

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2021-12
June 15, 2021**

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:

Robert Meffley, Council President
Jackie Gregory, Vice President
William H. Coutz, Council Member
Al Miller, Council Member
George Patchell, 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 June 15, 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.

OPENING PRAYER

Councilman Miller introduced Pastor Steve Nissley from Mercy Baptist Church in North East who led the opening prayer.

APPROVAL OF AGENDA

On motion made by Councilman Coutz, seconded by Vice President Gregory, the Council moved to approve the legislative agenda of June 15, 2021. Motion was unanimously approved.

SPECIAL PRESENTATION

Karen Nusic, Risk Manager, introduced Tim Ailsworth, Executive Director, LGIT, who presented a grant award to the Animal Control Division for officer certification training. Abigail Bingham, Division Director, and Daniel Puhalski, Animal Control Officer, accepted the grant award on behalf of the division.

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 June 1, 2021. Motion was approved unanimously.

PUBLIC COMMENTS

Deb Kurtz, North East, commented in support of the bond bills.
Robert Gorman, Easton, commented in support of the bond bills.
Ryan Farmer, Port Deposit, commented in support of the bond bills.

Bob Gatchell, Port Deposit, commented in support of the bond bills.
Adriana Brown, Rising Sun, commented in support of the bond bills.
Renee Dixon, Port Deposit, commented in support of the bond bills.
Harold McCanick, Elk Neck, commented in support of the bond bills.

PRESIDENT AND COUNCIL COMMENTS

Vice President Gregory thanked the audience for attending. She congratulated students who finished the final day of school. She attended Rising Sun's Sunfest and commended the event for the large turnout, businesses, music and parade. She attended the Chesapeake City Volunteer Fire Company awards banquet where they recognized volunteers for years of service and the number of call responses. She attended the Breakfast with the North East Chamber of Commerce where Steven Overbay, Economic Development Director, spoke. She attended the Elkton Community Center ribbon cutting and applauded the opportunity for children to come to the center for worthwhile activities. She attended Flag Day ceremonies at the North East VFW Post. She stated that Jim Ports, MDTA Executive Director, had mentioned at the CTP meeting of the need for an environmental impact study before the State could consider moving the I-95 tolls.

Councilman Coutz thanked the audience for attending. He also thanked the administration for opening the administration building to the public. He attended the Elkton High School graduation and congratulated high school seniors. He attended the Eagle court of honor for Owen Kerr from Troop 28. He attended the Army Alliance meeting and stated that General Kilgo would be leaving Aberdeen Proving Ground for another assignment. He attended the ribbon cutting for the Elkton Community Center and commented that Elkton children will enjoy basketball and other activities there.

Councilman Patchell thanked the audience for attending. He thanked the administration for assisting him in helping constituents with their concerns.

Councilman Miller thanked the audience for attending. He attended the North East Fishing Tournament and commended Sandy Turner for her sponsorship. He attended a meeting of the Cecil County Fair board and reminded the audience that the fair will be held July 23-31, 2021.

Council President Meffley attended graduation ceremonies at Bohemia Manor High School. He attended the Army Alliance meeting and commended General Kilgo for his years of service and expressed his hope that Aberdeen Proving Ground may be interested in dredge spoils at Conowingo Dam to stabilize the base's shoreline and low areas. He attended Sunfest in Rising Sun and the opening of the Elkton Community Center. He thanked the administration for allowing Council Members to contact department heads directly for constituent assistance.

INTRODUCTION OF RESOLUTIONS

Council President Meffley stated that Resolution No. 30-2021 Amendment – Personnel Policies and Procedures Manual, was withdrawn by the administration and will be introduced at a later date.

Council Manager Massey stated for the record:

Resolution No. 31-2021 Supplemental Appropriation-Grant Funds- Animal Services – Officer Certification Training

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2022, in order to provide a total of \$2,369 to the Department of Community Services- Animal Services Division to record the training grant awarded from the Local Government Insurance Trust (LGIT) for the purpose of funding an officer's certification through the National Animal Control Association.

Dan Schneckenburger, Director of Administration, provided comments. There were no Council questions or comments.

Introduced, read first time, order posted on June 15, 2021, and scheduled for consideration on July 6, 2021.

Council Manager Massey stated for the record:

Resolution No. 32-2021 Supplemental Appropriation- Fund Balance - Board of Education- Maintenance of Effort

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2022, in order to provide the Board of Education Operating Budget within the General Fund, expenditure appropriation authority to authorize \$2,159,160 to be added to the FY2022 Board of Education allocation in order to comply with the required maintenance of effort (MOE) level for FY2022.

James Appel, Finance Director, provided comments. Vice President Gregory clarified that the funds would come from the assigned fund balance.

Council President Meffley stated that the school system had asked for the Council to consider expediting this legislation so that it could be approved by June 30, 2021. They stated that if the Resolution was not approved by that date, the school system could lose \$11M in additional state funding. Council discussion ensued.

Vice President Gregory made a motion to expedite Resolution No. 32-2021, which was seconded by Councilman Miller.

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

Introduced, read first time, order posted on June 15, 2021. This legislation will be expedited and will be considered for approval at tonight's session.

Council Manager Massey stated for the record:

Resolution No. 33-2021 Supplemental Appropriation – Grant Funds – Prevention and Overdose Response and Trauma Support

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2022, in order to provide up to \$38,871 to the Special Revenue Other Grants Fund-Human Services to record the Memorandum of Understanding (MOU) Inter-Agency Agreement between the Cecil County Health Department and Cecil County. The agreement provides for the startup costs associated with the Prevention and Overdose Response and Trauma Supports (PORTS) initiative.

Dan Schneckenburger, Director of Administration, provided comments. There were no Council questions or comments.

Introduced, read first time, order posted on June 15, 2021, and scheduled for consideration on July 6, 2021.

Council Manager Massey stated for the record:

Resolution No. 34-2021 Supplemental Appropriation – Grant Funds - Broadband Expansion

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2022, in order to provide a total of \$605,915 to the Special Revenue Other Grants Fund-Information Technology to record the grant awarded from the Maryland Department of Housing and Community Development, administered by the Governor's Office of Rural Broadband, for the purpose of bringing internet access to underserved areas of Cecil County.

Dan Schneckenburger, Director of Administration, provided comments. There were no Council questions or comments.

Introduced, read first time, order posted on June 15, 2021, and scheduled for consideration on July 6, 2021.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 25-2021 Authorization – Refunding Bonds of 2021

A Resolution to authorize and empower Cecil County, Maryland to borrow, from time to time, not more than Twenty One Million Dollars (\$21,000,000) and to effect such borrowing by the issuance and sale of its general obligation bonds in one or more series, authorized by Section 19-207 of the Local Government Article of the Annotated Code of Maryland (2013 Replacement Volume), such bonds to be designated "Cecil County, Maryland Refunding Bonds of 2021," such bonds to be sold and issued for the purpose of refunding certain outstanding general obligation bonds of the County; to empower the County Executive to execute and deliver one or more executive orders prior to issuing the bonds in order to fix, prescribe and determine certain matters relating to such bonds and the issuance and sale thereof, as hereinafter described; empowering and directing the County to levy ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, or successor provisions; providing that the County may issue and sell all or any portion of the bonds as bonds the interest on which is not excludable from

gross income for federal income tax purposes; and to provide for and determine certain matters in connection with the sale, issuance and delivery of such bonds.

The administration has proposed Amendment No. 1 to Resolution No. 25-2021.

Council Manager Massey stated for the record:

**AMENDMENT NO.1
TO RESOLUTION NO. 25-2021**

Title: Report to Council after Bond Sale

Synopsis: To require the administration to report the details of the Refunding Bonds after the sale has been completed.

Introduced by: Council President on behalf of County Executive

On Page 6, line 143, insert the following:

"Section 12. No later than 60 days after the issuance of each series of Refunding Bonds pursuant to this Resolution, the County Executive shall provide the County Council with a report describing the details of such Refunding Bonds and the County Council may provide their opinion regarding such report; provided however, that neither the failure to provide such report nor any action or inaction by the County Council with respect to such report shall have any effect on the validity or enforceability of the Refunding Bonds."

The Resolution was introduced on May 4, 2021, public hearing held and concluded on June 1, 2021, and scheduled for final consideration on June 15, 2021.

Lawrence Scott, County Attorney, provided comments. Council discussion ensued. Councilman Coutz supported the bond sale but expressed his concern that the Council has no oversight over the transaction. Council President Meffley agreed that the Council is giving up oversight, but he still will support the bond sale. Vice President Gregory commented that this is the first time that the administration will come back to the Council and report on the bond sale. Councilman Patchell stated that he supported the previous bond legislation and supports this legislation.

Councilman Miller made a motion to approve Amendment No. 1 to Resolution No. 25-2021, 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

The administration has proposed Amendment No. 2 to Resolution No. 25-2021.

Council Manager Massey stated for the record:

**AMENDMENT NO.2
TO RESOLUTION NO. 25-2021**

Title: Sunset clause date

Synopsis: To adjust the sunset clause.

Introduced by: Council President on behalf of County Executive

On Page 4, lines 77, delete "December 31, 2022" and insert "June 30, 2022"

Councilman Miller made a motion to approve Amendment No. 2 to Resolution No. 25-2021, which was seconded by Council Coutz.

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

Council President Meffley called for a motion for Resolution No. 25-2021 as amended.

Councilman Miller made a motion to approve Resolution No. 25-2021 As Amended, which was seconded by Council 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. 29-2021 Appointment—Property Tax Assessment Appeal Board- Dale K. DeWeese

A Resolution to approve the appointment of Dale K. DeWeese as a member of the Cecil County Property Tax Assessment Appeal Board, for a 5- year term to expire on June 1, 2026.

The Resolution was introduced on June 1, 2021, and scheduled for consideration on June 15, 2021.

There were no comments from the administration. There were no Council questions or comments.

Councilman Coutz made a motion to approve Resolution No. 29-2021, 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.

Council Manager Massey stated for the record:

Resolution No. 32-2021 Supplemental Appropriation- Fund Balance - Board of Education- Maintenance of Effort

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2022, in order to provide the Board of Education Operating Budget within the General Fund, expenditure appropriation authority to authorize \$2,159,160 to be added to the FY2022 Board of Education allocation in order to comply with the required maintenance of effort (MOE) level for FY2022.

The Resolution was introduced on June 15, 2021, and scheduled for consideration on July 6, 2021. The Council approved this legislation to be expedited by a supermajority, and scheduled for consideration on June 15, 2021.

There were no comments from the administration. Councilman Coutz verified that fire equipment and funds from the Sheriff's Office will be restored after June 30, 2021. He also clarified that the calculations for funding the maintenance of effort had been delayed.

Vice President Gregory made a motion to approve Resolution No. 32-2021, which was seconded by Councilman Miller.

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

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2021-07 Bond Authorization – General Obligation Project Bonds

An Act authorizing and empowering Cecil County, Maryland, from time to time, to borrow not more than Thirty Nine Million Dollars (\$39,000,000) for the purpose of financing the costs of certain public facilities in Cecil County described herein, and to effect such borrowing by the issuance and sale of its general obligation bonds in one or more series; empowering the County Executive to execute and deliver one or more executive orders prior to issuing the bonds in order to fix, prescribe and determine the details of the bonds and the issuance and sale thereof; empowering and directing the County to levy ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, or successor provision; authorizing the County to issue and sell bond anticipation notes in one or more series pursuant to the authority of Sections 19-211 through 19-221 of the Local Government Article of the Annotated Code of Maryland, or successor provision, prior to and in anticipation of the sale of the bonds; providing that the County may issue and sell all or any portion of the bonds as bonds the interest on which is not excludable from gross income for federal income tax purposes; authorizing the County to issue bonds for the purpose of refunding any bonds issued pursuant to this Act in one or more series pursuant to the authority of Section 19-207 of the Local Government Article of the Annotated Code of Maryland; and relating generally to the issuance and sale of such bonds.

The Bill was introduced on May 4, 2021, public hearing held and concluded on June 1, 2021, and scheduled for consideration on June 15, 2021.

James Appel, Finance Director, provided comments. There were no Council questions or comments.

Councilman Coutz made a motion to approve Bill No. 2021-07, 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.

Council Manager Massey stated for the record:

Bill No. 2021-08 Bond Authorization – General Obligation Refunding Bonds

An Act authorizing and empowering Cecil County, Maryland, from time to time, to issue and sell its general obligation bonds in one or more series for the purpose of refunding all or a portion of its outstanding general obligation bonds described herein and the bonds authorized hereby; empowering the County Executive to execute and deliver one or more executive orders prior to issuing the bonds in order to fix, prescribe and determine the details of the bonds and the issuance and sale thereof; empowering and directing the County to levy ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, or successor provisions; providing that the County may issue and sell all or any portion of the bonds as bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

The Bill was introduced on May 4, 2021, public hearing held and concluded on June 1, 2021, and scheduled for consideration on June 15, 2021.

Lawrence Scott, County Attorney, provided comments. Councilman Coutz stated his objection to the procedure but will support the legislation because of the savings to the County. He stated that the Council has no impact, but he will look forward to the Executive's report.

The administration has proposed Amendment No. 1 to Bill No. 2021-08.

Council Manager Massey stated for the record:

**AMENDMENT NO. 1
TO BILL NO. 2021-08**

Title: Report to Council after Bond Sale

Synopsis: To require the administration to report the details of the General Obligation Refunding Bonds after the sales has been completed.

Introduced by: Council President on behalf of County Executive

On Page 6, line 124, insert the following:

"Section 10. No later than 60 days after the issuance of each series of Bonds pursuant to this Ordinance, the County Executive shall provide the County Council with a report describing the details of such Bonds and the County Council may provide their opinion regarding such report; provided however, that neither the failure to provide such report nor any action or inaction by the County Council with respect to such report shall have no effect on the validity or enforceability of the Bonds."

Vice President Gregory made a motion to approve Amendment No. 1 to Bill No. 2021-08, which was seconded by Councilman Miller.

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

Vice President Gregory made a motion to approve Amendment No. 2 to Bill No. 2021-08, which was seconded by Councilman Miller.

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

Council President Meffley called for a motion for Bill No. 2021-08 As Amended.

Vice President Gregory made a motion to approve Amendment No. 2 to Bill No. 2021-08, which was seconded by Councilman Miller.

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:

**Bill No. 2021-09 Transfer of Appropriations – Board of Education Capital Budget –
FY 2022 to FY 2021**

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2021, to move forward the bond expenditure authority in the amount of \$4,200,000, requested for the New Chesapeake City Elementary School within the Board of Education Capital Projects Budget, resulting in a reduction to FY2022 and increase to the current fiscal year 2021.

The Bill was introduced on May 4, 2021, public hearing held and concluded on June 1, 2021, and scheduled for consideration on June 15, 2021.

James Appel, Finance Director, provided comments. Vice President Gregory commented that the Chesapeake City Elementary School project was ahead of schedule and needed additional funds moved to cover the final costs of the project.

Councilman Miller made a motion to approve Bill No. 2021-09, 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:

**Bill No. 2021-10 Transfer of Appropriations – Board of Education Capital Budget –
North East Middle School**

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2021 to transfer existing bond appropriation authority within the Board of Education Capital Projects Budget, in the amount of \$308,706.71 from the New Gilpin Manor Elementary School completed project, to the preliminary design work for the new North East Middle School.

The Bill was introduced on May 4, 2021, public hearing held and concluded on June 1, 2021, and scheduled for consideration on June 15, 2021.

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

The administration has proposed Amendment No. 1 to Bill No. 2021-10.

Council Manager Massey stated for the record:

**AMENDMENT NO.1
TO BILL NO. 2021-10**

Title: Transfer of appropriations to Chesapeake City Elementary School.

Synopsis: To transfer existing bond appropriation authority within the Board of Education Capital Projects Budget to the final phase of construction of the new Chesapeake City Elementary School.

Introduced by: Council President on behalf of County Executive

On page 1, under Title of Bill:

Delete "North East Middle School" and insert "Chesapeake City Elementary School.

On page 1, line 4, under Synopsis:

Delete "preliminary design work for the new North East Middle School" and insert "final phase of construction of Chesapeake City Elementary School"

On page 2, lines 13-14:

Delete "North East Middle School Project to facilitate preliminary design on the project" and insert "Chesapeake City Elementary School Project to facilitate final construction of the project.

On page 2, lines 23:

Delete "North East Middle School Project" and insert "Chesapeake City Elementary School Project".

Councilman Coutz made a motion to approve Amendment No. 01 to Bill No. 2021-10, which was seconded by Councilman Miller.

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

Council President Meffley called for a motion for Bill No. 2021-10.

Councilman Coutz made a motion to approve Bill No. 2021-10 As Amended, which was seconded by Councilman Miller.

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:

Bill No. 2021-11 Transfer of Appropriations – Board of Education Capital Budget – Chesapeake City Elementary School

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2021, to transfer existing bond appropriation authority within the

Board of Education Capital Projects Budget, in the amount of \$100,888.46 from completed School Capital Projects (Bohemia Manor High Roof Replacement Project \$95,364.20; Providence School Roof Replacement Project \$1,471.00; Rising Sun Elementary School Boiler Replacement Project \$3,993.00; and Cherry Hill Middle School Windows and Doors Project \$60.26); to the New Chesapeake City Elementary School Project currently under construction.

James Appel, Finance Director, provided comments. There were no Council questions or comments.

Vice President Gregory made a motion to approve Bill No. 2021-11, which was seconded by Councilman Coutz.

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

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #87

Councilman Coutz made a motion to approve Budget Amendment #87, in the amount of \$538,958 for May 2021 expenses, which was seconded by Councilman Miller. The Council unanimously approved the motion by a voice vote of 5 to 0.

ADJOURNMENT

On motion made by Vice President Gregory, seconded by Councilman Coutz, Council President Meffley adjourned the meeting at 8:14 p.m.

Council President Meffley announced that the next Council Legislative Session is scheduled on Tuesday, July 6, 2021 at 7:00 p.m. in the Elk Room of the County Administration Building. The public may attend and participate. The legislative session will continue to be livestreamed in real time 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.

Attest:


James Massey
Council Manager

Approved:


Robert Meffley
Council President