - Y, Miller - Y, Culberson - A, Meffley - Y, Gregory - Y

President Gregory adjourned the closed session at 6:33 pm.

President Gregory reconvened the work session at 6:35 pm

President Gregory announced that no further items are on the August 20, 2024 Work Session agenda.

Adjournment

Councilwoman Hamilton made a motion to adjourn, which was seconded by Councilwoman Culberson. Council President Gregory adjourned the work session at 6:36 pm.

The next County Council Work Session will be held on Tuesday, August 27 at 4:30 pm in the Elk Room of the County Administrative Building. The session will be livestreamed on the County Council's webpage at www.ccgove.org/council.



David M. Culver
Council Manager

Approved:



Jackie Gregory, Council President