

COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
January 25, 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, William Coutz, Al Miller, Donna Culberson and Jackie Gregory; 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 constitute a quorum.

Council President Meffley led a moment of silence for the first responders who were killed and injured in Baltimore City yesterday.

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 January 18, 2022, as presented. The motion approved unanimously.

Broadband Expansion

Lawrence Scott, County Attorney, introduced Valerie Connelly, Vice President of Government Affairs and Public Relations for Choptank Electric Cooperative. He explained that the Council requested to hear from a broadband vendor concerning the current expansion in Cecil County.

Ms. Connelly provided an overview of Choptank Electric Cooperative and reminded the Council about 2020 legislation that allowed cooperative utilities to provide internet services. She stated that Choptank provides electric services to the southern portion of Cecil County, south of Bohemia River. She stated that broadband service will be offered to Cecil County residents to their current customers at \$84.95 (100Mbps), \$99.95 (250Mbps) and \$139.95(1 Gig.) She said that there is a monthly discount of \$25 for any qualified low income users. She stated that Choptank will begin contacting utility customers to offer internet access in Cecil County next week. She stated that there are pending grant applications that would support internet access in lower dense areas, and that Choptank is running cable on roads that average 8 homes per mile. She explained that Choptank will be sending postcards to invite residents to a public meeting to discuss their services. She stated that Choptank offers two-year contracts for service but waives major installation fees, which is based on 1,000 feet from roadway hookups; and they charge \$1 per foot above 1,000 feet distance.

Council questions and comments ensued. The Council asked Mr. Scott to confirm whether a contract has been approved for internet service on Warburton Road.

Clean Chesapeake Coalition

Council President Meffley asked the administration why the 2022 dues have not been paid to the Clean Chesapeake Coalition.

Steve Overbay, Director of Administration, read a letter from County Executive stating that Cecil County withdrew from the Clean Chesapeake Coalition as of January 1, 2022 and will authorize payment of half of the membership dues of \$8,500. She stated that the county joined the coalition to pay for lobbying and legal efforts to work with Exelon, the State of Maryland, and the federal government regarding the cleanup of silt behind the Conowingo Dam. She stated that a deal was struck with Exelon in 2019 that outlined steps to cleanup of silt. She stated that Cecil County will deal directly with Exelon, the state and federal government.

Council questions and comments ensued. Lawrence Scott, County Attorney, explained that just because the membership dues were authorized in the county budget, the Executive has the option to reduce this amount because it was within the Director of Administration budget. Council President Meffley stated that efforts has continued with a state pilot project to identify the sediment in the spoils, consider possible recycling of these sediments, and identify other issues threatening the health of Chesapeake Bay. Council President Meffley also stated that Aberdeen Proving Ground is interested in the use of sediments from the Conowingo Dam to stabilize the bases' shoreline. Charles MacLeod, Council Attorney, who stated that his office has been coordinating activities of the Clean Chesapeake Coalition, described the organization's composition of local elected officials and identified several other issues that need to be addressed, including the major pollution from the Susquehanna river and the Baltimore City wastewater treatment plant.

Council Departmental Proposed Budget FY 2023

Council Manager Massey asked the Council to reconsider the Council proposed Departmental Budget for FY 2023 because of inflation. He suggested an increase of \$2,000 in professional services due to increase in rate, \$15,000 in legal services because of increase in rezoning and litigation research, and \$1,000 in advertising because of rate increase. This request was tabled until the next session.

Amendments to Bill No. 2021-16 Backyard Chickens

Council President Meffley led a review of proposed amendments to Bill No. 2021-16 Backyard Chicken legislation.

The Council agreed by consensus to withdraw Amendment No. 1, regarding minimum size of lot; so that the Bill's text is unchanged, "a minimum of 20,000 square feet".

The Council agreed by consensus to propose Amendment No. 2, regarding confinement of chickens, with additional text, "Chickens must be confined to backyard at all times".

The Council agreed by consensus to propose Amendment No. 3, regarding superseding of restrictions, with the following language, "This article shall not be construed to supersede or negate any restrictive covenants, deed restrictions, or other covenants of record, such as Homeowners Association covenants, which are more restrictive than the provisions of this article".

The Council agreed by consensus to propose Amendment No. 4, regarding maximum number of chickens, from 8 to 6.

The Council agreed by consensus to withdraw Amendment No. 5, regarding compliance to laws and regulations and setback restrictions, which are included in other amendments.

The Council agreed by consensus to propose Amendment No. 6, regarding non-transferability, with additional text, "Chicken licenses are not transferable".

The Council agreed by consensus to propose Amendment No. 7, regarding definition of backyard chicken, by deleting "and/or selling".

The Council agreed by consensus to withdraw Amendment No. 8, regarding the definition of death of a chicken, which is included in another amendment.

The Council agreed by consensus to propose Amendment No. 9, regarding enforcement, with additional text,

"9. Enforcement

The County may take any lawful action as is necessary, including suspension and revocation of licenses, to prevent or remedy violations?

The Council agreed by consensus to propose Amendment No. 10, regarding property setback, by deleting "solid".

The Council agreed by consensus to propose Amendment No. 11, regarding license process, with additional text, "Licensees must be at least eighteen years of age".

The Council agreed by consensus to propose Amendment No. 12, regarding references to Animal Care and Control regulations, by adding the following text,

"10. The handling of animal waste and dead or decaying animals must adhere to the county's Animal Care and Control regulations, Chapter 209.

11. The sheltering and care of chickens shall be in accordance with the standards of care for animals defined in the Animal Care and Control regulations, Chapter 29.

Council Manager Report

Council Manager Massey gave no oral report.

Council Member Items

Councilman Coutz presented a certificate to a graduate of Cecil County Drug Court. He reported on statistics from the Sheriff's Office Intel meeting and noted there were six drug overdoses, which included three fatalities. He asked the public to pray for the families of the firefighters killed in Baltimore recently.

Vice President Gregory attended the State of the County. She invited the public to contact her for COVID test kits. She congratulated the administration and towns of North East and Charlestown for being awarded a grant to dredge the North East River. She stated that highway user funds will be refunded to county governments.

Vice President Gregory asked the Council to send a letter of support for the Maryland Medical Assistance Program. She made a motion to approve, which was seconded by President Meffley and approved unanimously. She also requested a letter of support for a Bill that would give local

government more involvement in the state's election costs. She reported on other state legislation of note.

Councilman Miller attended Winter Nights Cecil Nights and the Martin Luther King, Jr. celebration by Wright's AME Church in Elkton.

Council President Meffley gave the legislative address during the State of the County event, sponsored by the Cecil County Chamber of Commerce Legislative Relations Committee. He also clarified that the Council had opposed the administration's budget request, which would allocate funds to conduct a study to move the I-95 toll plaza because the Maryland Department of Transportation had indicated that they had no plans to move the plaza since video tolling had been installed at the current site at the Tydings Bridge.

Adjournment

Councilman Coutz made a motion to adjourn, which was seconded by Vice President Gregory, in order to go into a closed session. Council President Meffley adjourned the session at 6:34 pm.

CLOSED SESSION

6:45 P.M.

Councilman Coutz made a motion to go into closed session, which was seconded by Vice President Gregory, and 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; Maryland Annotated Code, General Provisions § 3-305 (b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and Maryland Annotated Code, General Provisions § 3-305 (b)(7) to consult with counsel to obtain legal advice on a legal matter.

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

The next Council work session will be held on Tuesday, February 1, 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.

Approved:


James Massey
Council Manager


Robert Meffley, Council President