

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

November 21, 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: Bob Meffley, Rebecca Hamilton, Al Miller, Donna Culberson, Jackie Gregory; David Culver, Council Manager; Terry Hale, Council Assistant, members of the administration and members of the public.

Call to Order

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 November 14, 2023, as presented. The motion passed 5 to 0.

Review of Legislative Agenda

a. Introduction of Bills

- 1. Bill 2023-10 - Supplemental Appropriation – Amendment to the 2024 Capital Improvement Program – Replacement of Wheatley Road Bridge**

Director of Finance Shon McCollum noted this was a funded FY23 CIP project, project number 52695, but needed additional funding since the bids came in higher than expected. This bill would add this project back to the FY24 CIP Budget and add the additional funding needed. Deputy Director of Public Works Rob Ritter noted the low bid for the project was \$551,500 which is over the budgeted amount by \$17,775. He noted this bill will appropriate an additional \$63,000 and this will cover the higher costs for construction and allow for a contingency amount of 8%. The project itself will replace the concrete decking and the steel beams since they are deteriorating and need replacement.

- 2. Bill 2023-11 - Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications**

Director of Administration Steven Overbay noted this legislation is in response to the State's legalization of cannabis and this bill should provide safeguards for the cultivation, processing and sale of cannabis in Cecil County. Director of Land Use and Development Services Stephen O'Connor reviewed the timeline on SB15/HB556 from the 2023 Maryland General Assembly Session. He noted three areas from the State legislation that affects the zoning regulations and they are definitions, license types and location minimums/land use regulations. He noted this bill will add five definitions to the code as it relates to the cannabis business. In addition, the bill will allow

cannabis cultivation by special exception in the BI, M1 and M2 zones, but no longer in the NAR and SAR zone unless it was legally permitted prior to December 31, 2023. The same criteria will be applied to cannabis processing and laboratories. Director O'Conner also noted that dispensaries will be permitted by special exception in the EMU, BG and B1 districts. He noted that the bill will limit one dispensary per Council District until each district has one then it can be expanded to two per district until each district has two and so forth. The bill prohibits both on-site consumption and cannabis home occupations. Director Overbay noted home delivery is permitted in the State legislation with a micro license. Finally, Director O'Conner noted that signage will be limited and not allow the display of cannabis related names or images and parking standards will be added for dispensaries and growers.

Councilwoman Culberson asked for confirmation on how the dispensaries are being limited by Council District and will they place a cap on total dispensaries and Director O'Conner confirmed that once every Council District had one, each district could then have 2, and so forth. Director Overbay noted the number of licenses is done by the State and the County is not allowed to place a cap on the licenses. Councilwoman Hamilton confirmed that the cap per Council District would not apply if the dispensaries were located in a municipality, as was discussed by the Planning Board, and Director O'Conner confirmed that this bill only applies to the County. Director Overbay noted they are having this discussion with the municipalities on this legislation and hope the Towns will adopt similar language. Councilwoman Hamilton inquired if the Department reviewed the GIS maps to confirm that an adequate number of locations will exist if the bill is passed and Director O'Conner confirmed they did and adequate parcels do meet this criteria. Vice President Meffley inquired if the dispensary location is tied to grower licenses for Council Districts and Director O'Conner said they are separate. Councilwoman Culberson asked if all the licensing will be done by the State and Director Overbay noted the State will control all licenses and the number of licenses in any one County is based on the state legislation. Councilman Miller inquired on the taxation of the grower facilities as agriculture if they are in a greenhouse verses a warehouse and Director O'Conner noted that the State would determine how they are assessed. Councilman Miller also inquired on the current growers in the NAR and SAR zones and Director O'Conner noted they would be allowed to remain, but no additional growers would be permitted in those districts. Director Overbay noted that the State set minimum standards, but this bill expands those setbacks to be more in line with liquor store regulations and confirmed to Councilwoman Culberson that you must be over 21 to purchase cannabis. Councilwoman Hamilton inquired on the micro dispensary regulations and home delivery and if they are a separate license from the standard license and Director Overbay noted these are separate licenses and the State is attempting to help with the start-up costs for new businesses by allowing this type of license and home delivery service. Director Overbay also noted these are regional licenses and Cecil is in the same region with Harford, Howard and Baltimore County.

b. Introduction of Resolutions

1. Resolution 63-2023 - Appointment—Police Accountability Board –Robert F. McKnight

Director of Administration Steven Overbay noted that the Police Accountability Board required staggered terms and Mr. McKnight was appointed to a one-year term, but this would appoint him to a three-year term. He also noted Mr. McKnight is a valuable member of the PAB and is very active in the Board proceedings.

c. Consideration of Resolutions

1. Resolution 57-2023 - Supplemental Appropriation – Grant Funds – Tourism – Winter Lights Cecil Nights

Director of Administration Steven Overbay noted that this grant was from the Upper Shore Regional Council and is the third year they have supported this event. The event goes from January 1 through February 26 and features the main street in each Town. He noted this event had been very successful highlighting the Towns and bring in additional revenue for the stores and restaurants.

2. Resolution 58-2023 Supplemental Appropriation – Grants – Economic Development – Supplement Marketing Costs

Director of Administration Steven Overbay noted that this grant is from the Maryland Department of Commerce to help promote tourism locally, statewide, nationally and internationally.

3. Resolution 59-2023 - Operation Green Light for Veterans

Director of Administration Steven Overbay noted that this is the annual event that brings awareness to veterans transitioning from the military to civilian life. He also noted that the County building is still using the green lights. Councilman Miller encouraged the Administration to submit this resolution in October next year and Director Overbay noted this will be done.

4. Resolution 60-2023 – Supplemental Appropriation – Grant Funds – Emergency Services – MDOT Grant - Highway Safety

Director Overbay thanked EMS Deputy Director John Donahue for getting this grant. He noted that this grant is part of the national highway safety fund to assist in the purchase of emergency and training equipment. This grant will help fund the purchase of pediatric stretchers for the ambulances and impairment goggles for training classes.

5. Resolution 61-2023 - Supplemental Appropriation - Grant Funds – Emergency Services – Hazard Mitigation Project Fund

Director Overbay noted that this is a grant to assist the homeowner, Bill Martin of North Shore Drive, with the relocation and elevation of his house in the floodplain area. The homeowner will pay any cost that the grant does not cover. Vice President Meffley inquired how high the house will be raised and Deputy Director Donahue explained the house will be raised 11 feet and also be moved further back on the property.

6. Resolution 62-2023 - Supplemental Appropriation – Unassigned Fund Balance – Department of Emergency Services – Volunteer Fire Companies in Cecil County – On-Going Testing

Director of Administration Steven Overbay noted that this is a continuation of funding for the volunteer fire companies to test various pieces of equipment at the fire houses.

d. New Business

1. Cecil County Public Schools Budget Amendment #117

President Gregory noted the Board of Education Budget Amendment for October is \$2,433,245 and was discussed at the BOE Meeting.

Council Manager Report

Council Manager Culver noted the updated Council Manager report is in the packet. He noted that numerous event invitations are being received and please respond to them as soon as possible so we can send notice on attendance. He noted that next week's agenda will be posted this Wednesday since the office is closed for Thanksgiving on Thursday and Friday. He also noted that the FY25 Budget requests are due, and he will be increasing the professional services line.

Council Member Items

Councilmembers deferred comments to the Legislative Session of November 21, 2023.

President Gregory announced that no further items are on the November 21, 2023 Work Session agenda.

Adjournment

Councilwoman Culberson made a motion to adjourn, which was seconded by Councilman Miller. Council President Gregory adjourned the work session at 5:33 pm.

The next Council work session will be held on Tuesday, November 28, 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