

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2024-17
September 17, 2024

The County Council of Cecil County met in legislative session at the County Administration Building, 200 Chesapeake Blvd., Elk Room, Elkton, MD. The following members of the Council were present:

Jackie Gregory, Council President
Robert Meffley, Vice President
Al Miller, Council Member
Donna Culberson, Council Member

NOTE: The recording with transcription of this meeting is available on the County website at www.ccgov.org/council.

CALL TO ORDER

The meeting of the County Council of Cecil County of September 17, 2024, was called to order by Council President Gregory at 7:00 p.m.

ROLL CALL

Council Manager Culver called the roll and noted that the roll call revealed 4 present and 1 absent.

OPENING PRAYER/MOMENT OF SILENCE

Pastor Steve Dixon of Porter's Grove Baptist Church in Conowingo gave the opening prayer. He also noted the food pantry at his church and encouraged everybody to help others in need.

APPROVAL OF AGENDA

On motion made by Councilwoman Culberson, seconded by Vice President Meffley, the Council moved to approve the agenda of September 17, 2024. The motion was approved 4 to 0 with 1 absent.

PUBLIC HEARINGS

Council Manager Culver stated for the record:

Bill 2024-18 - Amendment – Ethics – Chapter 39, Section 39-4, Membership; Terms and Section 39-5, Chairman

A Bill to amend Chapter 39 – Ethics, of the Code of Cecil County, Sections 39-4, Membership; Terms Section and 39-5, Chairman, to reflect changes to the Charter of Cecil County as it relates to the membership and terms of the Cecil County Ethics Commission.

Introduced, read for the first time, order posted on August 20, 2024 and scheduled for public hearing on September 17, 2024 and consideration on October 1, 2024.

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.

Sean Brimm of North East spoke in opposition to the bill giving veto power to the County Executive on Council appointments.

Council Manager Culver stated for the record:

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.

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to authorize the acceleration of the construction of the North East Middle/High School complex to complete the project by the end of FY2027, Project Number 71273.

This acceleration requires the County to use \$21,579,000 of PAYGO in FY2025, supplanting County bonds between FY2028 and FY2030.

Introduced, read for the first time, order posted on August 20, 2024 and scheduled for public hearing on September 17, 2024 and consideration on October 1, 2024.

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. The accelerated building should also result in the County saving 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.

Sean Brimm of North East spoke in favor of the bill.

Council Manager Culver stated for the record:

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.

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to allow the Board of Education of Cecil County to borrow from the County up to \$41,000,000 interest free to finish construction of the North East Middle/High School complex by the end of FY2027. This loan, which will result in creation of a Notes Receivable and Restricted Cash position on the County's Balance Sheet, is necessitated by the fact that the State of Maryland is unable to commit the balance of their full contribution of \$103,000,000 in order to allow the Board of Education to complete construction by the end of FY2027. Without this loan, the schools' construction cannot be completed until FY2032. As a result, the Board of Education of Cecil County will remit any and all school construction funds provided by the State for the North East Middle/High School Complex project to the County until the loan is fully paid, beginning in FY2026. It is agreed and recognized that the State funding for the North East Middle/High School Complex project will be the sole and exclusive source for the repayment of the loan and that no other funds or other sources of revenue budgeted for the Board of Education shall be used for repayment of the loan. It is further agreed and recognized that a \$4,000,000 funding request for the North East Middle/High School Complex must remain the highest ranked project submission for Cecil County Public School's annual State CIP school construction funding request throughout the duration of this loan, and that the first \$4,000,000 in annual State school construction funding must be used to satisfy the County debt. Should Cecil County Public Schools choose to apply some, or all, of their additional annual school construction funding allotment to extinguish the debt more rapidly, this may be done at their sole discretion without penalty.

Introduced, read for the first time, order posted on August 20, 2024 and scheduled for public hearing on September 17, 2024 and consideration on October 1, 2024.

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 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). He noted that the IAC has had this type of agreement with other BOE and Counties throughout the State. He also noted that the accelerated project should save the County eight to ten million dollars.

Sean Brimm of North East spoke in favor of this resolution.

APPROVAL OF MINUTES

On motion made by Councilwoman Culberson, seconded by Vice President Meffley, the Council moved to approve the minutes of the legislative session of September 3, 2024. The motion was approved 4 to 0 with 1 absent.

PUBLIC COMMENTS

Sean Brimm of North East spoke on the Open Meetings Act, the Planning Board cancelling its September 16, 2024 meeting with no notice and education funding issues.

Phyllis Kilby of Colora spoke on the ethics appointments and the Wilson Road water line extension.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Culberson reviewed the intel numbers for the past week. She noted Cecil County did have one overdose death and of the forty-four domestic calls, twenty two of them were deemed violent.

Councilman Miller noted that on September 11 he attended the Cecil College Foundation Scholarship Breakfast. He noted on September 12 the Fair Board had its meeting and noted the fair had good attendance his year. He also attended the Farm Bureau Oyster Night at the Rising Sun Banquet Hall and noted they sold all 250 tickets. He also noted that on September 16 the Farm Bureau held its meeting to discuss legislative priorities for the 2025 State Session and they will be forwarding these priorities to the State Farm Bureau for consideration.

Vice President Meffley noted that he attended the 9-11 Ceremony at the Chesapeake City VFW. He also attended The Paris Foundation groundbreaking on September 13 and noted they will be constructing a 10,000 square foot facility that will include a commercial training kitchen. He attended the KCI Technologies meet and greet on September 14 and noted that many of the attendees are having issues with MDE permitting. He also attended the Cecil College Foundation Scholarship Breakfast on September 11 and the Elkton Fall Fest on September 14.

President Gregory wished everybody a Happy Constitution Day and noted that the freedoms in the US Constitution and Bill of Rights must be cherished. She also attended the Eagle Scout Ceremony on September 15 for Abigayle Wyman, who was a founding member of Troop 143G, and the first girl Eagle Scout in Cecil County. She also noted the ethical concerns she had with the Board of Education on electioneering and also on the BOE underestimation of revenue and fund balance.

INTRODUCTION OF RESOLUTIONS

Council Manager Culver stated for the record:

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

A Resolution to confirm the appointment of Francis D. Peterson, Jr. and Andrew Goins as the Chair made by the County Executive to the Cecil County Ethics Commission, term to expire on October 1, 2027.

Introduced, read for the first time, order posted on September 17, 2024 and scheduled for consideration on October 1, 2024.

Director of Administration Steven Overbay noted that Mr. Peterson and Mr. Goins are reappointments and Mr. Goins is being named the Chair.

Council Manager Culver stated for the record:

Resolution 47-2024 - Appointment—Commission on Veterans Affairs

A Resolution to confirm the appointment by the County Executive of Jo Anne Luglio Bierly, John Brerkeridge, Jackie Gregory, Raymond Conger, John Stricklett, Dennis Miller, and David Simpler to the Cecil County Commission on Veterans Affairs for a term to expire October 1, 2027.

Introduced, read for the first time, order posted on September 17, 2024 and scheduled for consideration on October 1, 2024.

Director of Administration Steven Overbay noted that 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. Councilman Miller

inquired on who will be the Council representatives and Councilwoman Culberson and Vice President Meffley volunteered for this Commission.

Council Manager Culver stated for the record:

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

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2025, in order to provide \$141,838.97 in carry forward expenditure authority for the Video Lottery Terminal (VLT) Route 40 Revitalization Grant funds within the Casino Local Impact Fund budget.

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 and encouraged everybody to view the program on the Community Services website.

CONSIDERATION OF RESOLUTIONS

Council Manager Culver stated for the record:

Resolution 38-2024 - Amend – Solid Waste Management Plan 2016-2025

A resolution to amend the Cecil County Solid Waste Management Plan to include the addition of Choice MedWaste, LLC as a proposed special medical waste processing facility and transfer station and updates on the expansion of the Cecil County Central Landfill and a proposed landfill gas-to-energy facility at Cecil County Central Landfill.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

Director of Administration Steven Overbay noted this amendment would allow a private medical waste facility to operate in the Town of Elkton, specifically on Chesapeake Boulevard, 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.

Councilman Miller made a motion to approve Resolution 38-2024, which was seconded by Councilwoman Culberson.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

Council Manager Culver stated for the record:

Resolution 41-2024 - Council Appointments – Ethics Commission – Robert McKnight and Nicholas Cusmano

A Resolution to confirm the County Council's appointments as per Section 607 of the Cecil County Charter of Robert McKnight to a four-year term that will expire on September 17, 2028 and Nicholas Cusmano to a two-year term that will expire on September 17, 2026 on the Cecil County Ethics Commission.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

Council 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 on the Ethics Commission.

Councilwoman Culberson made a motion to approve Resolution 41-2024, which was seconded by Vice President Meffley.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

Council Manager Culver stated for the record:

Resolution 42-2024 - Appointments—Emergency Medical Services Advisory Board

A Resolution to confirm the appointment by the County Executive of Deanna Sakers, Randall McLennan, Tracy Streets, Michele Ewing, Leslie Cheyney, Alexander Galien, Chelsea McKinney, Jeffrey Hennemuth, Kimberly Roland, Kelly Frey, Melissa Kinsler, August Pierson, Jr., Charlotte Meck, Deborah Kurtz, and Nathan Stewart; and Ex-Officio Members Wayne Tome, Morganne Castiglione and Robert Muller, to the Cecil County Emergency Medical Services Advisory Board for a three (3) year term to expire June 1, 2027.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

Director of Administration Steven Overbay noted this board has 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 three-year terms.

Vice President Meffley made a motion to approve Resolution 42-2024, which was seconded by Councilwoman Culberson.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

Council Manager Culver stated for the record:

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

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, Department of Community Services, Housing and Community Development Division, Fund 111, Department 534 for the fiscal year ending June 30, 2025, in order to provide a total of \$672,000.00 to the Emergency Shelter Grants Fund; to record the grant awarded from the Maryland Community Development Block Grant program through the Maryland Department of Housing and Community Development to support the Child Advocacy Center Expansion Project.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

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.

Councilman Miller made a motion to approve Resolution 43-2024, which was seconded by Councilwoman Culberson.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

Council Manager Culver stated for the record:

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

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2025, in order to provide \$32,536.14 in carry forward expenditure

authority for the Video Lottery Terminal (VLT) Local Community Grant Funds within the Casino Local Impact Fund Budget.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

Director of Administration Steven Overbay noted this resolution is to move previously allocated funding from FY24 to FY25 to account for invoices from non-profits that were received after the FY24 budget year. He also noted the Video Lottery Terminal grants to non-profits and community groups is approximately \$700,000. Councilman Miller noted it was the Conowingo Lions Club in the resolution.

Councilwoman Culberson made a motion to approve Resolution 44-2024, which was seconded by Councilman Miller.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

Council Manager Culver stated for the record:

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

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2025, in order to provide a total of \$272,356.00 to the Community Services Grants Fund – Department of Community Services, Fund 109, Department 522, to record a Statewide Special Transportation Assistance Program Grant awarded from the Maryland Transit Administration to provide capital support.

Introduced, read for the first time, order posted on September 3, 2024 and scheduled for consideration on September 17, 2024.

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

Councilwoman Culberson made a motion to approve Resolution 45-2024, which was seconded by Councilman Miller.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to with 1 absent.

CALL FOR FINAL READING OF BILLS

Council Manager Culver stated for the record:

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

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to add the Construct Bainbridge Outfall project, to the Fiscal Year 2025 Capital Budget and to move expenditure authority from the Bond Fund to the Construct Bainbridge Outfall project in the amount of \$1,900,000. Project cost in FY25-FY26 is \$3,800,000 with the Bainbridge developer and/or firm(s) contributing half of the project construction cost.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

Director of Administration Steven Overbay noted this is a new project for an upgrade at Bainbridge to assist the development in the discharging of water. Director Overbay noted the total project is estimated to be around \$3,800,000, of which the County would pay about \$1,900,000 and the remainder would come from the tenants and developer of the site.

Councilman Miller made a motion to approve Bill 2024-14, which was seconded by Councilwoman Culberson.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

Council Manager Culver stated for the record:

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

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to provide supplemental expenditure authority from the bond Fund for the Expand Port Deposit WWTP project, Project Number 55079 in the amount of \$8,750,000. The Port Deposit WWTP needs to be expanded to provide additional capacity in support of future development at Bainbridge. The approved capacity will increase from 250,000 Gallons per Day (GPD) to a maximum of 750,000 GPD. Project cost in FY25 and FY26 is \$8,750,000; the County will pay half of the remaining project cost (\$4,375,000) with Bainbridge developer and/or firms(s) contributing the other half of the project construction cost.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

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 wastewater technology, it may be possible to upgrade the plant to be able to process 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 upgrade capacity, the County cost would actually go lower to \$4,375,000 dollars and the developer at Bainbridge would fund the cost for the additional upgrade.

Vice President Meffley made a motion to approve Bill 2024-15, which was seconded by Councilwoman Culberson.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

Council Manager Culver stated for the record:

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

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to add the Extend Water Service to Wilson Road project, to the Fiscal Year 2025 Capital Budget and to record private funding from Southern States LLC for the design and construction of the project in the amount of \$4,300,000. This project will extend public water service to Wilson Road to serve homes in the vicinity of the former Southern States facility having high levels of nitrates in the water wells. Southern States has agreed to fund design and construction costs, meaning that there will be no impact on the County's Fund Balance.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

President Gregory noted the request to table from County Executive Hornberger for four week in order to allow MDE to review the cost proposal and discuss issues with the Town of Rising Sun.

Councilwoman Culberson made a motion to table Bill 2024-16, which was seconded by Vice President Meffley.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

Council Manager Culver stated for the record:

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

A Bill to amend the Annual Budget and Appropriations Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2025, to revise the funding sources for the Public Safety Training Center project, Project Number 51030 and Paramedic Station #2, Project Number 50051. The Public Safety Training Center will see an increase in Bond funding of \$270,000 while seeing a decrease in ARPA funding of \$270,000. The Paramedic Station #2 will see a decrease in Bond funding of \$270,000 while seeing an increase in ARPA funding of \$270,000.

Introduced, read for the first time, order posted on August 6, 2024 and scheduled for public hearing on September 3, 2024 and consideration on September 17, 2024.

Director of Administration Steven Overbay noted this amendment is to move the timing of bond expenditures with APRA funding to ensure the APRA funding is allocated by December 31, 2024 and the funding spent by the end of 2026.

Vice President Meffley made a motion to approve Bill 2024-17, which was seconded by Councilwoman Culberson.

Roll call vote: Hamilton – A, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 4 to 0 with 1 absent.

NEW BUSINESS

Cecil County Public Schools Budget Amendment #127

President Gregory noted that the Cecil County Public Schools Budget Amendment #127 is for \$8,248,812.

Councilman Miller made a motion to approve Budget Amendment #127 in the amount of \$8,248,812. The motion was seconded by Councilwoman Culberson.

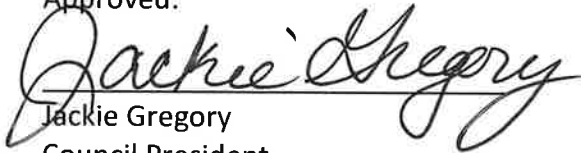
The motion was approved 3 to 0 with 1 abstention and 1 absent. (Yea – Miller, Culberson, Meffley, Abstain – Gregory, Absent – Hamilton)

ADJOURNMENT

On motion made by Councilwoman Culberson, seconded by Councilman Miller, President Gregory adjourned the meeting at 8:02 pm.

Council President Gregory announced that the next Council Legislative Session is scheduled on Tuesday, October 1, 2024 at 7:00 p.m. in the Elk Room of the County Administration Building. The legislative session will be livestreamed at the county's webpage at www.ccgov.org/council. The recording and transcription will be uploaded to the county's website as soon as possible.

Approved:


Jackie Gregory
Council President

Attest:


David M. Culver
Council Manager