

COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES
March 1, 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, 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.

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 February 22, 2022, as presented. The motion approved unanimously.

State Highway Administration Update

Ken Fender, SHA District Engineer, introduced Ray Bernardo and Matt Sosnowski from McCormack Taylor, who will be consulting on the project to improve the intersection of Route 40 and Route 213. Mr. Fender explained that a median U-turn concept had been proposed in 2014 by a previous consultant, which would prohibit traffic from turning left at the intersection. He explained that an additional traffic study was done in 2021 in anticipation of the impact of traffic from Southfields. Mr. Sosnowski explained that new traffic counts suggested that the proposed U-turn would result in stacked traffic in the left through lane, which would be hazardous. Mr. Fender stated that this project is further complicated by the number of utility poles and ingress/egress from commercial properties near the intersection. Mr. Fender indicated that SHA will be revising this project to reflect the impact of Southfields and current traffic volume.

Council questions and comments ensued. Councilman Coutz verified that SHA has not changed their decision of not allowing a median access break on MD 279 in Elkton.

State Legislative Update

Vice President Gregory, MACo legislative committee representative, reviewed State legislation that had been discussed by the committee. She stated that Jim Ports, Transportation Secretary, provided a presentation about proposed highway user restoration of funds to the counties.

Vice President Gregory reviewed legislation that had been discussed by MACo.

She revised HB 1186 Property Tax Credit, Elderly Individuals, Veterans, and Surviving Spouses – Alteration of Duration, which was supported by MACo. After discussion, the Council agreed to send a letter of support.

She reviewed HB 1124 Primary and Secondary Education – Local School Systems – Budget Reporting House, which was supported by MACo. After discussion, the Council took no position.

She reviewed HB 1290 Education – Public School Construction – Funding and Administration, which was supported by MACo with amendment. After discussion, the Council took no position.

She reviewed HB 1239 Environment – Plastic and Glass Products – Postconsumer Recycled Content Program, which was supported by MACo with amendment. After discussion, the Council took no position until more research is done.

She reviewed HB 1278 Public Safety – Interjurisdictional Policing Grant Program, which was supported by MACo. After discussion, the Council took no position.

She reviewed HB 1207 Public Safety – Body-Worn Cameras – Cost and Expenses, which was supported by MACo. After discussion, the Council agreed to send a letter of support.

She reviewed HB 420/SB 405 Retirement Tax Elimination Act of 2022, which was opposed by MACo because it takes away tax revenue from counties. Vice President Gregory led discussion that Maryland is an unfriendly taxpayer state, and this legislation would help seniors and those living on retirement income. After discussion, the Council agreed to send a letter of support.

She reviewed HB 658/SB 679 Fair Hill Improvement Fund – Special Event Area and Operation, which MACo took no action as a local bill. After discussion, the Council agreed to send a letter of support.

She reviewed HB 275/SB 273 Environment – PFAS Chemicals – Prohibitions and Requirements, which MACo took no action. Vice President Gregory stated that the Maryland State Firemen's Association supports the bill, but not the amendment that narrows the definition of PFAS. After discussion, the Council agreed to take no position.

Councilman Coutz asked for consideration of HB 1328 Counties and Municipalities – Water Transfer Fee – Authorization. This legislation would authorize the governing body of a county or municipality to impose a fee on a person who holds a certain permit and transfers surface water or groundwater outside a watershed located wholly or partially within the county or municipality. Lawrence Scott, County Attorney, indicated that this legislation was supported by

the Cecil County Delegation. After discussion, the Council agreed to conduct more research and discuss at the next work session.

Charter Amendments

The Council reviewed the proposed charter amendments. Council Manager Massey read each amendment.

In Section 201(c) Council vacancy, there were no additional revisions suggested.

In Section 214 Redistricting, Vice President Gregory was opposed to making current central committee members ineligible to be appointed to the Redistricting Commission. She also suggested that the number of members should be reduced because of the difficulty in finding members to serve. By a voice vote of 3 to 2, the amendment was accepted without revisions. Vice President Gregory and Councilwoman Culberson were opposed.

In Section 401 Vacancy in office of County Executive, there were no addition revisions suggested.

In Section 607 Ethics Commission, Councilwoman Culberson questioned the need for an additional legal counsel. Councilman Coutz commented in support of an independent counsel not under the administration's responsibility. Vice President Gregory led discussion on the number of hours that a legal counsel would be needed. By a voice vote of 3 to 2, the amendment was accepted without revisions. Vice President Gregory and Councilwoman Culberson were opposed.

In Section 608 Board of Estimates, the Council agreed by consensus to remove appointed citizens and add the Director of Public Works to the Board. The Council discussed revising the membership of the Board to five members, including the Executive, Director of Administration, Director of Public Works, Council President, and County Member. The Council agreed by a vote of 5 to 0 to remove the dollar amounts in the threshold and insert "the amount as specified in the Code of Cecil County". Lawrence Scott, County Attorney, objected to the text that could be misunderstood to indicate that the Board of Estimates oversees all purchases and that the Board of Estimates cause the County to incur litigation. The Council agreed to ask the County Attorney and Council Attorney to review and proposed a revised text.

Review of Legislative Agenda

Council President Meffley led a review of the legislative agenda.

Bill No. 2022-02 Agricultural Land Preservation District – Marybeth and William Preston - Preston Farm, will be introduced at tonight's session. Steve O'Connor, Land Use and Development Services Director, provided comments. Councilman Miller clarified that Rhodes Mountain Estates was the adjoining property owner.

Resolution No. 08-2022 Requested Expedited Legislation – Supplemental Appropriation – Grant Funds – Solid Waste Management DPW – Agriculture Tire Collection, will be introduced at tonight's session. Steve Overbay, Acting Director of Administration, explained that the administration requested that the Council expedite this legislation so that the program can be offered March 7-19, 2022 at the central landfill. Council Manager Massey commented that the Council is required to approve expediting of legislation by a supermajority. Councilman Coutz commented that he appreciated this program because of the difficulty in finding sources to accept used tires.

Resolution No. 09-2022 Supplemental Appropriation and Budget Transfer – Debt Service-Salaries and Fringe Benefits, will be introduced at tonight's session. Lawrence Scott, County Attorney, provided comments. There were no Council questions or comments. Council questions and comments ensued. Council President Meffley stated that the savings from refinancing bonds was supposed to go to county infrastructure, but Mr. Scott stated that this was only part of the realized savings. Mr. Scott also confirmed that all departments, including public safety, Dispatch, State's Attorney received the additional 6% COLA. Councilman Coutz asked that James Appel, Finance Director, present the breakdown by department. He stated that the Council was concerned about what was already approved. Council President Meffley asked that the administration provide a written report on the amount provided to each department or agency. Mr. Scott agreed that he will present at the next work session.

Resolution No. 10-2022 Appointment—Weed Control Advisory Board, will be introduced at tonight's session. Steve Overbay, Acting Director of Administration, provided comments. There were no Council questions or comments.

Resolution No. 11-2022 Appointment—Adult Public Guardianship - Review Board, will be introduced at tonight's session. Steve Overbay, Director of Administration, provided comments. There were no Council questions or comments.

Resolution No. 04-2022 Supplemental Appropriation – Fund Balance – DPW Roads Division – Road Maintenance and Repair, will be considered for approval at tonight's session. Steve Overbay, Acting Director of Administration, provided comments. There were no Council questions or comments.

Resolution No. 05-2022 Supplemental Appropriation – Grant Funds-Community Services – The Bridge and Domestic Violence and Rape Crisis Center, will be considered for approval at tonight's session. Steve Overbay, Acting Director of Administration, provided comments. There were no Council questions or comment.

Resolution No. 06-2022 Supplemental Appropriation – Grant Funds – Community Services – Trauma and Substance Use, will be considered for approval at tonight's session. Steve Overbay, Acting Director of Administration, provided comments. There were no Council questions or comment.

If approved for expedited legislation, Resolution No. 08-2022 Requested Expedited Legislation – Supplemental Appropriation – Grant Funds – Solid Waste Management DPW – Agriculture Tire Collection, will be considered for approval at tonight’s session.

Council Manager Report

Due to time, there was no Council Manager Report.

Council Member Items

Due to time, Council Members agreed to hold their comments until the legislative session.

Adjournment

Councilman Coutz made a motion to adjourn, which was seconded by Vice President Gregory. Council President Meffley adjourned the session at 6:51 pm.


James Massey
Council Manager

Approved:


Robert Meffley, Council President