

**COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES**

February 7, 2023

**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, Rebecca Hamilton, Al Miller, Donna Culberson, and Jackie Gregory; David Culver, Council Manager; Terry Hale, Council Assistant, members of the administration and members of the public.

Call to Order

Council President Gregory 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 Councilwoman Culberson, seconded by Vice President Meffley the Council moved to approve the minutes of the Council work session of January 24, 2023, as presented. The motion passed 5 to 0.

On a motion made by Vice President Meffley, seconded by Councilwoman Culberson the Council moved to approve the minutes of the Council closed session of January 24, 2023, as presented. The motion passed 5 to 0.

**Closed Session
January 24, 2023
5:26 PM**

Council Manager Culver announced that the County Council is entering a closed session pursuant to the Maryland Annotated Code, General Provisions for §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; pr any other personnel matter that affects one or more specific individual; and

(b)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and,

(b)(14) Before a contract is awarded to bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

On a motion made by Councilwoman Culberson, seconded by Councilman Miller, the Council moved to convene a close session, pursuant to the Maryland Annotated Code, General Provisions §3-305 (b)(1), (b)(3) and b(14).

Roll Call Vote

Hamilton - Y, Miller - Y, Culberson - Y, Meffley - Y, Gregory – Y

The motion was approved unanimously by a vote of 5 to 0.

PRESENT: Council Members: Robert Meffley, Rebecca Hamilton, Al Miller, Donna Culberson and Jackie Gregory; David Culver, Council Manager; Terry Hale, Council Assistant, County Attorney Lawrence Scott and Director of Finance Shon McCollum.

The Council first reviewed the purchase of real estate as per §3-305(b)(3). Council agreed by general consensus to move forward with the purchase pending a budget amendment.

Upon the conclusion of this discussion County Attorney Scott and Director of Finance McCollum left the meeting.

The Council next discussed the proposal for budget and auditing services for the FY24 Budget pursuant to §3-305 (b)(1). The Council agreed to enter into the contract for the upcoming budget review with the same terms and costs as the previous year.

The Council next reviewed the nominations for the Charter Review Commission as required in Section 604 of the Charter and in accordance with §3-305(b)(14). Council reviewed the nominations and the District requirements. After review Council came to a general consensus on the 7 nominations and decided to add an alternative in the event a nominee is unable to serve and directed Council Manager Culver to prepare a resolution for the appointments.

On a motion by Councilwoman Hamilton, which was seconded by Councilman Miller, President Gregory adjourned the closed session at 6:26 pm and reopened the Work Session.

Review of Legislative Agenda

a. Introduction of Bills

Bill No. 2023-01- Supplemental Appropriation – Fund Balance to Capital Projects – Renovate State’s Attorneys Offices.

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, to move expenditure authority from the fund balance to the Capital Projects - Renovate State’s Attorneys Offices capital project in the amount of \$250,000.

Public Works Director Scott Flanigan outlined the project on the third floor of the courthouse and noted that the request for proposals to perform the work came in over the budgeted amount. The additional funds would provide enough funds to cover the costs for the renovations.

Councilwoman Culberson inquired about the original budget. Director Flanigan noted 2.4 million for this project and the purchase of the bank building which already occurred. Vice President Meffley inquired as to the scope of the project and the cost. Director Flanigan outlined that new offices would be created, new electrical and HVAC would be installed as part of the scope. County Attorney Lawrence Scott also noted that some infrastructure needed improvement. Councilman

Miller inquired as to the status of the bank building and how long this fix will work for the State's Attorney office. County Attorney Scott noted the bank building has been purchased and the fix in the Courthouse should be good for at least five years. He also noted the bank building total purchase and renovation cost was budgeted for five million. County Attorney Scott noted the bank building could be sold. Councilman Miller also inquired if space would be available if another circuit court judge is added. County Attorney Scott noted that the state did not authorize another judge. Director Flanigan noted the space would need to be renovated for another judge. Vice President Meffley asked for the scope of work at the bank building that led to the five million estimate and Director Flanigan noted he would get that information. President Gregory also asked for clarification on the costs of the projects. Councilwoman Hamilton requested clarification if the \$250,000 will be the last request and Director Flanigan indicated this should be sufficient.

Bill No. 2023-02 - Supplemental Appropriation – Fund Balance to Capital Projects - Real Estate Activities Account.

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, to transfer \$1,000,000 (one million) from the General Fund Balance to Capital Improvement Budget to set up a Real Estate Activities Account.

County Attorney Scott indicated that these funds would be used for the various real estate purchases that were and are being discussed with Council and noted the administration would like this bill expedited.

President Gregory and Council Manager Culver noted the requirements for a bill to be expedited. Councilman Miller noted he could not support any expedited bill since the annual audit is still not completed. Director of Administration Steven Overbay noted the CAFR is nearing completion and will be transmitted to Council in the next two weeks and presented at the March 7 Work Session. He noted the delay was due to a turnover in personnel in the Finance Department, but this has now been corrected. Vice President Meffley noted he supports the purchases that have been discussed but wanted to know the fund balance prior to taking any action. County Attorney Scott noted he would verify the number but the surplus is in excess of 44 million dollars. Councilman Miller again noted he wants to see the fund balance in the completed CAFR, not just a verbal response.

b. Introduction of Resolutions

Resolution 04-2023 - Appointments—Charter Review Commission – Joe Zang, John T. Wilson, J. Lloyd Sanders, Derek Howell, Robert Carey, Robert Gorman and Barbara Cox to the Commission and Alice Crothers as alternate will be introduced at the February 7, 2023 Legislative Session.

Council had no questions or comments.

Resolution 05-2023 - Appointment – Commission on Aging – Denise Hill, Julianne Graham, Lisa Beeman, Mark Hill, and Jamie McCloskey will be introduced at the February 7, 2023 Legislative Session.

Director of Administration Steven Overbay noted that all candidates are excited about serving on this critical board. Councilwoman Culberson inquired if the terms would be staggered, and Director Overbay indicated these would not.

Resolution 06-2023 - Appointment—Adult Public Guardianship Review Board – Randall Schwandt will be introduced at the February 7, 2023 Legislative Session.

Director of Administration Steven Overbay noted the responsibilities of this Board. President Gregory asked if this was a reappointment and was informed it is. Councilwoman Hamilton asked if residency in Maryland was required for this board and County Attorney Scott noted that it was not.

Resolution 07-2023 - Reappointment—Local Management Board - John W. Donohue will be introduced at the February 7, 2023 Legislative Session.

Director of Administration Steven Overbay noted that Mr. Donohue is a reappointment and outlined the duties of the Local Board.

Resolution 08-2023 - Appointment—Planning Commission – Russell Johnson and Charles Hicks will be introduced at the February 7, 2023 Legislative Session.

Director of Administration Steven Overbay noted that Mr. Johnson and Mr. Hicks will be filling vacant positions and outlined the duties of the Planning Commission and the qualifications of the candidates. Councilwoman Hamilton questioned the terms and alternate membership and Director Overbay reviewed the terms.

Resolution 09-2023 – Appointment – Board of Parks and Recreation – Jennifer Callaghan and Kristen Lehr will be introduced at the February 7, 2023 Legislative Session.

Director of Administration Steven Overbay noted that this will be a new appointment to fill out a membership term and a reappointment.

Resolution 10–2023 - Supplemental Appropriation – Fund Balance – Roads Division – Department of Public Works – Asphalt Overlay will be introduced at the February 7, 2023 Legislative Session.

Director of Administration Steven Overbay noted this has been the practice for the past few years of repaving roads after the winter season has passed using unspent funds. Director Flanigan explained that this resolution is to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, to move expenditure authority from the fund balance to the Roads Division – Department of Public Works in the amount of \$2,750,000, for the benefit of additional asphalt overlay of county roads. Director Flanigan noted that the paving packages would be done in two contracts, one called the southern area and one for the northern to ensure we get the best pricing. The northern area of roads will be portions of Dr. Jack Road, Cowan Road and Old Elm Road and the southern area would be portions of Grove Neck Road, Hutton Road and Warburton Road. Minor road repairs would also be done as part of this package depending on bid prices. Councilman Miller asked how the north and south were defined for the bid package and Director Flanigan noted general geography not specific locations.

Resolution 11-2023 - Supplemental Appropriation – Landfill Enterprise Fund Balance – Solid Waste Management Division – Department of Public Works – Budget Amendment will be introduced at the February 7, 2023 Legislative Session.

Director of Administration Steven Overbay noted this change reflects greater fuel usage and fuel costs. Director Flanigan explained that this resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, in the amount totaling \$150,000 from the Enterprise Landfill Fund Balance to mitigate increased fuel expense. Councilman Miller inquired if any of these funds are for weed control and advised the supply was low. Director Flanigan noted the weed control chemicals are purchased from another line item and they will be replenished shortly.

c. Consideration of Resolutions

Resolution No. 02-2023 - Appointment—Department of Social Services Board – Natalie Gentry, Karen Latimer, Patricia L. Brown, Bernard M. Chiominto, and Randy Bailey.

Director of Administration Steven Overbay noted the importance of the Department of Social Services Board and the valuable input they add to the process. Council had no further questions or comments.

Resolution No. 03-2023 - Supplemental Appropriation – Sheriff's Office – License Plate Reader Grant

Director of Administration Steven Overbay noted this grant provides a total of \$590,000 to the Sheriff's Office, to record a FY23 Local Agency License Plate Reader Grant awarded from Maryland State Police for purchase of License Plate Readers. Councilwoman Hamilton asked if this grant was part of the grant program being eliminated at the State level in the Governor's budget and Director Overbay indicated it was and we would need to budget for replacement of these units in the future. Council had no further questions or comments.

Legislative Update

President Gregory noted the Governor's 2024 budget highlights which included:

- General fund closing balance (surplus) of 2.3 billion at the end of 2023; reduced to 819.8 million at the end of 2024 as a result of spending initiatives;
- Blueprint cost predicted to create a structural deficit of 1.4 billion in FY 2027 and 2.3 billion by 2028. General fund will be used to cover costs not covered by Blueprint Fund revenues. 500 million of the projected surplus will transfer to the Blueprint Fund and Blueprint fund balance is noted in the budget;
- Large increase in students qualifying for free and reduced meals, not due to a decrease in wealth, but due to a change in the formula used to calculate eligibility and the automatic enrollment for Medicaid recipients. This increases the cost of education at the state level and increases eligibility for poverty grants. (CCPS reports 52% of students "in poverty");
- Decrease in funding for public safety from last year; this is due to one-time funding grants that have expired for license plate readers and for multi-jurisdiction task forces.
- State aid to local governments will be flat;
- Student enrollment counts are based on the student counts for the 2 years prior.

President Gregory also noted she attended the Department of Information Technology Briefing and the new local cybersecurity initiative called the Maryland Local Cybersecurity Collaborative for counties and municipalities. This site will allow local governments to share threats to our

cybersecurity systems. A Center of Excellence is under development with the goal to support agencies and local governments by developing tools, templates, and training to support in developing the plans, policies, and proficiencies for critical cybersecurity needs. A State and local grant program is being establishment with 2.4 million dollars available for local governments and a cybersecurity planning committee is developing the plan with input from local jurisdictions on cybersecurity needs.

President Gregory also noted the following bills:

- The 2nd amendment bills were heard on February 7, 2023 in the Senate Judiciary;
- SB 199 Maryland Health curriculum framework mandate will be heard February 8, 2023 in the Senate;
- HB 404 - Property Tax - Statewide Optional Credit for Homeowners Who Have Suffered a Hardship – MACo supports;
- HB 0390/SB0359 -Community College Tuition and Residency Waivers – Funding – MACo supports;
- HB 0332/SB0330 Public Safety – Law Enforcement – Body–Worn Cameras (Body–Worn Camera Appropriation and Financing Act of 2023) – MACo supports;
- SB 0285 - County Police Accountability Boards - Investigation of Complaints of Police Misconduct - MACo supports;
- HB 0294 - County Boards of Education - Due Process Proceedings for Children with Disabilities - Burden of Proof - MACo supports with amendments;
- HB 0385- Correctional Services - Restrictive Housing - Limitations (Maryland Mandela Act) – MACo opposes;
- HB 0499/SB0225 - Environment - Publicly Owned Treatment Works - PFAS Monitoring - MACo opposes;
- HB 0448/SB0311 Nonpublic Education - Special Education Placements - Renaming and Teacher Salaries (Teacher Pay Parity Act) Plan – MAC opposes;
- SB 0378- Public Health - Vaccinations - Minor Consent - MACo opposes;
- HB 0477/ SB0341 Public Senior Higher Education Institutions - Reproductive Health Services Plans MACo opposes.

Council Manager Report

Council Manager Culver noted they continue to receive MACo requests on legislation being introduced at the State and will respond to all inquiries on the various bills. He also noted the upcoming rezoning hearing and also noted a hearing will be scheduled for a pending agricultural easement. He also noted the upcoming Chamber event in Annapolis and asked Council to respond if they are attending.

Council Member Items

Councilmembers deferred comments to the Legislative Session of February 7, 2023.

President Gregory announced that no further items are on the February 7, 2023 Work Session agenda.

Adjournment

Councilwoman Culberson made a motion to adjourn, which was seconded by Vice President Meffley. Council President Gregory adjourned the work session at 5:44 pm.

The next Council work session will be held on Tuesday, February 14, 2023, 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.

Approved:


Jackie Gregory, Council President


David M. Culver
Council Manager