COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES

September 17, 2024

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, Al Miller, Donna Culberson and Jackie Gregory; David Culver, Council Manager; Christine Palmer, 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 four Council Members present which constitute a quorum.

Approval of Minutes
On a motion made by Vice President Meffley, seconded by Councilwoman Culberson, the Council moved to approve the minutes of the Council work session of September 10, 2024, as presented. The motion passed 4 to 0 with 1 absent.

Review of Legislative Agenda

a. New Business
    1. Cecil County Public Schools Budget Amendment #127

President Gregory noted that the Cecil County Public Schools Budget Amendment #127 is for $8,248,812. Denise Sopa from the Board of Education reviewed the budget amendment and noted that this is the first amendment for the FY25. Ms. Sopa reviewed the State and Federal restricted and unrestricted funds that were being carried over from FY24 and noted the different fiscal years for State and Federal grants. She also noted the APR funds that were being carried over. She also reviewed the three-year comparisons and noted that since this is early in the budget year they do not have any immediate areas of concern.

Vice President Meffley inquired on funding for the Judy Center and Ms. Sopa noted most of the funds that were carried over were spent in August. He also inquired on the chiller repair at the School of Technology and Superintendent of Schools Jeff Lawson noted that the project will be completed as soon as the rest of the parts are received. President Gregory inquired on the carryover grants and how they were reported on the last budget amendment and Ms. Sopa noted that grants shown in the last budget may have been expended since the last report. President Gregory inquired on the roll over balances being different in the restricted funds and what would cause this difference and Ms. Sopa noted these are now actual balances based on expenditures and received invoices. President Gregory also inquired on Federal grant funds being received and budgeted and Ms. Sopa noted it is based on the timing of the grant and the Federal fiscal year beginning in October. President Gregory also inquired on the unrestricted fund balance changes and Ms. Sopa noted it is because some of the existing fund balance was used to balance the FY25 Budget. President Greogory noted that the fund balance between all funds is around $26,000,000 and Ms. Sopa noted that is the estimated balance, but the audit will determine the final fund balance. President Gregory also inquired on the teacher vacancies and Ms. Sopa noted she would need to request that from the Human Resources Department. Councilman Miller noted the donations from various business including York Building Products, Great Wolf Lodge and the America Legion of Rising Sun and encouraged other businesses to donate. President Gregory also inquired on the Covid funds the amount of funds people donated using the tax refund and Ms. Sopa noted that the funds will be allocated by the end of this year and spent in accordance with the regulations and that she does not have an exact figure on the donations but it was around a couple of thousand. Councilwoman Culberson inquired if the School of Technology Chiller Project was within budget and Ms. Sopa noted that it was within the allocated funding from the State, County and school fund balance.

b. Public Hearings
    1. Bill 2024-18- Amendment – Ethics – Chapter 39, Section 39-4, Membership; Terms and Section 39-5, Chairman

President Gregory noted that this bill is being introduced to amend the County Code to match Charter Section 607 which was amended in 2022 as part of the General Election.

2. Bill 2024-19 - An amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Accelerate North East Middle/High School Complex Construction – PR# 71273.

Director of Administration Steven Overbay noted that this project is currently funded in the CIP, however, based on funding issues with the State, the project would take longer and could create safety issues with phasing of the two schools and construction on one school while the other is occupied. Director Overbay noted this Bill, along with Resolution 40-2024, would allow this project to be completed by FY27 and would save eight to ten million dollars in construction costs, have less impact on the community because of the shorten construction timeline and also allow students from the High and Middle school to be moved into the new facility at the same time thus preventing any safety concerns of students attending school at an active construction site.

3. Resolution 40-2024- An authorization to provide a loan to the Cecil County Public Schools to complete construction of the North East Middle/High School Complex.

Director of Administration Steven Overbay noted that this is the companion resolution to Bill 2024-19 and will provide the mechanism for the payback of State funds for this project to the Board of Education (BOE) and then to Cecil County. He noted the State is still committed to its allocation of $103,000,000 for this project, but no additional funding beyond that will be allocated. He noted the MOU with the School Board is being reviewed and that the Interagency Commission on School Construction (IAC) is unable to directly enter into an agreement for this front funding to be sent to the County and they can only send funding to the Local Education Agency (LEA).

c. Introduction of Resolutions
   1. Resolution 46-2024 - Appointment – County Executive - Cecil County Ethics Commission – Francis D. Peterson, Jr. and Andrew Goins

Director of Administration Steven Overbay noted that Mr. Peterson and Mr. Goins are reappointments and will serve three-year terms. He also noted Mr. Goins was being named Chair.

2. Resolution 47-2024 - Appointment—Commission on Veterans Affairs

Director of Administration Steven Overbay noted this is the new Commission that Council created to assist our veterans. He noted the Commission has 9 members including 2 Councilmembers, 4 members who are both veterans and members of veteran groups and 3 are members from the general public that have experience in veterans affairs.

3. Resolution 48-2024 - Supplemental Appropriation – Casino Local Impact Fund – Route 40 Revitalization Grant Program

Director of Administration Steven Overbay noted the three-year Video Lottery Terminal funding allocated $500,000 each year to the Route 40 Revitalization Grant to assist business in improving property along Route 40. He noted that several projects from FY24 are nearing completion, but the invoices have not been received so this resolution will move those funds to FY25. He noted several success stories like the new sign at Mick's Crab House and the removal of the Happy 40 building that was in disrepair. Councilman Miller noted the trash along Route 40 continues to be an issue and Director Overbay noted that they are working with the State Highway Administration on this issue and they did have cleanup crew this past weekend.

d. Consideration of Resolutions
   1. Resolution 38-2024 - Amend – Solid Waste Management Plan 2016-2025

Director of Administration Steve Overbay thanked Choice MedWaste, LLC on the presentation to Council on its business model and processing. He noted this amendment would allow a private medical waste facility to operate in the Town of Elkton, allow the gas to energy project at the Central Landfill to continue and also makes changes as it relates to the design and construction of the new cell at the Central Landfill.

2. Resolution 41-2024 – Council Appointments – Ethics Commission

President Gregory noted that Council is nominating Robert McKnight of North East for a four-year term and Nicholas Cusmano of Chesapeake City for a two-year term for the Council appointments to the Ethics Commission. Councilman Miller inquired if the party affiliation mixture has been achieved and Council Manager Culver noted that it has been with this, Resolution 46-2024 and the one remaining member.

3. Resolution 42-2024 - Appointment—Emergency Medical Services Advisory Board

Director of Administration Steven Overbay noted this Board had 15 members, 1 member from each of the 9 fire companies, 1 member from each Council District and 1 member from the IAFF Local 4645 and 3 non-voting ex-officio members. He noted these are all three-year terms.

4. Resolution 43-2024 - Supplemental Appropriation – Grant Funds – Community Services – Community Development Block Grant – Child Advocacy Center Expansion

Director of Administration Steven Overbay noted this resolution is the companion funding to Bill 2024-22 for the Child Advocacy Center Expansion. He noted the Council previously approved Community Services to apply for the grant and this will expand the center by 800 square feet, add a new roof and install an emergency generator that is required by the State.

5. Resolution 44-2024- Supplemental Appropriation – Casino Local Impact Fund – Various Grants

Director of Administration Steven Overbay noted this resolution, like Resolution 48-2024, is moving previously allocated funding from FY24 to FY25 to account for invoices from non-profits that were received after the FY24 budget year closed. He also noted the Video Lottery Terminal grants to non-profits and community groups is approximately $700,000.

6. Resolution 45-2024 - Supplemental Appropriation – Grant Funds – Community Services – Cecil Transit Division – Statewide Special Transportation Assistance Program

Director of Administration Steven Overbay noted this grant is for $272,000 and is part of the FY25 funding for Cecil Transit and will be allocated for the purchase of a mid-size bus for the program.

e. Call for Final Reading of Bills

1. Bill 2024-14 - Supplemental Appropriation – Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Construct Bainbridge Outfall.

Director of Administration Steven Overbay thanked Acqacon for its presentation to Council and noted this is a new project for an upgrade at Bainbridge to assist in the development in discharging of water. Director Overbay noted the total project is about $3,800,000, of which the County would pay about $1,900,000 and the remainder would come from the developer and tenants of the site. President Gregory noted it is a great success for Bainbridge to get Acqacon, the transition to manufacturing from warehousing and the creation of well-paying jobs.

2. Bill 2024-15 - Supplemental Appropriation – Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Expand Port Deposit WWTP, Project Number 55079

Director of Administration Steven Overbay noted that this project is currently funded in the CIP, however based on potential new tenants at Bainbridge and advances in technology, it may be possible to upgrade the plant further to treat up to 750,000 gallons of wastewater per day. He noted that the current cost for the upgrade is $4,500,000, however, with the potential developer agreement to expand capacity, the County cost would go to $4,375,000 and the developer at Bainbridge would fund the cost for the additional capacity.

3. Bill 2024-16 - Supplemental Appropriation – Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Extend Water Service to Wilson Road.

Director of Administration Steven Overbay noted correspondence received from MDE and the Town of Rising Sun on September 13 regarding this project and read into the record correspondence from County Executive Hornberger requesting this bill be tabled for four weeks in order to allow MDE to review the project scope developed by a consultant for the Department of Public Works that calls for a four-inch line, a booster pump and chlorination station.

Councilman Miller inquired when this report was done and why was a two-inch line proposed at the beginning of the project. Director Overbay noted the discussion was for a two inch or larger pipe. Councilman Miller inquired as to the exact number of homes being served since it appears that it is no longer 17 homes but only 5 or 6. Director Overbay noted the consent order from 2009 noted 17 homes. Vice President Meffley inquired on the MDE correspondence and noted that the bottled water solution was still adequate. Councilwoman Culberson opined that a permanent solution needs to be implemented. President Gregory noted she spoke to MDE and that a final decision has not been made and Southern States will continue to provide bottled water. Vice President Meffley opined that an eight-inch line would not need a booster pump or a chlorination station. Director Overbay noted the difference between this being a service line to these homes versus a transmission line to service the area which is not part of the development envelope. Vice President Meffley inquired on the Town of Rising Sun unwillingness to provide the water and Director Overbay noted they are in discussions with MDE on this issue and that MDE will need more time to resolve. Councilman Miller noted that several homes have been purchased and that Southern States, as a co-op for farmers, will need to know the actual scope and cost of the project. He also noted that the test results on the wells are needed. Director Overbay noted that MDE does the testing on the wells and Southern States will be responsible for the entire cost of the project. Councilwoman Culberson noted that MDE may need to do a presentation on this issue prior to voting. Director Overbay noted the public health issues are paramount and that that MDE must address this issue. He also noted the Town of Rising Sun has not provided the data needed on pressure and chlorine levels and MDE and Southern States need to address this issue with the Town. Councilman Miller inquired on the line routing and Director Overbay noted that is part of the engineering study. Councilman Miller requested a copy of all correspondence and the engineering report. Director Overbay noted the consent decree from 2009 is still in place and will make available the other documents. Councilwoman Culberson inquired on the testing results being made available and Director of Land Use Services Stephen O'Connor noted that MDE does not send the results to the County but would inquire. Councilwoman Culberson requested they ask MDE to provide the exact number of homes to be served and Director O'Connor noted he would inquire.

4. Bill 2024-17 - Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – Public Safety Training Center, Project Number 51030 and Paramedic Station #2, Project Number 50051

Director of Administration Steven Overbay noted this amendment is to move the timing of bond expenditures with APRA funding to ensure the APRA funds are spent by the end of 2026. This bill is moving $270,000 between the two projects which are located on the same site but have different construction timelines.

Councilman Miller inquired if the Planning Board reviewed these changes to the CIP and Director Overbay noted they did and recommended approval. Vice President Meffley noted the large number of changes being requested in the CIP inquired why these changes were not part of the FY25 Budget process since many of these were known issues and Director Overbay noted that as the projects were being engineered and out to bid and the administration noted that in order to fully expend the APRA funds they would need to make adjustments in the funding streams. He noted these changes are to make sure the ARPA funds are fully committed by December 31, 2024 and spent by December 31, 2026.

Council Manager Report
Council Manager Culver noted the updated Council Manager report is in the packet. He also noted that Drug Court will have a ceremony this Friday and President Gregory noted she would attend.

Council Member Items
Councilmembers deferred comments to the Legislative Session of September 17, 2024.

Adjournment

Councilman Miller made a motion to adjourn, which was seconded by Councilwoman Culberson. Council President Gregory adjourned the work session at 5:36 pm.

The next County Council Work Session will be held on Tuesday, September 24 at 4:30 pm in the Elk Room of the County Administrative Building. The session will be livestreamed on the County Council's webpage at www.ccgove.org/council.

Approved:

Jackie Gregory, Council President

David M. Culver
Council Manager