

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2021-02
January 19, 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 January 19, 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 Tucker from Five Rivers Church in Elkton, 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 January 19, 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 5, 2021. Motion was approved unanimously.

PUBLIC COMMENTS

David Neff, Elkton, commented in opposition to the Ethics Commission appointments.

Heidi Gaultney, Elkton, commented in opposition to firing the Ethics Commission members.

Andrew Goins, Conowingo, commented that he was nominated to the Ethics Commission but not a puppet of the County Executive.

Lois Drake, Elkton, commented in opposition to the firing of Ethics Commission members.

Tim Rothermel, Cecil Solidarity, commented in opposition to the Ethics Commission appointments.

Lauren Jonski, Elkton, commented in opposition to the Ethics Commission appointments.

Jen Cooper, Elkton, commented in opposition to the firing of Ethics Commission members.

Doug Long, Elkton, commented in opposition to dismissal of Ethics Commission members.

Katherine Johnston, North East, commented on opening public schools during the pandemic.

Jennifer LePore, Elkton, commented in opposition to Ethics Commission appointments.

PRESIDENT AND COUNCIL COMMENTS

Vice President Gregory thanked the audience for attending. She expressed her condolences for the family and friends of State Senator Mike Miller on his passing. She cited Charter section 412(b) and section 412(d), and expressed her concern that the Council must confirm or reject the appointments to the Ethics Commission.

Councilman Coutz thanked the audience for their interest in the Council. He commented that the Council did not have an opportunity to be introduced to Ethics Commission appointments before their names were listed on the County's website. He stated that the Sheriff's Intel Meeting was devoted to plans for the Presidential Inauguration train coming through Cecil County. He stated that the County Executive ran on a platform that did not state anything about the Ethics Commission.

Councilman Miller commented that he had a busy week. He attended the Local Management Board and commented on their work on behalf of mental health, drug abuse, and children with incarcerated parents. He commented on the retirement of Dr. Richard Szumel from Union Hospital. He also attended meetings of the Fair Hill International, Cecil Fair and Farm Bureau. He attended the virtual Martin Luther King Celebration held at Wright's AME Church.

Councilman Patchell thanked the audience for attending. He attended the Parks and Recreation Advisory Board and reported that the Friends of Parks and Recreation had raised funds for disk golf course at Brantwood Park.

Council President Meffley stated that he was unable to connect to the virtual Martin Luther King Celebration. He stated that he had driven to the sites of rezoning cases that will be coming to the Council and talked to residents.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2021-01 County Council - Qualifications

An Act to amend Chapter 21 (County Council) to add a new section to be titled "Qualifications" to reflect the approved Charter Amendment that non-elected board members, committee members and employees, who receive county funds, not under the direct supervision or substantially controlled by the County Executive or County Council, may be qualified as candidates for County Council; which was approved as Local Question A by Cecil County qualified voters at the General Election on November 3, 2020.

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

Introduced, read first time, order posted and scheduled for public hearing on February 16, 2021.

Council Manager Massey stated for the record:

Bill No. 2021-02 Ethics – Employment and Financial Interest Restrictions

An Act to amend Chapter 39. (Ethics), Article III. (Prohibited Conduct and Interest), Section 39-14. (Employment and Financial Interest Restrictions), to add language to reflect the Charter Amendment that non-elected board members, committee members and employees, who receive county funds, not under the direct supervision or substantially controlled by the County Executive or County Council, are not included in the restrictions of employment and financial interest; which was approved as Local Question A by Cecil County qualified voters at the General Election on November 3, 2020.

There were no introductory comments. Councilman Coutz stated that this change should help Cecil County Council to have more candidates for office.

Introduced, read first time, order posted and scheduled for public hearing on February 16, 2021.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 04-2021 Amendment – Comprehensive Plan – Mineral Extraction

A Resolution to amend the Comprehensive Plan in order change the land use classification of a 60.102 acre property, located at 730 Craigtown Road, Port Deposit, Maryland, from Medium Density Growth area to Mineral Extraction District for the purpose of removal of sand and gravel resources; and amend the total proposed land uses by area categories.

Council President Meffley asked Jim Gawthrop, York Building Products, to provide comments on this request. There were no Council questions or comments.

Introduced, read first time, order posted and scheduled for public hearing on February 16, 2021.

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.

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

Introduced, read first time, order posted and scheduled for consideration on February 2, 2021.

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.

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

Introduced, read first time, order posted and scheduled for consideration on February 2, 2021.

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 children and families by supporting local partners including victim services, law enforcement and child service agencies throughout Cecil County.

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

Introduced, read first time, order posted and scheduled for consideration on February 2, 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.

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.

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.

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.

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.

Dan Schneckenburger, Director of Administration, provided introductory remarks. Council questions and comments ensued. Council Members expressed their concern on the Executive's action in firing all the current members of the Ethics Commission when staggered terms allow continuity. Vice President Gregory expressed her concern that if the Council's rejection of appointments at introduction could be legally challenged so that new appointees would be confirmed by operation of law in thirty days of introduction. Councilman Miller and Coutz were concerned that the procedure to appoint Ethics Commission members was not properly followed. Vice President Gregory also expressed concern that if the proposed appointments were not approved, Cecil County has no Ethics Commission, which is required by State law. Council President Meffley stated that Council should have been given the opportunity to vet these appointments before they were presented for approval.

Councilman Coutz made a motion to reject Resolution No. 08-2021, Resolution No. 09-2021, Resolution No. 10-2021, Resolution No. 11-2021, and Resolution No. 12-2021. The motion was seconded by Council President Meffley. Council Manager Massey stated that a supermajority of four votes is required by Charter to reject legislation at introduction.

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

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

Resolution No. 08-2021, Resolution No. 09-2021, Resolution No. 10-2021, Resolution No. 11-2021, and Resolution No. 12-2021 were rejected at introduction, pursuant to Cecil County Charter, section 403(d).

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.

Dan Schneckenburger, Director of Administration, provided introductory comments. Council President Meffley thanked the administration for putting this resolution forward.

Introduced, read first time, order posted and scheduled for consideration on February 2, 2021.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 01-2021: Supplemental Appropriation – Grant Funds – Tourism – Winter Lights Cecil Nights

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 \$5,000 to the Special Revenue Other Grants Fund- Office of Economic Development – Tourism to record the grant awarded from the Upper Shore Regional Council for the purpose of a “Winter Lights-Cecil Nights” Marketing Campaign in Cecil County.

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

The Resolution was introduced on January 5, 2021 and scheduled for consideration on January 19, 2021.

Councilman Coutz made a motion to approve Resolution No. 01-2021, 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. 02-2021: Supplemental Appropriation – Grant Funds – MARBIDCO – Micro Ag Grant 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 a total of \$14,000 to the Special Revenue Other Grants Fund- Office of Economic Development to record the cost share grant awarded from the Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) for the purpose of matching funds towards the Micro Ag-Grant program in Cecil County.

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

The Resolution was introduced on January 5, 2021 and scheduled for consideration on January 19, 2021.

Councilman Miller made a motion to approve Resolution No. 02-2021, 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. 03-2021: Supplemental Appropriation – Grant Funds – Upper Shore Regional Council – Micro Ag Grant 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 a total of \$16,000 to the Special Revenue Other Grants Fund- Office of Economic Development to record the grant awarded from the Upper Shore Regional Council for the purpose of a Micro Ag-Grant program in Cecil County.

Steve Overbay, Economic Development Director, provided comments. There were no Council questions or comments.

The Resolution was introduced on January 5, 2021 and scheduled for consideration on January 19, 2021.

Councilman Miller made a motion to approve Resolution No. 03-2021, which was seconded by Councilman Coutz.

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

The motion was approved unanimously.

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #82

Councilman Coutz made a motion to approve Budget Amendment #82, in the amount of \$265,309 for December 2020, which was seconded by Council President Meffley. The Council approved the motion unanimously.

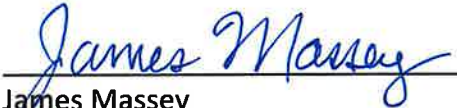
ADJOURNMENT

On motion made by Vice President Gregory, seconded by Councilman Coutz, Council President Meffley adjourned the meeting at 8:09 p.m.

The next Council Legislative Session is scheduled on Tuesday, February 2, 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.

Approved:

Attest:


James Massey
Council Manager


Robert Meffley
Council President