

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2024-01
January 2, 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
Rebecca Hamilton, Council Member
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 January 2, 2024, was called to order by Council President Gregory at 7:00 p.m.

ROLL CALL

Council Manger Culver called the roll and noted all five members were present.

OPENING PRAYER/MOMENT OF SILENCE

President Gregory requested a moment of silence for Kyleigh Nicole Treadway, the 10-year-old girl who tragically passed way from a fire at her house on December 25 and for her family during this time.

Pastor Matt Norwood from Calvary Missionary Church in Rising Sun gave the opening prayer.

APPROVAL OF AGENDA

On motion made by Councilwoman Culberson, seconded by Councilwoman Hamilton, the Council moved to approve the legislative agenda of January 2, 2024. The motion was approved 5 to 0.

APPROVAL OF MINUTES

On motion made by Vice President Meffley, seconded by Councilwoman Culberson the Council moved to approve the minutes of the legislative session of December 19, 2023. The motion was approved 5 to 0.

PUBLIC COMMENTS

Chris Fielder of Elkton and principal at Elkton High spoke on education funding issues.
Sean Brimm of Elkton spoke on education funding issues and the need for the pet shelter grant.
Phyllis Kilby of Colora spoke on the County ACFR and education funding issues.

Katie Fortune of North East and principal at Charlestown spoke on education funding issues.
Jordan Seguin of Elkton spoke on education funding issues.

PRESIDENT AND COUNCIL COMMENTS

Councilman Miller hoped everybody had a safe holiday and thanked the speakers at tonight's meeting. He noted he remained committed to helping the educational, business and farming community.

Councilwoman Hamilton also hoped everybody had an enjoyable Christmas and New Year and noted that 2024 will be a busy year for Council.

Councilwoman Culberson noted the intel numbers for the past week. She also hoped everybody had an enjoyable Christmas and New Year. She also noted the challenges with the education issue and budgets.

Vice President Meffley hoped everybody had an enjoyable holiday. He noted he did visit several schools this past year and remained committed to helping the educational community. He also noted that he participated in the Chesapeake City 5K on New Years Day and encouraged people to attend next year and they can walk or run the course.

President Gregory hoped everybody had an enjoyable Christmas and New Year and also thanked the speakers at tonight's meeting. She noted that she, Councilwoman Hamilton and Councilwoman Culberson participated in the MACo call on current Blueprint for Education concerns. She noted that Carroll County did post concerns on the Blueprint and the need for flexibility in the program for all counties. She also noted the ACFR is online at the County website and that the County did receive permission from the State to file the ACFR by December 31, not October 31 as listed in the State Code. She noted that most Counties are required to file the report by December 31 and noted the State Code may need to be amended to make this date applicable to all counties.

INTRODUCTION OF RESOLUTIONS

Council Manager Culver stated for the record:

Resolution No. 01-2024 - Budget Amendment - Fund Balance - Department of Emergency Services.

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2024, in order to appropriate a total of \$84,866 of additional expenditures for the purchase of radios, a cardiac monitor/defibrillator, automatic external defibrillators, and required radio parts from the General Fund to the Department of Emergency Services budget.

Introduced, read for the first time, order posted on January 2, 2024 and scheduled for consideration on January 16, 2024.

Director of Administration Steven Overbay noted that these funds were in the FY23 Budget but because of supply chain issues, the equipment was not available. He noted in addition, along with

the equipment being available, grant funding in the amount of \$29,490 is also available to offset the cost of \$84,866.

Council Manager Culver stated for the record:

Resolution No. 02-2024 - Supplemental Appropriation – Grant Funds - Office of Economic Development – MARBIDCO - Agriculture Microgrant Program.

A resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2024 in order to provide a total of \$42,000 to the Special Revenue Other Grants Fund- Office of Economic Development, in order to record the cost share grant awarded from the Maryland Agricultural & Resource-Based Industry Development Corporation (MARBIDCO) for the purpose of matching funds towards the Agriculture Microgrant Program in Cecil County.

Introduced, read for the first time, order posted on January 2, 2024 and scheduled for consideration on January 16, 2024.

Director of Administration Steven Overbay noted that this will be the 4th year of this grant program and appreciates the cooperation between MARBIDCO, Upper Shore Regional Council, Cecil County and the farmers. He noted this grant helps farmers with new business opportunities and help grow existing businesses. He noted this grant is matched with Cecil County funds and funding from the farmers in the program.

Council Manager Culver stated for the record:

Resolution No. 03-2024 - Supplemental Appropriation – Grant Funds – Office of Economic Development – Upper Shore Regional Council – Agricultural Microgrant Program.

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for fiscal year ending June 30, 2024, in order to provide a total of \$43,000.00 to the Special Revenue Other Grants Fund – Office of Economic Development, in order to record the grant awarded from the Upper Shore Regional Council, for the purpose of an Agriculture Microgrant Program in Cecil County.

Introduced, read for the first time, order posted on January 2, 2024 and scheduled for consideration on January 16, 2024.

Director of Administration Steven Overbay noted that this grant is part of the program also funded by MARBIDCO. He noted this funding goes directly to the farmers. Last year Cecil County did 48 grants and over 140 total grants so far during the first three years of the program. He again thanked Upper Shore for being a partner in this program.

Council Manager Culver stated for the record:

Resolution No. 04-2024 - Supplemental Appropriation – Grant Funds – Office of Economic Development –Marketing Costs.

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2024, in order to provide a total of \$112,320 to the Special Revenue Other Grants Fund, Office of Economic Development, to record the grant awarded from the Maryland Department of Commerce, Economic Development Administration (EDA) for the purpose to allow the County to develop signage, literature, web pages, a video, and to market our sites and stories to visitors and locals.

Introduced, read for the first time, order posted on January 2, 2024 and scheduled for consideration on January 16, 2024.

Director of Administration Steven Overbay noted this grant will help Cecil County promote our historical and cultural sites for tourism. He noted the many sites including the underground railroad and Harriot Tubman trails, the C&D Canal, Turkey Point light station, the AME Churches in Conowingo and Cecilton and the Perryville railroad ferry and station will be promoted as part of this grant. President Gregoy thanked the Maryland Department of Commerce, Economic Development Administration for this grant and recognizing the importance of these sites in Cecil County.

Council Manager Culver stated for the record:

Resolution No. 05-2024 – Reappointment– Weed Control Advisory Board.

A Resolution to confirm the reappointment by the County Executive of Robert Weaver, Jim Calao, Charles Herzog, Kenneth Newcomb, Doris Behnke, Ryan Fisher, Carroll Michael Scheeler, William Ewing, Jessica Edge, Scott Heaps, and John Fabian to the Weed Control Board for a three-year term, which will expire on January 16, 2027.

Introduced, read for the first time, order posted on January 2, 2024 and scheduled for consideration on January 16, 2024.

Director of Administration Steven Overbay noted that noxious weed control board is important to Cecil County and this Board has helped implement the new technologies and contracts to control these weeds. He noted this Board is now being appointed to a 3-year term. He also noted changes with the agreement with State Highway and the use of private contractors. Councilwoman Culberson inquired on the length of the contracts with the private contractors and Director Overbay noted they are for one year and we have three different contracts. Councilman Miller added that they spray roads, parks and private farms as part of the contract. Vice President Meffley inquired as to the disposition of the County weed spraying equipment and Director Overbay noted we still have the equipment and use it at various parks and other sites.

CONSIDERATION OF RESOLUTIONS

Council Manager Culver stated for the record:

Resolution No. 65-2023 - Supplemental Appropriation – Grant Funds – Cecil County Liquor Board – Inspection and Enforcement Activities.

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2024, in order to provide a total of \$12,000 to the Special Revenue Other Grants Fund- Cecil County Liquor Board, to record the grant awarded from the Cecil County Drug-Free Communities Coalition (DFC), for the purpose of supporting inspection and enforcement activities of the Cecil County Liquor Board.

Introduced, read for the first time, order posted on December 19, 2023 and scheduled for consideration on January 2, 2024.

Director of Administration Steven Overbay noted that this grant was from the Cecil County Drug Free Communities Coalition and will help with enforcement of the liquor laws.

Councilman Miller made a motion to approve Resolution 65-2023, which was seconded by Councilwoman Culberson.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

Council Manager Culver stated for the record:

Resolution No. 66-2023 - Supplemental Appropriation – Grant Funds – Community Services – Comprehensive Opioid, Stimulant, and Substance Use Program Grant.

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2024, in order to provide a total of \$982,806 to the Special Revenue Other Grants Fund, Fund 198, Department 536, to record an Office of Justice Programs grant awarded from the United States Department of Justice for staffing support, contracted trauma therapy services for children, family members and public safety personnel, equipment, and other targeted services to address opioid, stimulant and substance use in the community.

Introduced, read for the first time, order posted on December 19, 2023 and scheduled for consideration on January 2, 2024.

Director of Administration Steven Overbay noted that this is a Department of Justice grant and the funds will be used for staffing support, contracted trauma therapy services for children, family members and public safety personnel, equipment, and other targeted services to address opioid, stimulant and substance use in the community. He noted that they will be soliciting bids for the services and in the past organizations such as Upper Bay and Rising Tides performed these services. He also noted that the school system does not participate in this program.

Councilwoman Culberson made a motion to approve Resolution 66-2023, which was seconded by Vice President Meffley.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

Council Manager Culver stated for the record:

Resolution No. 67-2023 - Supplemental Appropriation – Grant Funds – Community Services – Human Services Division – Domestic Violence Rape Crisis Program/The Bridge.

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2024, in order to provide a total of \$86,667 to the Community Services Grants Fund – Department of Community Services, Human Services Division, to record an Emergency and Transitional Pet Shelter and Housing Assistance Grant.

Introduced, read for the first time, order posted on December 19, 2023 and scheduled for consideration on January 2, 2024.

Director of Administration Steven Overbay noted that this is for two programs, \$50,000 for the rape crises center and \$36,667 for emergency transitional housing for people that have pets. He noted this helps people find shelters or hotels that are pet friendly, but the County will also shelter the pet or find a foster care home for the pet if needed.

Vice President Meffley made a motion to approve Resolution 67-2023, which was seconded by Councilman Miller.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

CALL FOR FINAL READING OF BILLS

Council Manager Culver stated for the record:

Bill No. 2023-10 – Supplemental Appropriation – Amendment to the 2024 Capital Improvement Program – Replacement of Wheatley Road Bridge.

Director of Administration Steven Overbay 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.

Director of Administration Steve Overbay noted they had no further comments.

Councilman Miller made a motion to approve Bill 2023-10, which was seconded by Councilwoman Culberson.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

Council Manager Culver stated for the record:

Bill No. 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 sales of cannabis in Cecil County.

Councilwoman Hamilton made a motion to approve Bill 2023-11, which was seconded by Vice President Meffley.

President Gregory noted several amendments were discussed for the bill, the first amendment was to accommodate the request from the Town of North East on separation of dispensaries for the municipal corporate limits.

Council Manager Culver stated for the record:

Amendment No. 1 to Bill No. 2023-11

Title: Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications.

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article II, Part I, Section 12, Definitions in order to add and define Cannabis Terms; Amend Article IV, Section 54, Permissible Uses Tables in order to amend by insertion; Amend Article V, Part III, Section 79, Home Occupations in order strike number 5 due to inaccurate numbering and insert number six (6); in order to Insert Article V, Part XII, Section 164A, 164B, 164C, & 164D, Cannabis Section 164A Cannabis Grower, Section 164B Cannabis Processor & Cannabis Independent Testing Laboratory, Section 164C Dispensary, & 164D Cannabis On-Site Consumption Establishment; Amend Article XIII, Section 263, Prohibited Signs in order to add number thirteen (13); Amend Article XIV, Section 276, General Loading Specifications in order to add to Use, Loading Space, and Off Street Parking Requirements.

Introduced by: Council President Gregory and Vice President Meffley

On Page 9, line 222 add:

, or any municipal corporate limits.

Vice President Meffley made a motion to approve Amendment 1 to Bill 2023-11, seconded by Councilwoman Culberson.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

Vice President Meffley requested that Amendment 2 be read into the record and noted that he believes that not allowing dispensaries to sell accessory items could put these businesses at a disadvantage to those that can sell these items like smoke shops and retail stores.

Council Manager Culver stated for the record:

Amendment No. 2 to Bill No. 2023-11

Title: Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications.

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article II, Part I, Section 12, Definitions in order to add and define Cannabis Terms; Amend Article IV, Section 54, Permissible Uses Tables in order to amend by insertion; Amend Article V, Part III, Section 79, Home Occupations in order strike number 5 due to inaccurate numbering and insert number six (6); in order to Insert Article V, Part XII, Section 164A, 164B, 164C, & 164D, Cannabis Section 164A Cannabis Grower, Section 164B Cannabis Processor & Cannabis Independent Testing Laboratory, Section 164C Dispensary, & 164D Cannabis On-Site Consumption Establishment; Amend Article XIII, Section 263, Prohibited Signs in order to add number thirteen (13); Amend Article XIV, Section 276, General Loading Specifications in order to add to Use, Loading Space, and Off Street Parking Requirements.

Introduced by: Vice President Meffley

On Page 8, line 210 through 212 strike:

7. SALES OF ACCESSORY ITEMS THAT ARE NOT REGULATED BY THE MARYLAND CANNABIS ADMINISTRATION ARE PROHIBITED. SUCH ITEMS MAY INCLUDE APPAREL, PARAPHERNALIA, SOUVENIRS, OR SIMILAR ITEMS.

add:

7. RESERVED

Vice President Meffley made a motion to approve Amendment 2 to Bill 2023-11, seconded by Councilman Miller.

Roll call vote: Hamilton – N, Miller -Y, Culberson – N, Meffley – Y, Gregory- N
The motion was defeated 3 to 2.

President Gregory announced a third amendment is being proosed to address the issues raised in the Planning Board recommendation to Council and asked for the amendment to be read into the record.

Council Manager Culver stated for the record:

Amendment No. 3 to Bill No. 2023-11

Title: Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications.

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article II, Part I, Section 12, Definitions in order to add and define Cannabis Terms; Amend Article IV, Section 54, Permissible Uses Tables in order to amend by insertion; Amend Article V, Part III, Section 79, Home Occupations in order strike number 5 due to inaccurate numbering and insert number six (6); in order to Insert Article V, Part XII, Section 164A, 164B, 164C, & 164D, Cannabis Section 164A Cannabis Grower, Section 164B Cannabis Processor & Cannabis Independent Testing Laboratory, Section 164C Dispensary, & 164D Cannabis On-Site Consumption Establishment; Amend Article XIII, Section 263, Prohibited Signs in order to add number thirteen (13); Amend Article XIV, Section 276, General Loading Specifications in order to add to Use, Loading Space, and Off Street Parking Requirements.

Introduced by: President Gregory

On Page 6, line 120 strike:

may

Add:

shall

On page 7, line 161 strike:

may

Add:

shall

Councilwoman Hamilton made a motion to approve Amendment 3 to Bill 2023-11, seconded by Vice President Meffley.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

President Greogory announced no further amendments were being proposed and asked the sponsors of the motion if they concurred with the changes and they noted they did.

Councilwoman Hamilton amended her motion to approve Bill 2023-11 as amended, which was seconded by Vice President Meffley.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

ADJOURNMENT

On motion made by Councilwoman Culberson, seconded by Councilman Miller, President Gregory adjourned the meeting at 8:01 pm.

Council President Gregory announced that the next Council Legislative Session is scheduled on Tuesday, January 16, 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