COUNTY COUNCIL OF CECIL COUNTY
WORK SESSION MINUTES

October 15, 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, Rebecca Hamilton, 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 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 October 8, 2024, as presented. The motion passed unanimously.

Review of Legislative Agenda

a. Consideration of Resolutions
    1. Resolution 49-2024 - Support of the Maryland Two Fifty Commission

Councilwoman Hamilton noted that Governor Wes Moore created the Maryland Two Fifty Commission to help promote the upcoming anniversary of the founding of the United States. She thanked Council for allowing her to serve as the Council representative.

    2. Resolution 50-2024 - Supplemental Appropriation – Grant Funds – Tourism – Winter Lights Cecil Nights

Director of Administration Steven Overbay noted that this is the 5th year for this event and for the first time all eight municipalities will be participating. He also thanked Upper Shore Regional Council for increasing the grant to $15,000 this year. Councilwoman Hamilton inquired if a Town does not spend its allotment can other Towns use the funding and Director Overbay noted each Town has an allotment and that all funds should be spent.

    3. Resolution 51-2024 - Operation Green Light for Veterans

Director of Administration Steven Overbay noted that this is an annual event that encourages people to use green lights on buildings and in homes to honor our veterans from November 4 to 11, 2024. Councilwoman Hamilton noted she is proposing an amendment to change the dates from November 4 to November 11 to November 1 to November 22, 2024 to recognize the 22 suicides by veterans each day. Councilwoman Culberson opined that this was a great amendment to bring attention to the veterans that commit suicide and the need for mental health assistance.

    4. Resolution 52-2024 - Appointment—Planning Commission- Christopher Walker, Robb Carey, and Christopher Bannon II

Director of Administration Steven Overbay noted these individuals are well qualified to serve on the Commission and reviewed the role of the Commission in the review process. Councilwoman Culberson inquired if these were new appointments or reappointments and Director Overbay noted that Mr. Walker and Mr. Carey are new appointments and Mr. Bannon is a reappointment.

    5. Resolution 53-2024 - Appointment—Board of Appeals – Scott Williams, Gabriele Coutz, Michael Linkous and Willard Whiteman

County Attorney Lawrence Scott noted that the administration is proposing two amendments to this resolution. Attorney Scott noted Scott Wiliams had a conflict with serving and they are recommending John Thompson in is place. He also noted that after further discussion with Will Whiteman, Mr. Whiteman noted he did not wish to serve as an alternate and the County Executive is recommending Clay Stubbs to be appointed as the alternate. Attorney Scott noted Mr. Thomspon and Mr. Stubbs background and qualifications.

Councilwoman Culberson inquired if Mr. Thompson was previously on the BOA and Attorney Scott noted he was not but is on the Police Accountability Board. Councilman Miller inquired on Mr. Thompson background and Attorney Scott noted he was a retired police officer. President Gregory noted Mr. Thompson is also the Executive Director at Deep Roots. Vice President Meffley noted he did talk to Mr. Whiteman and noted he would like to remain on the Board as a member, not an alternate. He also noted that Mr. Whiteman was not originally contacted by the County Executive and it was his understanding that the Director of Land Use and Development Services Stephen O'Connor recommended that Mr. Whiteman be replaced without discussing this with Mr. Whiteman. Councilman Miller noted he received several e-mails in support of Mr. Whiteman. Attorney Scott noted these individuals are the County Executive recommendations for the BOA and are being nominated in accordance with the Charter. Vice President Meffley noted it takes time to learn the BOA responsibilities and these changes are at the last minute and may not have been properly vetted. Attorney Scott noted that several boards are having issues with getting a quorum for meetings and these appointments seek to address this issue. Councilwoman Hamilton noted the role of Council in appointments. Vice President Meffley acknowledge the role of Council but also noted the need for experienced and qualified people on boards, like Mr. Whiteman. Director Overbay noted that the County Executive did speak to Mr. Whiteman and he did not want to be nominated as an alternate to the BOA. He also noted that over the past 4 years, the BOA met 40 times and only on 7 occasions did they have a full board and did not require the alternate to vote. Vice President Meffley noted much of this could have been resolved if the County Executive called Mr. Whiteman prior to submitting this resolution. President Greogory noted that the County need both people with experience but also new people to bring a fresh perspective to the various boards.

6. Resolution 54-2024 - Appointment—Agricultural Preservation Advisory Board- Clay Stubbs and Brandon Van Bibber

Director of Administration Steven Overbay noted that this Board reviews all agricultural preservation applications and make recommendations. He noted both candidates are new and well qualified.

Councilwoman Hamilton inquired how often does this Board meet and Director of Land Use and Development Services Stephen O'Connor noted they are scheduled to meet monthly, but typically they will meet 6 to 8 times a year depending on agenda items. Councilwoman Hamilton inquired on where the recommendations from this Board go and Director O'Connor noted it depended on the application they are reviewing. She also inquired if Clay Stubbs would have a conflict of interest being on this Board and the Board of Appeals and Director O'Connor noted that could happen but is rare. He noted that on occasion a persevered farm may make application for a Special Exception or Special Event and that would go to both boards. President Gregory inquired if this was for Maryland Agricultural Land Preservation Foundation (MALPF) farms and Director O'Connor noted that would be one type of easement. Councilman Miller discussed the various types of preservation easement and districts. Councilwoman Hamilton, President Gregory and Director O'Connor also discussed the various easement and districts and how they are established.

7. Resolution 55-2024 - Approval – Maryland 5 Star Multi-Year Contract

Director of Administration Steven Overbay noted that this is a multi-year agreement that is in the same format that the previous administration utilized, however, the previous administration did not seek Council approval in violation of Charter Section 515(d). He noted this resolution will allow the County Executive to enter into a contract to continue the 5 Star Event and is also allocating additional funding to the Sport & Entertainment Corporation of Maryland (S&E) to potentially bring back the Fair Hill Races. Director Overbay noted this provides the stability in funding for the events and allows them to expand sponsorships, commit to dates and reserve the needed venues. He noted that the $100,000 was being committed this fiscal year for the Fair Hill Races and the $2,850,000 funding over the next five years for 5 Star and the Fair Hill Races. He noted that if either event is not held, the funding will not be allocated.

President Gregory reviewed the funding allocation and noted this allows the County Executive to enter into an agreement as per Section 515(d) of the Chater, and that was not done previously.

Director Overbay noted that was correct and that, if approved and a contract can be reached, the funding over the 10 years of the event will only have increased by $17,000. He noted that the biggest change is this allows for the opportunity to restore the Fair Hill Races. He also clarified that no contract has been reached and that they could only enter into a contract if this resolution is acted upon favorability. Councilwoman Hamilton inquired on the ownership of the race days and Councilman Miller noted that 8 race days are available. He also noted 5 Star does not have a multi-year contract and is year to year. He also reviewed the history of the Fair Hill Races and Union Hospital, the need to improve the track and the Fair Hill Foundation role in the races and the control of the dates. Director Overbay noted the State controls the dates and funding and that the Fair Hill Foundation is granted $100,000 per year for the races. Councilman Miller noted that DNR would need to fix the track and make other improvements prior to any races being held. Councilwoman Hamilton confirmed that if the 5 Star or Fair Hill Races are not held, then the funding is withheld and Director Overbay noted that is the arrangement. She also inquired if the State ownership of Pimlico would have any impact on these events and Director Overbay noted the State supports the horse racing industry, as shown with the Pimlico purchase. Councilman Miller noted the Fair Hill Foundation does raise other funds besides the State grant and that DNR could have fixed the track already and bring in revenue from its use. President Gregory inquired, if approved, when will the contract be sent to Council and Director Overbay noted that once signed Council and the public would be made aware of the contract. Councilwoman Culberson noted she supports this resolution and hopes that they can bring the Fair Hill Races back since no local group has been able to revive the race. Councilman Miller opined the Fair Hill Races would make more money than the 5 Star. He also noted that a one-year agreement is more appropriate for the 5 Star instead of a five-year contract. Director Overbay reviewed the need for the five year agreement and noted the 5 Star did meet all of the three year benchmarks for the event. He also noted the need for stability for the event and the economic impact. Vice President Meffley noted that the economic impact is not exact and questioned the local impact on the hotels. Director Overbay noted that the hotels have reported strong occupancy during the 5 Star and that hotel nights is based on the entire stay, not the number of rooms. Vice President Meffley also inquired on the admission and amusement taxes and Director Overbay reviewed this tax and how it is applied at places such as Great Wolf Lodge. He also noted the other 5 Star Event is in Kentucky and has been an event for 80 years and it takes time to grow this type of event. Councilman Miller inquired on the number of rooms utilized at the Great Wolf by the 5 Star and Director Overbay noted 700 room nights over the course of the event. Councilman Miller also noted the taxes received at the event and that the State receives these proceeds.

b. Call for Final Reading of Bills

1. (TABLED) – 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 that three amendments are being proposed to clarify this project and County Attorney Scott reviewed the amendments. He noted this clarifys the water suppliers, the pipe size and the funding mechanisms.

Vice President Meffley noted the Town of Rising Sun correspondence, the concerns they raised and if Southern States is in agreement with the settlement. Attorney Scott noted that Southern States would still need to agree with MDE on the consent decree. He also noted that the project is for 17 units, however, several units have been purchased by Southern States and a few no longer have well water issues. Councilwoman Culberson inquired on the Town of Rising Sun annexation plans and Attorney Scott noted they are addressed in the Comprehensive Plan of the County and Town. Councilwoman Culberson also inquired on how farms that are not preserved are developed and Attorney Scott noted it is based on the current zoning of the farms. Councilwoman Culberson inquired on the zoning if the land is annexed and President Gregory noted the County must consent to any upzoning of the land, and if the County does not consent, it may not be changed for five years. Councilman Miller noted the amendments do clarify several issues and also noted most of the farms in the northern area are either preserved or zoned agricultural.

2. Bill 2024-20 Public Safety Pension Plan – Amendment 9 – Domestic Relations Order and Disability Determination

Director of Administration Steven Overbay noted that the Pension Board identified these issues with the pension plan as it relates to disability payments and divorce settlements. He noted that this was examined by the pension consultants and will have no fiscal impact.

3. Bill 2024-21 - Establishment – Community Reinvestment and Repair Fund

Director of Administration Steven Overbay noted that this amendment is part of the State Cannabis Act that requires counties to outline how the funds will be spent.

4. Bill 2024-22 - Supplemental Appropriation – Amendment to the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Program – Child Advocacy Center.

Director of Administration Steven Overbay noted that this amendment will coincide with Resolution 43-2024 which is the grant funding for this project. He noted this project will add 800 square feet to the center, allow the roof to be replace and also add an emergency generator.

5. Bill 2024-23 - Supplemental Appropriation - Amendment to the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Program – ARPA Funding
   Project Number 55041 - Holloway Beach Sewer Project
   Project Number 50051 - Paramedic Station 2 Project
   Project Number 50052 - Paramedic Station 4 Project
   Project Number 51030 - Public Safety Training Center Project
   Project Number 52594 - Oldfield Point Road Project
   Project Number 55064 - Elkton West Sanitary Sewer Project

Director of Administration Steven Overbay noted that this Bill will move ARPA and bond funding between various projects to ensure the ARPA funds are spent in accordance with the deadlines established for the program. The Holloway Beach Project will move $2,100,000 million to the Public Safety Training Cener, and $300,000 each to Paramedic Station 2 and 4. County bond funding of $1,700,000 from Oldfield Point Road and $1,000,000 for Elkton West Sewer project will be moved to Holloway Beach project. He noted Holloway Beach is behind schedule due to easements being required and that the Oldfield Point project also needed right of way dedication.

Council Manager Report
Council Manager Culver noted the updated Council Manager report is in the packet. He noted the upcoming MACO visits and the plans for the upcoming inauguration ceremony.

Council Member Items
Council members deferred comments to the Legislative Session of October 15, 2024.

Adjournment
Councilman Miller made a motion to adjourn, which was seconded by Councilwoman Culberson. Council President Gregory adjourned the work session at 5:47 pm.

The next County Council Work Session will be held on Tuesday, December 3, 2024 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:

Al Miller
Council President

David M. Culver
Council Manager