

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2021-03
February 2, 2021**

The County Council of Cecil County met in legislative session in an online virtual meeting because of the current health crisis and based on the Governor's orders to avoid public meetings. Council Members, presenters and members of the public participated in this meeting by going online to www.ccgov.org/council and selecting "livestream".

The following members of the Council were present:

Robert Meffley, Council President
Al Miller, Council Member
Jackie Gregory, Vice President
William H. Coutz, Council Member
George Patchell, Council Member

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

CALL TO ORDER

The meeting of the County Council of Cecil County of February 2, 2021 was called to order by Council President Meffley at 7:00 p.m. Council President Meffley led the audience in the Pledge of Allegiance.

ROLL CALL OF COUNCIL MEMBERS

Council President Meffley asked for a roll call of attending Council Members. The Council Manager called the roll and recorded the following Council Members in attendance:

Roll Call Vote: Coutz-Present, Miller-Present, Patchell-Present, Gregory-Present, Meffley-Present.

Council President Meffley announced that there were five Council Members present, which constitute a quorum.

SUSPENSION OF RULES

Councilman Coutz made a motion to suspend the rules to allow Council Members who are connected to participate and vote in this legislative session, because of the current health crisis and orders by the Governor to avoid public meetings. The motion was seconded by Vice President Gregory.

Roll Call Vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y
The motion was approved unanimously.

OPENING PRAYER

Councilman Miller introduced Pastor Robert McKnight from United Redeemed Church in Elkton, who led the opening prayer. The Council thanked Pastor McKnight for his many years of public service to the Town of North East.

APPROVAL OF AGENDA

On motion made by Councilman Coutz, seconded by Councilman Miller, the Council moved to approve the legislative agenda of February 2, 2021. Motion was unanimously approved.

APPROVAL OF MINUTES

On motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve the minutes of the legislative session of January 19, 2021. Motion was approved unanimously.

PUBLIC COMMENTS

Jeff Kase, Elkton, commented on the status of the Ethics Commission.

Doug Long, Elkton, commented in support of Council's rejection of proposed Ethics Commission appointees.

Ryan Farmer, Port Deposit, commented in support of the Ethics Commission appointees.

Duane Janney, North East, commented in support of Charles Kelso and Andrew Goins.

Agee Brown, Elkton, commented in support of Charles Kelso.

Anne Foster, Elkton, commented in support of the Ethics Commission appointees.

Jutilia Viera Wilson, Elkton, commented in support of Andrew Goins.

Renee Dixon, Elkton, commented in support of Ethics Commission appointees.

Holly Wolf, Elkton, commented in support of Ethics Commission appointees.

Frank Esposito, Rising Sun, commented in support of Charles Kelso and Andrew Goins.

Donna Caldell, Elkton, commented in support of Ethics Commission appointees.

Jennifer Cooper, Elkton, commented in support of Council rejecting Ethics Commission appointees.

Heidi Gaultney, Elkton, commented that former members of Ethics Commission should not have been fi

Harold McCanick, Elk Neck, commented in support of the Ethics Commission appointees.

Joe Carabetta, Perryville, commented that Council should vet the Ethics Commission appointees.

Andrew Goins, Conowingo, commented in support of the Ethics Commission appointees.

Shelley Evans, Elkton, commented that former Ethics Commission members should not all have been fired.

Janice Colvin, Elkton, thanked the Council for her appointment to the Ethics Commission.

Christina Aldridge, Elkton, commented in support of the Ethics Commission appointees.

David Neff, Elkton, commented in opposition to the firing of all the former Ethics Commission members.

Robert Smith, Elkton, commented in opposition to the firing of all the former Ethics Commission members.

Janice Stenger, Elkton, commented in opposition to the firing of all the former Ethics Commission members.

Larry Gaultney, Elkton, commented that the Ethics Commission should not be involved in politics.

Tom Black, Elkton, commented on his concern of the continuing conflicts in County government officials.

Justin Vest, Rising Sun, commented in support of Ethics Commission appointees.

Mel Adams, Elkton, commented in support of Andrew Goins and Charles Kelso.

Patrick Swoboda, Elkton, commented in support of Ethics Commission appointees.

Vince Sammons, Elkton, commented in opposition of the former members of the Ethics Commission.

Lauren Johnsky, Elkton, commented in opposition to the Executive's actions in appointing members.

Lisa Conley, Elkton, commented in support for opening public schools.

James Gasparo, North East, commented in opposition to the replacement of all Commission members.

Raedina Shelton, Elkton, commented in support of Ethics Commission appointees.

PRESIDENT AND COUNCIL COMMENTS

Vice President Gregory thanked the audience for attending. She will be attending the MACo legislative committee and participating in the Rural Maryland Council.

Councilman Patchell commended the Health Department for their vaccine clinic that was well organized and efficient. He recognized the volunteers from Singerly Fire Company who assisted with the vaccine clinic. He commented that the reduction of vaccine allocation must be remedied.

Councilman Coutz thanked the audience for their attendance and comments. He commended the Health Department on their vaccine clinic. He reported on the Sheriff's intel weekly meeting that most statistics are down because of the weather, although overdoses continue to exceed last year's level. He encouraged the administration to examine what else can be done to curb this rise in drug overdoses.

Councilman Miller thanked the audience for attending and their comments. He commented on taking his parents to the Health Department clinic for their vaccines at the Walls Activity Center in Fair Hill. He commended the volunteers and National Guard for their support. He also recognized Lauren Levy, Health Officer; Rachel Temby, Park Superintendent; and Denise Hill, COVID Coordinator for their outstanding work and dedication. He also thanked the Cecil County Delegation for their legislative update.

Council President Meffley attended the delegation meeting and was very pleased with local legislation being proposed. He stated that he receives many emails from citizens requesting assistance with problems. He asked that they include their telephone number so he can contact them faster.

INTRODUCTION OF RESOLUTIONS

Council President Meffley addressed the Council to explain that Resolution Nos. 14-2021 through 18-2021 will not be introduced.

He stated that Resolution Nos. 08-2021 through 12-2021, regarding appointments to the Ethics Commission, had been rejected by the Council at introduction on January 19, 2021 because the appointees' names were already listed on the County's website as if the Council's action was not required to confirm. He stated that the Council felt justified in rejecting these appointments because the administration appeared not to follow the proper procedure. He said that the Council considered that the appointees were rejected when the Resolutions were rejected.

President Meffley stated that the administration held that no action was taken on the appointees and stated that these appointments would be confirmed in 30 days, unless that Council took action before February 19, 2021. He stated that our attorneys disagreed with the administration that the rejection of the Resolutions at introduction demonstrated Council acting to reject the appointees. He stated that the Council wished to avoid a legal conflict with the administration because there was no case law to cite.

Since the Council rejected Resolutions No. 08-2021 through 12-2021 at introduction, President Meffley stated that our attorney advised us to reintroduce these Resolutions as new legislation, as Resolution Nos. 14-2021 through 18-2021. He stated that the Council legislative agenda was revised to add these Resolutions for introduction.

President Meffley stated that the County Executive sent an email at 4:31pm on February 2 that the administration did not authorize or request new legislation regarding the Ethics Board appointments.

Since the Executive opposed the reintroduction of the Resolutions, President Meffley stated that our attorney advised us to rescind the motion, made on January 19, 2021, to reject Resolution Nos. 08-2021 through 12-2021, table action on the Resolutions until February 16, 2021, to give time for Council Members to interview and vet the appointees.

Dan Schneckenburger, Director of Administration, stated the administration's objection to the new Resolution Nos. 14-2021 through 18-2021 as not requested by the Executive, that the Council agenda had been revised and posted less than 24 hours in advance, which he alleged did not comply with the Open Meetings Act.

Council President Meffley stated that the Council agenda can be revised when there are last minute changes, as Council Attorney advised. He stated that there are so many issues in the county that are important and we have been mired in these Ethics Commission appointments.

Vice President Gregory made a motion to move discussion of the Ethics Commission to the end of the agenda and go into closed session for legal advice. The motion failed for lack of a second.

Councilman Coutz made a motion to withdraw the introduction of Resolution Nos. 14-2021 through 18-2021; and to rescind the motion to reject at introduction of Resolution Nos. 08-2021 through 12-2021 made at the Council legislative session of January 19, 2021; and to table consideration until February 16, 2021 to allow time for Council Members to interview and vet the appointees. The motion was seconded by Councilman Miller.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Abstain, Meffley-Y

The motion was approved by a vote of 4 to 1. Vice President Gregory abstained due to lack of legal advice.

Council Manager Massey restated that Resolution Nos. 08-2021 through 12-2021, which were introduced on January 19, 2021 and scheduled for consideration tonight, will be tabled for consideration until the Council legislative session on February 16, 2021, which will be within the thirty days of introduction.

Councilman Coutz made a motion to table consideration of Resolution Nos. 08-2021 through 12-2021 until February 16, 2021. Councilman Miller seconded the motion.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Abstain, Meffley-Y

The motion was approved by a vote of 4 to 1. Vice President Gregory abstained.

Council President Meffley asked Mr. Schneckenburger if he disagreed with Council's actions. Mr. Schneckenburger stated to go ahead and conduct County Council business as you wish.

Councilman Coutz asked to explain his motions. He stated that the Council provides a process that every appointee is given the opportunity through the vetting and interview process so that we can confirm or not

confirm. He stated that the candidates were put in public venue on the website and listed as members of the Ethics Commission. He stated that the Council wants the process followed, the Council was given no time to interview or vet the appointees. He stated that the Council will now follow the process to interview and vet these candidates.

Vice President Gregory also commented on the Council's reaction to this situation. She mentioned that the previous administration provided misinformation. She stated that she hoped that the Council will take a different tone with the new administration. She expressed her concern that we did not consult with Council Attorney.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 05-2021 Appointment—Weed Control Advisory Board

A Resolution to confirm the reappointments by the County Executive of Monty Johnson, Anthony Calao, Mike Scheeler, Dan Webber, Lane Heimer, Ronald Penhollow and Mark Martin to the Cecil County Weed Control Advisory Board for a one (1) year term, to expire February 2, 2022.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

There were no final comments. There were no Council questions or comments.

Councilman Miller made a motion to approve Resolution No. 05-2021, which was seconded by Councilman Coutz.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 06-2021 Appointment—Human Services Agency – David Trolio

A Resolution to confirm the reappointment of David Trolio, to the Human Services Agency to a two-year term, to expire on February 2, 2023.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

There were no final comments. There were no Council questions or comments.

Vice President Gregory made a motion to approve Resolution No. 06-2021, which was seconded by President Meffley.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 07-2021 Supplemental Appropriation – Grant Funds - COVID

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2021, in order to provide a total of \$448,139 to the Department of Community Services – Community Partnerships Division budget by recording the grant awarded from The Governor’s Office of Crime Prevention, Youth and Victim Services. The Coronavirus Emergency Supplemental Funding “CESF” – Supporting Cecil County During the Coronavirus Pandemic Grant will provide assistance to child, and families by supporting local partners including victim services, law enforcement and child service agencies throughout Cecil County.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

There were no final comments. There were no Council questions or comments.

Councilman Miller made a motion to approve Resolution No. 07-2021, which was seconded by Councilman Coutz.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

The motion was approved unanimously.

Council Manager Massey stated for the record:

Resolution No. 13-2021 Supplemental Appropriation – Fund Balance -Volunteer Fire Services – Vehicle Replacement Program

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2021, in order to provide the Volunteer Fire Service Department’s budget within the General Fund expenditure appropriation authority to authorize \$250,000 to be expended for the County’s match portion towards the Vehicle Replacement Program.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

There were no final comments. There were no Council questions or comments.

Councilman Coutz made a motion to approve Resolution No. 07-2021, which was seconded by Vice President Gregory.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Y, Meffley-Y

The motion was approved unanimously.

Because the Council took action during the Introduction of Resolutions, the following Resolutions were scheduled for consideration. However, Councilman Coutz made a motion to table consideration of Resolution Nos. 08-2021 through 12-2021 until February 16, 2021. Councilman Miller seconded the motion.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Abstain, Meffley-Y

The motion was approved by a vote of 4 to 1. Vice President Gregory abstained.

The Council determined that Resolution Nos. 08-2021 through 12-2021 should be read into the record in order to clarify that consideration is tabled until February 16, 2021.

Council Manager Massey stated for the record:

Resolution No. 08-2021 Appointment—Cecil County Ethics Commission – Janet Pope

A Resolution to confirm the appointment of Janet Pope made by the County Executive to the Cecil County Ethics Commission, term to expire October 3, 2021.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

As previously stated, Councilman Coutz made a motion to table consideration of Resolution Nos. 08-2021 through 12-2021 until February 16, 2021. Councilman Miller seconded the motion.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Abstain, Meffley-Y
The motion was approved by a vote of 4 to 1. Vice President Gregory abstained.

Resolution No. 09-2021 Appointment—Cecil County Ethics Commission – Andrew Goins

A Resolution to confirm the appointment of Andrew Goins made by the County Executive to the Cecil County Ethics Commission, term to expire August 7, 2022.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

As previously stated, Councilman Coutz made a motion to table consideration of Resolution Nos. 08-2021 through 12-2021 until February 16, 2021. Councilman Miller seconded the motion.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Abstain, Meffley-Y
The motion was approved by a vote of 4 to 1. Vice President Gregory abstained.

Resolution No. 10-2021 Appointment—Cecil County Ethics Commission – Joseph Graf

A Resolution to confirm the appointment of Joseph Graf made by the County Executive to the Cecil County Ethics Commission, term to expire December 19, 2023.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

As previously stated, Councilman Coutz made a motion to table consideration of Resolution Nos. 08-2021 through 12-2021 until February 16, 2021. Councilman Miller seconded the motion.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Abstain, Meffley-Y
The motion was approved by a vote of 4 to 1. Vice President Gregory abstained.

Resolution No. 11-2021 Appointment—Cecil County Ethics Commission – Charles Kelso

A Resolution to confirm the appointment of Charles Kelso made by the County Executive to the Cecil County Ethics Commission, term to expire March 3, 2024.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

As previously stated, Councilman Coutz made a motion to table consideration of Resolution Nos. 08-2021 through 12-2021 until February 16, 2021. Councilman Miller seconded the motion.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Abstain, Meffley-Y
The motion was approved by a vote of 4 to 1. Vice President Gregory abstained.

Resolution No. 12-2021 Appointment—Cecil County Ethics Commission – Heather O'Rourke

A Resolution to confirm the appointment of Heather O'Rourke made by the County Executive to the Cecil County Ethics Commission, term to expire July 18, 2024.

The Resolution was introduced on January 19, 2021 and scheduled for consideration on February 2, 2021.

As previously stated, Councilman Coutz made a motion to table consideration of Resolution Nos. 08-2021 through 12-2021 until February 16, 2021. Councilman Miller seconded the motion.

Roll call vote: Coutz-Y, Miller-Y, Patchell-Y, Gregory-Abstain, Meffley-Y
The motion was approved by a vote of 4 to 1. Vice President Gregory abstained.

ADJOURNMENT

On motion made by Councilman Coutz, seconded by Councilman Miller, Council President Meffley adjourned the meeting at 9:05 p.m.

The next Council Legislative Session is scheduled on Tuesday, February 16, 2021 at 7:00 p.m., which is planned as a virtual meeting because of the current health crisis. The session will be livestreamed on the County Council's webpage. Members of the public who do not have broadband access should contact the Council Office for instructions to be connected via telephone.

Attest:


James Massey
Council Manager

Approved:


Robert Meffley
Council President