

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2024-18
October 1, 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 October 1, 2024, was called to order by Council President Gregory at 7:00 p.m.

ROLL CALL

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

OPENING PRAYER/MOMENT OF SILENCE

Reverend Rob Townsend of Moore's Chapel Church in Elkton gave the opening prayer.

APPROVAL OF AGENDA

On motion made by Vice President Meffley, seconded by Councilwoman Culberson, the Council moved to approve the agenda of October 1, 2024. The motion was approved unanimously.

PUBLIC HEARINGS

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.

Sean Brimm of North East spoke in favor of this bill.

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.

Sean Brimm of North east spoke in favor of this bill.

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 also noted this bill should ensure the APRA funds are allocated by December 31, 2024 and spent by December 31, 2026.

Sean Brimm of North East spoke in favor of this bill.

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 September 17, 2024. The motion was approved unanimously.

PUBLIC COMMENTS

Sean Brimm of North East spoke on the Ethics Commission and the 5-Star resolution.
Phyllis Kilby of Colora spoke on the \$2,800,000 being committed to the 5 Star event.
Bill Kilby of Colora spoke on the 5 Star contract and the Fari Hill Races.
Christine Sharp of Elkton spoke on the 5 Star contract and the BOA appointments.
Mark Saunders of Elkton spoke on BOA appointments and Willard Whiteman's contributions.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Hamilton thanked everybody for attending and noted the County Chamber is hosting the candidate debate on October 9 at the Milburn Stone Theater. She also noted Cecil Cares is upcoming and encouraged everybody to participate. She noted on October 19 is the Farm Museum Heritage Day and that this is a fun event. She noted the pickleball courts at Brantwood will be installed in the next few weeks. She also congratulated the Elkton Alliance on its \$198,000 grant to help renovate Main Street businesses.

Vice President Meffley noted the damage done by Hurricane Helene and hopes for the area to recover quickly. He noted the 5 Star event is upcoming and hopes it is successful and its economic impact. He also noted Will Whiteman is a great member of the BOA and hopes he will continue on the board.

Councilman Miller noted that Mushroom Auto just celebrated its 30 Year anniversary and congratulated the Webb family. He noted the Harvest Dinner is on October 2 at the Wellwood and hoped everybody could attend. He also noted he will be going to the Teacher of the Year Award ceremony on October 4 and that Brittany Rigdon from the School of Technology is one of the seven finalists.

Councilwoman Culberson noted the intel numbers have not been updated for the past week. She also noted that potential for the Fair Hill Races to return under the pending resolution would be fantastic for the County. She also noted Mr. Whiteman has been a good member on the BOA and that since full attendance is rare that as an alternate, he will still be very active.

President Gregory noted the CHEP event that will be help this weekend to help veterans and hoped everybody would participate. She also reminded everybody that appointed board members do serve until a replacement is named. She also thanked Mr. Newman from the Sport & entertainment Corporation of Maryland for his input on the 5 Star contract. She also noted that the recent Open Meeting complaint on Council was dismissed and no violation occurred, and as far as she is aware, all other complaints against the various boards were also dismissed.

INTRODUCTION OF RESOLUTIONS

Council Manager Culver stated for the record:

Resolution 49-2024 - Support of the Maryland Two Fifty Commission

A Resolution to in support of the Maryland Two Fifty Commission and the appointment of Councilwoman Rebecca Hamilton as the Cecil County Council representative.

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

Councilwoman Hamilton noted that Governor Wes Moore created the Maryland Two Fifty Commission to help promote the upcoming anniversary of the founding of the United States. She

noted that during the MACO Summer Conference she was approached by members of the Two Fifty Commission requesting a resolution of support and designating a Council member or other volunteers to help promote this event locally. She noted that she would volunteer to serve in this capacity and this resolution notes our support and her appointment for Council. President Gregor thanked Councilwoman Hamilton for volunteering and noted this will be a great time to celebrate the founding of the United States.

Council Manager Culver stated for the record:

Resolution 50-2024 - Supplemental Appropriation – Grant Funds – Tourism – Winter Lights Cecil Nights

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 \$15,000 to the Special Revenue Other Grants Fund- Office of Economic Development – Tourism, to record the grant awarded from the Upper Shore Regional Council, for the purpose of a “Winter Lights-Cecil Nights” Marketing Campaign in Cecil County.

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

Director of Administration Steven Overbay noted that this is the 5th year for this event and for the first time all eight municipalities will be participating. He also noted the grant was increased to \$15,000 this year from Upper Shore Regional Council and thanked them for the support they have given to this event. Director Overbay noted that each town would be allocated \$2,000 to spend on eligible items such as lights, carriage rides, snow machines and so forth. Councilwoman Hamilton inquired if the funding will be used as it has been in the past for lights, activities and so forth and Director Overbay noted that it could be and also noted the event will run January 1 through the end of February.

Council Manager Culver stated for the record:

Resolution 51-2024 - Operation Green Light for Veterans

A Resolution to designate Cecil County as a Green Light for Veterans program participant and encouraged business and residents to display a green light on November 4-11, 2024 to salute and honor Veterans in observance of Operation Green Light for Veterans.

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

Director of Administration Steven Overbay noted that that this is an annual event that encourages people to use green lights on buildings and in homes to honor our veterans from November 4 to 11, 2024. Vice president Meffley noted as a veteran he thinks this is a great program to help and honor our veterans.

Council Manager Culver stated for the record:

Resolution 52-2024 - Appointment—Planning Commission- Christopher Walker, Robb Carey, and Christopher Bannon II

A Resolution to confirm the appointment by the County Executive of Christopher Walker with a term to expire on August 17, 2027, Robb Carey with a term to expire on July 21, 2026 and Christopher Bannon II with a term to expire August 17, 2027, to the Cecil County Planning Commission.

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

Director of Administration Steven Overbay noted that Planning Commission serves a valuable role in reviewing plans and making recommendations to Council. He noted these individuals are well qualified to serve on the Commission.

Council Manager Culver stated for the record:

Resolution 53-2024 - Appointment—Board of Appeals – Scott Williams, Gabriele Coutz, Michael Linkous and Willard Whiteman

A Resolution to confirm the appointment of Scott Williams with a term to expire on August 15, 2026, Gabriele Coutz with a term to expire on August 15, 2025, reappointment of Michael Linkous with a term to expire on August 15, 2026, and reappointment of Willard Whiteman as the alternate, with a term to expire on August 6, 2025 to the Cecil County Board of Appeals.

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

Director of Administration Steven Overbay noted that the Board of Appeals plays a valuable role in the development process and hears appeals of decisions, special exceptions and variance requests. He noted Michael Linkous was being reappointed Willard Whiteman, who is on the BOA, is being reappointed as the alternative. He noted the other individuals are new appointments.

Councilman Miller noted that Willard Whiteman has been a valuable member, and his term would end in ten months and should be longer. Vice President Meffley noted that, to the best of his knowledge, no one contacted Mr. Whiteman about this change in appointment and that this Board make many legal decisions and need members with experience. Director Overbay noted he will check with staff to see if Mr. Whiteman was contacted and the Board's attorney does provide direction on the legal issues.

Council Manager Culver stated for the record:

Resolution 54-2024 - Appointment—Agricultural Preservation Advisory Board- Clay Stubbs and Brandon Van Bibber

A Resolution to confirm the appointment by the County Executive of Clay Stubbs with a term to expire on August 1, 2029, and Brandon Van Bibber term with a term to expire on August 1, 2027 to the Agricultural Preservation Advisory Board.

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

Director of Administration Steven Overbay noted that this Board reviews all agricultural preservations applications and makes recommendations. He noted both candidates are new and well qualified.

Council Manager Culver stated for the record:

Resolution 55-2024 - Approval – Maryland 5 Star Multi-Year Contract

A Resolution to approve a five (5) year agreement between the County and Sport & Entertainment Corporation of Maryland to hold the Maryland 5 Star at Fair Hill event (the "Maryland 5-Star") and the Maryland Races at Fair Hill event (the "Fair Hill Races") in calendar years 2025 through 2029. The total value of the contract is Two Million Eight Hundred Fifty and Thousand dollars (\$2,850,000.00) and will be funded as follows: \$100,000 from the FY2025 budget, \$550,000 from the FY2026 through FY2030 budgets. The contract will be funded from the County's general operating funds.

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

Director of Administration Steven Overbay noted that this is a multi-year agreement that is in the same format that previous administrations had to continue the 5 Star Event, but this agreement is

also allocating additional funding to the Sport & Entertainment Corporation of Maryland (S&E) to bring back the Fair Hill Races. Director Overbay noted this provides the stability in funding for the events and allows them to expand sponsorship, commit to dates and reserve the needed venue. He noted that the \$100,000 was being committed this fiscal year for the Fair Hill Races and the \$2,850,000 funding over the next five year will be a combination of Video Lottery Funds and general funds. Director Overbay noted the last administration's agreement provided \$433,000 to the event and the increase over the five years in this agreement will be \$17,000 per year. He noted that this agreement will also provide \$100,000 per year to the Fair Hill Races and will only be paid if the Fair Hill Races occur.

President Gregory requested that Council be sent the agreement and Director Overbay noted the MOU will be sent. She also inquired on this year's funding for the 5 Star and Director Overbay noted this is the final year of the agreement and that the funding was allocated in the FY 25 Budget as \$100,000 for the VLT funds and \$333,000 from the general fund. President Gregory inquired on the proposed funding and Director Overbay noted it would be \$550,000 per year with \$450,000 for the 5 Star and \$100,000 for the Fair Hill Races, if they are held. Councilman Miller inquired on the Economic Development budget for the other 5 Star expenses and Director Overbay noted the tent and other expenditures that do not go to S&E are budgeted separately. Councilman Miller also asked confirmation that the \$100,000 is not spent if the Fair Hill Races do not occur and Director Overbay confirmed that it is not spent. Vice President Meffley inquired if the Fair Hill Foundation would receive funding and Director Overbay noted that the funding will go to S&E. Councilman Miller discussed the Foundations role in the race purses and possible dates for the Fair Hill Races and Director Overbay noted that would need to be determined. Jeff Newman of S&E also noted the State money spent on the 5 Star and the State's commitment to the Fair Hill races. Councilman Miller noted that eight racing days are still available within the State.

CONSIDERATION OF RESOLUTIONS

Council Manager Culver stated for the record:

Resolution 40-2024 – An authorization to provide a loan to the Cecil County Public Schools to complete construction of the North East Middle/High School Complex.

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to allow the Board of Education of Cecil County to borrow from the County up to \$41,000,000 interest free to finish construction of the North East Middle/High School complex by the end of FY2027. This loan, which will result in creation of a Notes Receivable and Restricted Cash position on the County's Balance Sheet, is necessitated by the fact that the State of Maryland is unable to commit the balance of their full contribution of \$103,000,000 in order to allow the Board of Education to complete construction by the end of FY2027. Without this loan, the schools' construction cannot be completed until FY2032. As a result, the Board of Education of Cecil County will remit any and all school construction funds provided by the State for the North East Middle/High School Complex project to the County until the loan is fully paid, beginning in FY2026. It is agreed and recognized that the State funding for the North East Middle/High School Complex project will be the sole and exclusive source for the repayment of the loan and that no other funds or other sources of revenue budgeted for the Board of Education shall be used for repayment of the loan. It is further agreed and recognized that a \$4,000,000 funding request for the North East Middle/High School Complex must remain the highest ranked project submission for Cecil County Public School's annual State CIP school construction funding request throughout the duration of this loan, and that the first \$4,000,000 in annual State school construction funding must be used to satisfy the County debt. Should Cecil County Public Schools choose to apply some, or all, of their additional annual school construction funding allotment to extinguish the debt more rapidly, this may be done at their sole discretion without penalty.

Introduced, read for the first time, order posted on August 20, 2024 and scheduled for public hearing on September 17, 2024 and consideration on October 1, 2024.

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 (BOE) and then to Cecil County. He thanked the Interagency Commission on School Construction (IAC) on its assistance. He also noted that the accelerated project should save the County eight to ten million dollars. President Gregory noted this is the first time this has been done

in Cecil County and Director Overbay noted this is a first for Cecil County but this model has been used successfully in other counties.

Councilman Miller made a motion to approve Resolution 40-2024, which was seconded by Councilwoman Culberson.

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

Resolution 46-2024 - Appointment – County Executive - Cecil County Ethics Commission – Francis D. Peterson, Jr. and Andrew Goins

A Resolution to confirm the appointment of Francis D. Peterson, Jr. and Andrew Goins as the Chair made by the County Executive to the Cecil County Ethics Commission, term to expire on October 1, 2027.

Introduced, read for the first time, order posted on September 17, 2024 and scheduled for consideration on October 1, 2024.

Director of Administration Steven Overbay noted that Mr. Peterson and Mr. Goins are reappointments and Mr. Goins is being named the Chair. President Gregory noted the Ethic Commission reviews all disclosure statements and thanked them for taking on this responsibility.

Councilwoman Culberson made a motion to approve Resolution 46-2024, which was seconded by Councilwoman Hamilton.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – N, Gregory- Y
The motion was approved 4 to 1.

Council Manager Culver stated for the record:

Resolution 47-2024 - Appointment—Commission on Veterans Affairs

A Resolution to confirm the appointment by the County Executive of Jo Anne Luglio Bierly, John Brerkeridge, Jackie Gregory, Raymond Conger, John Stricklett, Dennis Miller, and David Simpler to the Cecil County Commission on Veterans Affairs for a term to expire October 1, 2027.

Introduced, read for the first time, order posted on September 17, 2024 and scheduled for consideration on October 1, 2024.

Director of Administration Steven Overbay noted that this is the new Commission that Council created to assist our veterans. He noted the Commission has 9 members including 2 Councilmembers, 4 members who are both veterans and members of veteran groups and 3 are members from the general public that have experience in veterans affairs.

Councilwoman Culberson made a motion to approve Resolution 47-2024, which was seconded by Councilwoman Hamilton.

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

Council Manager Culver stated for the record:

Resolution 48-2024 - Supplemental Appropriation – Casino Local Impact Fund – Route 40 Revitalization Grant 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 \$141,838.97 in carry forward expenditure authority for the Video Lottery Terminal (VLT) Route 40 Revitalization Grant funds within the Casino Local Impact Fund budget.

Director of Administration Steven Overbay noted the three-year Video Lottery Terminal funding allocated \$500,000 each year to the Route 40 Revitalization Grant to assist business in improving property along Route 40. He noted that several projects from FY24 are nearing completion, but the invoices have not been received so this resolution will move those funds to FY25

Councilman Miller made a motion to approve Resolution 48-2024, 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.

CALL FOR FINAL READING OF BILLS

Council Manager Culver stated for the record:

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

A Bill to amend Chapter 39 – Ethics, of the Code of Cecil County, Sections 39-4, Membership; Terms Section and 39-5, Chairman, to reflect changes to the Charter of Cecil County as it relates to the membership and terms of the Cecil County Ethics Commission.

Introduced, read for the first time, order posted on August 20, 2024 and scheduled for public hearing on September 17, 2024 and consideration on October 1, 2024.

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.

Councilwoman Culberson made a motion to approve Bill 2024-18, which was seconded by Councilwoman Hamilton.

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

Council Manager Culver stated for the record:

Bill 2024-19 - An amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Accelerate North East Middle/High School Complex Construction – PR# 71273.

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to authorize the acceleration of the construction of the North East Middle/High School complex to complete the project by the end of FY2027, Project Number 71273. This acceleration requires the County to use \$21,579,000 of PAYGO in FY2025, supplanting County bonds between FY2028 and FY2030.

Introduced, read for the first time, order posted on August 20, 2024 and scheduled for public hearing on September 17, 2024 and consideration on October 1, 2024.

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 and could create safety issues with phasing of the two schools and construction on one school while the other is occupied. The accelerated building should also result in the County saving eight to ten million dollars in construction costs, have less impact on the community because of the shortened construction timeline and also allow students from the High and Middle school to be moved into the new facility at the same time thus preventing any safety concerns of students attending school at an active construction site.

Vice President Meffley made a motion to approve Bill 2024-19, which was seconded by Councilman Miller.

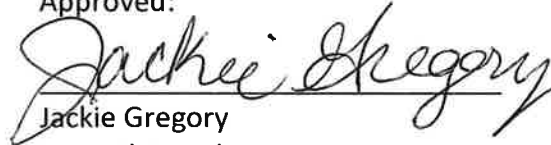
Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

ADJOURNMENT

On motion made by Vice President Meffley, seconded by Councilman Miller, President Gregory adjourned the meeting at 8:29 pm.

Council President Gregory announced that the next Council Legislative Session is scheduled on Tuesday, October 15, 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