

COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
July 13, 2021

OPEN SESSION – Elk Room

4:30 P.M.

NOTE: Recording and transcription of this meeting are available on the County website at www.ccgov.org.

PRESENT: Council Members: Robert Meffley, William Coutz, Al Miller, and Jackie Gregory; James Massey, Council Manager; Terry Hale, Council Assistant; members of the administration, and members of the public.

Absent: Councilman Patchell

Call to Order

Council President Meffley called the meeting to order at 4:30 pm and announced that there were our four Council Members present, which constitute a quorum. Councilman Patchell was absent.

Council Attorney

Council President Meffley welcome Charles “Chip” MacLeod as the Council’s newly hired Council Attorney. Mr. MacLeod thanked the Council for his appointment and summarized his experience with local government.

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 July 6, 2021, as presented. The motion was approved unanimously by voice vote.

On a motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve the minutes of the Council closed session of July 6, 2021, as presented. The motion was approved unanimously by voice vote.

Review of Legislation

Council President Meffley led discussion on Resolution No. 39-2021 Supplemental Appropriation – Debt Service Fund – Public Library regarding the source of the funding. James Appel, Finance Director, stated that the funding will come from the savings that the County will receive from bond refinancing. Councilman Coutz stated his concern that the funds will not be received until after the bond refinancing. Lawrence Scott, County Attorney, stated that the bond counsel estimated that the County will save \$580,000 from bond refinancing. Mr. Scott stated that the supplemental appropriation to the library could be delayed until after the bond sale, if Council preferred. Council President Meffley questioned where the debt service account is listed in the budget. Mr. Scott and Mr. Appel provided an explanation that it was included in the revenue projections that are used for repayment on the bonds, which is the debt service. Additional Council discussion ensued.

Council President Meffley led discussion of Resolution No. 41-2021 Amendment – Water and Sewer – Sewer Use – Connection Fee regarding concerns over when the connection fee will be paid and the increase in connection fee to \$12,000 as of July 31, 2021 when the discount sunsets. Mr. Scott stated that Cecil County hookups are at a decade high of 317.

Council President Meffley suggested that the payment of connection fee should be delayed until the final inspection. Steve O'Connor, Director of Land Use and Development Services, stated that payment can be delayed until the occupancy and permit is issued. Charles MacLeod, Council Attorney, stated that the language of the legislation should be clearer to show the intent so that the connection fee is set at the time that the building permit is issued, while payment is required by the last inspection.

Council President Meffley stated that the increase in the connection fee should be delayed for another year in order to provide adequate notice to homebuilders and developers. Mr. Scott stated that this legislation does not address the connection fee amount. Mr. Scott stated that the County lost \$4M in fees because of the discount since 2017, and that the County needs additional funding to cover the true cost of hookups. He stated that the actual cost of hookups is estimated to be between \$18,000 to \$20,000. He also reminded Council that the wastewater fund is supposed to be self-supporting by the users. Mr. Scott agreed to do further research of the actual cost of hookups.

Council Approval of Appointments

Council Manager Massey reviewed a draft of new legislation to clarify the procedure of Council approval of appointments submitted by the County Executive.

This legislation proposes that the calculation of thirty days for Council to take action on an appointment starts on the date of introduction of the Resolution. He stated that the Council may table the Resolution on the date of consideration, but Council action must occur within the original thirty day deadline, as established at introduction of the Resolution.

Discussion ensued on whether a motion, which was not seconded, is considered as taking action on a Resolution for an appointment. In addition, there was discussion on whether a motion to table a Resolution is considered as taking action.

Mr. Scott stated his opinion that if the Council does not approve or disapprove the appointment Resolution, then the Council took no action and the appointment would be in effect by operation of law. Council Attorney MacLeod disagreed with his opinion that a motion dying because of lack of a second, should be considered taking action. In addition, Mr. MacLeod stated that tabling a Resolution should be considered taking action.

Council Attorney MacLeod will review these issues and provide a legal opinion.

Solar Energy Systems

Councilman Miller led discussion of the need to adopt regulations for commercial solar energy systems.

He stated his concern that solar energy systems, located on agricultural land, could be a detriment to agriculture by taking away prime productive land.

He reviewed some of the issues that should be addressed in legislation, including setbacks, height, glare mitigation, decommissioning, and the scope of including residential and commercial applications.

Council President Meffley commented that the any regulations must respect the rights of property owners. Mr. Scott stated the solar systems are regulated by the Maryland Public Service Commission. Mr. MacLeod stated that the Public Service Commission gives consideration to local utility regulations. Mr. MacLeod stated that if developers request an exemption from the Certificate of Public Convenience and Necessity, the developer is required to comply with local regulations.

Mr. Scott stated that the administration will provide County Members with a text amendment addressing solar energy systems for their review.

Agenda Deadlines

Council President Meffley suggested that the deadline for submission of items for the Council agendas should be noon on Thursdays. The administration requested that the deadline continue to be at close of business on Thursdays. The Council agreed to their request.

Council Manager Report

Council Manager Massey stated that his written report was included in the Council packet.

Council Member Items

Councilman Coutz commented on statistics from the Sheriff's Intel meeting. He said that calls have doubled for mental health and domestic violence. He stated that there have been five overdoses last month and one fatality. He also commented on the recent deputy shooting.

Vice President Gregory thanked Council Members for the good discussion and thanked the audience for attending. She attended the groundbreaking for Northrop Grumman new hypersonic facility.

Councilman Miller attended the Local Management Board meeting and commended them on their work with children who have experienced trauma. He is working with the Cecil County Fair committee that will be held on July 23-31, which will highlight county agriculture and 4-H. He thanked Union Hospital and Lauren Levy, Health Officer, for their outstanding success in vaccinating over 50% of Cecil County residents.

Council President Meffley attended the groundbreaking of Northrup Grumman's new hypersonic facility, which will open in 2023 and provide 100 new jobs. He also stated that Elkton Rotary has grown to forty members.

Adjournment

Council President Meffley asked for a motion to adjourn the work session.

Councilman Coutz moved to adjourn the work session, which was seconded by Vice President Gregory. Council President Meffley adjourned the work session at 6:13 pm.

The next Council work session will be held on Tuesday, July 20, 2021 at 4:30 pm in the Elk Room of the County Administration Building. 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:


James Massey
Council Manager


Robert Meffley, Council President