

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2024-16
September 3, 2024

The County Council of Cecil County met in legislative session at the County Administration Building, 200 Chesapeake Blvd., Elk Room, Elkton, MD. The following members of the Council were present:

Jackie Gregory, Council President
Robert Meffley, Vice President
Rebecca Hamilton, Council Member
Al Miller, Council Member
Donna Culberson, Council Member

NOTE: The recording with transcription of this meeting is available on the County website at www.ccgov.org/council.

CALL TO ORDER

The meeting of the County Council of Cecil County of September 3, 2024, was called to order by Council President Gregory at 7:05 p.m.

ROLL CALL

Council Manager Culver called the roll and noted all five members were present.

OPENING PRAYER/MOMENT OF SILENCE

President Gregory asked for a moment of silence for the remembrance of Bob Amato who passed away on August 20, 2024.

Pastor Steve Basht of Janes Church in Rising Sun gave the opening prayer.

APPROVAL OF AGENDA

On motion made by Vice President Meffley, seconded by Councilwoman Hamilton, the Council moved to approve the agenda of September 3, 2024. The motion was approved unanimously.

PRESENTATIONS

Suicide Prevention Awareness Month

President Gregory read the proclamation for Suicide Prevention Awareness Month. Sheila Murphy and Kenneth Collins, from the Department of Community Services, Stephanie Carducci, Executive Director of Bee My Voice and Michaela Ocasio, Program Coordinator- My Voice & LFT Foundation spoke on preventing suicide.

National Recovery Month

Councilwoman Culberson read the proclamation for National Recovery Month. Aaron Wright from Voices of Hope spoke on recovery and the resources available to help people.

PUBLIC HEARINGS

Council Manager Culver stated for the record:

Bill 2024-14 - Supplemental Appropriation – Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Construct Bainbridge Outfall.

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to add the Construct Bainbridge Outfall project, to the Fiscal Year 2025 Capital Budget and to move expenditure authority from the Bond Fund to the Construct Bainbridge Outfall project in the amount of \$1,900,000. Project cost in FY25-FY26 is \$3,800,000 with the Bainbridge developer and/or firm(s) contributing half of the project construction cost.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

Director of Administration Steven Overbay noted this is a new project for an upgrade at Bainbridge to assist the development in the discharging of water. Director Overbay noted the total project is estimated to be around \$3,800,000, of which the County would pay about \$1,900,000 and the remainder would come from the tenants and developer of the site. He also noted the County investment would be repaid through user fees. He noted that an agreement is currently being negotiated for the developer's contribution.

Phylis Kilby of Colora spoke in opposition of the project based on cost and potential environmental issues.

Council Manager Culver stated for the record:

Bill 2024-15 - Supplemental Appropriation – Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Expand Port Deposit WWTP, Project Number 55079

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to provide supplemental expenditure authority from the bond Fund for the Expand Port Deposit WWTP project, Project Number 55079 in the amount of \$8,750,000. The Port Deposit WWTP needs to be expanded to provide additional capacity in support of future development at Bainbridge. The approved capacity will increase from 250,000 Gallons per Day (GPD) to a maximum of 750,000 GPD. Project cost in FY25 and FY26 is \$8,750,000. The County will pay half of the remaining project cost (\$4,375,000) with Bainbridge developer and/or firms(s) contributing the other half of the project construction cost.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

Director of Administration Steven Overbay noted that this project is currently funded in the CIP, however based on potential new tenants at Bainbridge and advances in wastewater technology, it may be possible to upgrade the plant to be able to process up to 750,000 gallons of wastewater per day. He noted that the current cost for the upgrade is \$4,500,000, however, with the potential developer agreement to upgrade capacity, the County cost would actually go lower to \$4,375,000 dollars and the developer at Bainbridge would fund the cost for the additional upgrade.

Council Manager Culver stated for the record:

Bill 2024-16 - Supplemental Appropriation – Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Extend Water Service to Wilson Road.

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to add the Extend Water Service to Wilson Road project, to the Fiscal Year 2025 Capital Budget and to record private funding from Southern States LLC for the design and construction of the project in the amount of \$4,300,000. This project will extend public water service to Wilson Road to serve homes in the vicinity of the former Southern States facility having high levels of nitrates in the water wells. Southern States has agreed to fund design and construction costs, meaning that there will be no impact on the County's Fund Balance.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

Director of Administration Steven Overbay noted that this project has been in negotiations with the Maryland Department of the Environment and Southern States LLC for numerous years to provide water to 17 homeowners along Wilson Road that have wells that have been contaminated by the Southern States facility. He noted Southern States is under a consent decree and as part of the settlement. He noted that this project, currently projected to cost about \$4,300,000, would be entirely funded by Southern States and Cecil County would not be responsible for any of the cost, but would serve as the conduit for oversight of the project.

Sean Brimm of North East spoke in favor of the project for the homeowners and the need for growth.

William Kilby of Colora spoke in opposition of the project stating more financial information is needed.

Council Manager Culver stated for the record:

Bill 2024-17 - Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Public Safety Training Center, Project Number 51030 and Paramedic Station #2, Project Number 50051

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to revise the funding sources for the Public Safety Training Center project, Project Number 51030 and Paramedic Station #2, Project Number 50051. The Public Safety Training Center will see an increase in Bond funding of \$270,000 while seeing a decrease in ARPA funding of \$270,000. The Paramedic Station #2 will see a decrease in Bond funding of \$270,000 while seeing an increase in ARPA funding of \$270,000.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

Director of Administration Steven Overbay noted this amendment is to move the timing of bond expenditures with APRA funding to ensure the APRA funding is allocated by December 31, 2024 and the funding spent by the end of 2026. This is moving \$270,000 between the two projects which are located on the same site but have different construction timelines.

Council Manger Culver stated for the record:

Resolution 38-2024 - Amend – Solid Waste Management Plan 2016-2025

A resolution to amend the Cecil County Solid Waste Management Plan to include the addition of Choice MedWaste, LLC as a proposed special medical waste processing facility and transfer station and updates on the expansion of the Cecil County Central Landfill and a proposed landfill gas-to-energy facility at Cecil County Central Landfill.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

Director of Administration Steven Overbay noted this amendment would allow a private medical waste facility to operate in the Town of Elkton, specifically on Chesapeake Boulevard, allow the gas to energy project at the Central Landfill to continue and also makes changes as it relates to the design and construction of the new cell at the Central Landfill. He noted that any change to the 2016-2025 Solid Waste Management Plan, such as adding a new waste facility, requires the plan to be updated as per the COMAR regulations. He noted that Choice MedWaste, LLC has entered into an MOU with the County noting no human tissue can be treated at this facility and no waste can be taken to the Cecil County Landfill.

Sean Brimm of North east spoke in favor of the amendment and noted the county landfill is not permitted to handle this medical waste.

William Kilby of Colora spoke in favor of the gas to energy project at the landfill.

Matt Georgov of Choice MedWaste, LLC spoke in favor of the amendment and noted the presentation at the September 3, 2024 Work Session should be made part of the record.

Jeff Nolan of Nolan Contractor spoke in favor of the amendment and noted he owns the property where the Choice MedWaste, LLC facility is being proposed. He also noted that he has known the Georgov family for many years and they run great operations.

APPROVAL OF MINUTES

On motion made by Councilwoman Culberson, seconded by Vice President Meffley, the Council moved to approve the minutes of the legislative session of August 20, 2024. The motion was approved unanimously.

PUBLIC COMMENTS

Sean Brimm of North East spoke on education funding issues.

PRESIDENT AND COUNCIL COMMENTS

Vice President Meffley noted that the MRDC Head Start Program has a new director and that the program is very important.

Councilman Miller noted that on September 1, 2024 he attended the YES Fall BBQ at the Perryville Park and that it was his first time at the park. He also noted on August 28 the Maryland State Fair, Deggeller Amusements honored his father Grove Miller and his contributions to the State Fair as well as the entire agricultural community. Mr. Deggeller noted that they will continue to incorporate agriculture and livestock into the fairs and promote the FFA and 4H organizations.

Councilwoman Hamilton thanked everybody who attended the meeting and hoped everyone has a safe and productive school year.

Councilwoman Culberson reviewed the intel numbers for the past week. She noted this was the 21st week of the year with no drug overdose deaths and noted this is a credit to all the agencies, volunteers and programs in Cecil County who do outreach and rehab to help those in need.

President Gregory always wished all the students and teachers a safe and productive school year. She noted she attended the Port Deposit/Bainbridge State Park Planning Meeting and noted that they are looking at areas at Tome School and Snow Hill to preserve and study for the park. She also noted that the park committee is also assessing funding needs and timelines as part of the study. She also noted the BOE had an additional \$8,000,000 in unrestricted fund balance in FY24 and only spend 72% of the supply budget leaving \$1,000,000 unspent on the students. She also spoke on better funding allocation for the students and the need to improve on student testing scores.

INTRODUCTION OF BILLS

Council Manager Culver stated for the record:

Bill 2024-20 - Public Safety Pension Plan – Amendment 9 – Domestic Relations Order and Disability Determination

A Bill to approve the 9th amendment to the Cecil County Pension Plan for Public Service Employees to provide for changes to the average annual compensation, domestic relations order and retirement at disability retirement date.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for public hearing on October 1, 2024 and consideration on October 15, 2024.

Director of Administration Steven Overbay noted that the Pension Board identified the issue with the pension plan as it relates to disability payments and divorce settlements. He noted that this was examined by the pension consultants and will have no fiscal impact

Council Manager Culver stated for the record:

Bill 2024-21- Establishment – Community Reinvestment and Repair Fund

A Bill to add a new Section 45-4, the Cecil County Community Reinvestment and Repair Fund, to Chapter 45, Finance and Taxation, of the Cecil County Code, as amended; to create a Fund for receipt of revenue from the State of Maryland pursuant to the Annotated Code of Maryland Alcoholic Beverages Article §1-322 and used for purposes outlined therein.; and generally related to finance and taxation.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for public hearing on October 1, 2024 and consideration on October 15, 2024.

Director of Administration Steven Overbay noted that this amendment is part of the Cannabis Act that requires counties to outline how the funds will be spent. He noted that the sales tax on cannabis is partially allocated based on where the cannabis offenses were concentrated over the last 20 years. He noted that Cecil County receives about 1% of these funds.

Council Manager Culver stated for the record:

Bill 2024-22 - Supplemental Appropriation – Amendment to the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Program – Child Advocacy Center.

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to add the Renovate Child Advocacy Center project to the Fiscal Year 2025 Capital Budget and to record Community Development Block Grant funding for the design and construction of the project in the amount of \$672,000.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for public hearing on October 1, 2024 and consideration on October 15, 2024.

Director of Administration Steven Overbay noted that this amendment will coincide with Resolution 43-2024 which is the grant funding for this project. He noted this project will add 800 square feet to the center, allow the roof to be replaced and also add an emergency generator. He also noted the Planning Board will consider this amendment at its September 16, 2024 Meeting.

Council Manager Culver stated for the record:

Bill 2024-23 - Supplemental Appropriation - Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – ARPA Funding

Project Number 55041 - Holloway Beach Sewer Project
Project Number 50051 - Paramedic Station 2 Project
Project Number 50052 - Paramedic Station 4 Project
Project Number 51030 - Public Safety Training Center Project
Project Number 52594 - Oldfield Point Road Project
Project Number 55064 - Elkton West Sanitary Sewer Project

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to provide supplemental expenditure authority for Project Number 51030 - Public Safety Training Center project, in the amount of \$2,100,000; for Project Number 50051 - Paramedic Station 2 project, in the amount of \$300,000; and for Project Number 50052 - Paramedic Station 4 project, in the amount of \$300,000, totaling \$2,700,000; by transferring American Rescue Plan Act (ARPA) funding from Project Number 55041, Holloway Beach Sewer project, in the corresponding amount of \$2,700,000; while concurrently transferring \$1,700,000 in County bond funding from Project Number 52594 - Oldfield Point Road and \$1,000,000 in County bond funding from the Project Number 55064 - Elkton West Sanitary Sewer project totaling \$2,700,000 to the Holloway Beach Sewer project to replace the American Rescue Plan Act (ARPA) funding.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for public hearing on October 1, 2024 and consideration on October 15, 2024.

Director of Administration Steven Overbay noted that this Bill will move ARPA and bond funding between various projects to ensure the ARPA funds are spent in accordance with the deadlines established for the program. The Holloway Beach Project will move \$2,100,000 million to the Public Safety Training Center, and \$300,000 each to Paramedic Station 2 and 4. County bond funding of \$1,700,000 from Oldfield Point Road and \$1,000,000 for Elkton West Sewer project will be moved to Holloway Beach project. He noted Holloway Beach is behind schedule due to easements being required and that the Oldfield Point project is also needed right of way dedication. Director Overbay noted that the Holloway Beach project will still be receiving CDBG and Bay Restoration Funds. Director Overbay also noted unique language in the bill that authorizes the County Executive to move ARPA funds within the CIP to ensure they are allocated by December 31, 2024 and that, if this occurs, will submit the CIP Amendment to Council within 60 days.

INTRODUCTION OF RESOLUTIONS

Council Manager Culver stated for the record:

Resolution 41-2024 - Council Appointments – Ethics Commission – Robert McKnight and Nicholas Cusmano

A Resolution to confirm the County Council’s appointments as per Section 607 of the Cecil County Charter of Robert McKnight to a four-year term that will expire on September 17, 2028 and Nicholas Cusmano to a two-year term that will expire on September 17, 2026 on the Cecil County Ethics Commission.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

Council President Gregory noted that Council is nominating Robert McKnight of North East for a four year term and Nicholas Cusmano of Chesapeake City for a two year term on the Ethics Commission.

Council Manager Culver stated for the record:

Resolution 42-2024 - Appointments—Emergency Medical Services Advisory Board

A Resolution to confirm the appointment by the County Executive of Deanna Sakers, Randall McLennan, Tracy Streets, Michele Ewing, Leslie Cheyney, Alexander Galien, Chelsea McKinney, Jeffrey Hennemuth, Kimberly Roland, Kelly Frey, Melissa Kinsler, August Pierson, Jr., Charlotte Mec' Deborah Kurtz, and Nathan Stewart; and Ex-Officio Members Wayne Tome, Morganne Castiglione and Robert Muller, to the Cecil County Emergency Medical Services Advisory Board for a three (3) year term to expire June 1, 2027.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

Director of Administration Steven Overbay noted this board has 15 members, 1 member from each of the 9 fire companies, 1 member from each Council District and 1 member from the IAFF Local 4645 and 3 non-voting ex-officio members. He noted these are three-year terms.

Council Manager Culver stated for the record:

Resolution 43-2024 - Supplemental Appropriation – Grant Funds – Community Services – Community Development Block Grant – Child Advocacy Center Expansion

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland Department of Community Services, Housing and Community Development Division, Fund 111, Department 534 for the fiscal year ending June 30, 2025, in order to provide a total of \$672,000.00 to the Emergency Shelter Grants Fund; to record the grant awarded from the Maryland Community Development Block Grant program through the Maryland Department of Housing and Community Development to support the Child Advocacy Center Expansion Project.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

Director of Administration Steven Overbay noted this resolution is the companion funding to Bill 2024-22 for the Child Advocacy Center Expansion. He noted the Council previously approved Community Services to apply for the grant and this will expand the center by 800 square feet, add a new roof and install an emergency generator. He also noted some of the funding does go to administration of the grant.

Council Manager Culver stated for the record:

Resolution 44-2024 - Supplemental Appropriation – Casino Local Impact Fund – Various Grants

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2025, in order to provide \$32,536.14 in carry forward expenditure authority for the Video Lottery Terminal (VLT) Local Community Grant Funds within the Casino Local Impact Fund Budget.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

Director of Administration Steven Overbay noted this resolution is to move previously allocated funding from FY24 to FY25 to account for invoices from non-profits that were received after the FY24 budget year. He also noted the Video Lottery Terminal grants to non-profits and community groups is approximately \$700,000.

Council Manager Culver stated for the record:

Resolution 45-2024 - Supplemental Appropriation – Grant Funds – Community Services – Cecil Transit Division – Statewide Special Transportation Assistance Program

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2025, in order to provide a total of \$272,356.00 to the Community Services Grants Fund – Department of Community Services, Fund 109, Department 522, to record a Statewide Special Transportation Assistance Program Grant awarded from the Maryland Transit Administration to provide capital support.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

Director of Administration Steven Overbay noted this grant is for \$272,000 and is part of the FY25 funding for Ceci Transit. He noted this funding will be allocated to the purchase of a mid-size bus for the program. He also noted the State will now allow funding to be used over multiple fiscal years for these larger capital purchases.

CONSIDERATION OF RESOLUTIONS

Council Manager Culver stated for the record:

Resolution 39-2024 - Appointment – Commission on Aging – John Kapral

A Resolution to confirm the County Executive's appointment John Kapral to the Cecil County Commission on Aging, to fill vacant three-year term that will expire on September 3, 2027.

Introduced, read for the first time, order posted on August 20, 2024 and scheduled for consideration on September 3, 2024.

Director of Administration Steven Overbay noted Mr. Kapral is well qualified and will make an excellent addition to the Board.

Councilwoman Culberson made a motion to approve Resolution 39-2024, which was seconded by Vice President Meffley.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

OLD BUSINESS

Cecil County Public Schools Budget Amendment #126

President Gregory asked for a motion to lift Cecil County Public Schools Budget Amendment #126 for \$3,799,392 from the table and to approve.

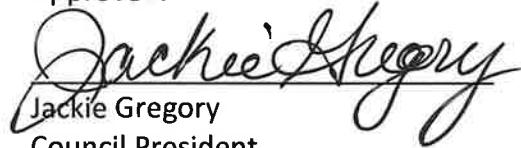
Councilwoman Hamilton made a motion to lift Budget Amendment #126 from the table and approve. The motion was seconded by Councilwoman Culberson. The motion was approved 4 to 0 with one abstention. (Yea – Hamilton, Miller, Culberson, Meffley, Abstain – Gregory)

ADJOURNMENT

On motion made by Councilwoman Culberson, seconded by Councilman Miller, President Gregory adjourned the meeting at 8:30 pm.

Council President Gregory announced that the next Council Legislative Session is scheduled on Tuesday, September 17, 2024 at 7:00 p.m. in the Elk Room of the County Administration Building. The legislative session will be livestreamed at the county's webpage at www.ccgov.org/council. The recording and transcription will be uploaded to the county's website as soon as possible.

Approved:


Jackie Gregory
Council President

Attest:


David M. Culver
Council Manager