

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2022-16
July 26, 2022

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
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 July 26, 2022, was called to order by Council President Meffley at 7:00 p.m.

OPENING PRAYER

Council Member Miller introduced Pastor Josh McCord from Conowingo Baptist Church in Conowingo, who led the opening prayer.

APPROVAL OF AGENDA

On motion made by Councilman Coutz, seconded by Councilwoman Culberson, the Council moved to approve the legislative agenda of July 26, 2022. Motion was approved unanimously.

PRESENTATION OF PROCLAMATIONS AND CERTIFICATES

The Council presented a proclamation to Jacob Schiable in recognition for his participation in USA Special Olympics for twenty-five years and as a member of Team Maryland United Basketball that played in the national tournament.

PUBLIC HEARINGS

Council Manager Massey stated for the record:

Bill No. 2022-09 Fire Companies Volunteer – Emergency Services Expenses – Reimbursement

An Act to add to Chapter 49, Fire Companies, Volunteer, of the Code of Cecil County; to include authorization for the member volunteer fire and fire and ambulance companies of the Cecil County Firemen's Association to obtain reimbursement of certain costs to render services during the normal course of emergency service and/or rescue operations.

The Bill was introduced on June 21, 2022, advertised on July 13, 2022 and July 20, 2022, and scheduled for public hearing on July 26, 2022. Councilman Coutz, the Bill's sponsor, provided comments. Steve Overbay, Acting Director of Administration, provided comments and referred to

County Executive's letter regarding possible changes to the legislation. There were no Council questions or comments.

Council President Meffley opened the hearing for public comments.

Robert Muller, Singerly Fire Company, commented in support of the Bill.

Council President Meffley closed the hearing and announced that Bill No. 2022-09 will be considered for approval at the next legislative session on August 2, 2022.

APPROVAL OF MINUTES

On motion made by Councilman Coutz, seconded by Councilwoman Culberson, the Council moved to approve the minutes of the legislative session of July 5, 2022. Motion was approved unanimously.

PUBLIC COMMENTS

Don Hicks, Singerly Fire Company, commented in support of Bill No. 2022-09.

Roger Bowman, Singerly Fire Company, commented in support of Bill No. 2022-09.

PRESIDENT AND COUNCIL COMMENTS

Councilman Coutz thanked the fire company members for attending and speaking in support of Bill No. 2022-09. He attended the Board of Realtors fundraiser for Special Olympics at North East Park. He reported on statistics from the Sheriff's Office Intel Meeting and stated the overdose incidents have decreased. He thanked the audience for attending.

Vice President Gregory thanked fire company members for attending and their comments. She participated in the Cecil Fair and encouraged everyone to attend. She attended a Health Advisory Committee and reported on the implementation of crisis hot line for mental health and plans for a family celebration in September.

Councilwoman Culberson thanked the audience for attending. She thanked the Volunteer Fire Companies for their dedication and service to the residents.

Councilman Miller thanked the audience for attending. He met with the Singerly Fire Company and expressed his support for their services. He is participating in the Cecil Fair and commented on the many government agencies participating. He commended 4H students who were participating with their animals. He commented on welcoming Secretary of Agriculture Bartenfelder to the Fair. He also stated that over half of chickens in the nation with avian flu are backyard chickens.

Council President Meffley attended the Fire Chief's meeting and stated his appreciation for their work on Bill No. 2022-09. He thanked the voters of Cecil County for participating in the primary election and the candidates who ran. He stated his hope that Cecil County elections will be conducted with fairness and respect in the future. He thanked the audience for attending.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2022-11 Taxation – Tax Credit – Sworn Officers

A Bill to implement a Cecil County Sworn Officers Tax Credit Program to establish a property tax credit for certain Sworn Officers, the criteria for the property tax credit created; and generally relating to property tax discounts and credits.

Steve Overbay, Acting Director of Administration, and James Appel, Finance Director, provided introductory comments. The Council clarified that any funding for tax credits that is unused will be returned to the County.

Introduced, read first time, and order posted on July 26, 2022. The Bill will be scheduled and advertised for public hearing on August 16, 2022.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 46-2022 Approval – Franchise Agreement - Breezeline

A Resolution to execute the renewal of a non-exclusive cable service franchise agreement by and between Cecil County, Maryland, and Breezeline (formerly Atlantic Broadband), operated by Cogeco US (Delmar), LLC, for the installation, operation, maintenance and extension of the cable system for subscribers within the County, upon the terms and conditions and subject to the agreement.

Steve Overbay, Acting Director of Administration, provided introductory comments. There were no Council questions or comments.

Introduced, read first time and order posted on July 26, 2022. This Resolution will be scheduled and advertised for public hearing on August 16, 2022.

Council Manager Massey stated for the record:

Resolution No. 47-2022 Supplemental Appropriation – Fund Balance – Information Technology – Broadband Expansion – Matching Funds

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2023, to provide the Department of Information Technology budget with expenditure appropriation authority to utilize \$888,438 in funds to be expended for matching funds associated with broadband expansion.

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

Introduced, read first time, and order posted on July 26, 2022. This Resolution will be scheduled for consideration on August 2, 2022.

Council Manager Massey stated for the record:

Resolution No. 48-2022 Supplemental Appropriation – Grant Funds – Parks and Recreation – Rising Sun High School –Turf Field

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2023, in order to provide a total of \$1,200,000 to the Special Revenue Other Grants Fund – Parks and Recreation, to record a grant awarded from the Maryland

Department of Natural Resources to be used to convert the stadium field to synthetic turf at the Rising Sun High School.

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

Introduced, read first time, and order posted on July 26, 2022. This Resolution will be scheduled for consideration on August 2, 2022.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 42-2022 Supplemental Appropriation – Parks and Recreation – Program and Salaries Expenses

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2023 in order to increase revenue and offsetting expenses by \$200,000 for the Cecil County Parks and Recreation.

The Resolution was introduced and posted on July 5, 2022 and scheduled for consideration on July 26, 2022.

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

Councilman Coutz made a motion to approve Resolution No. 42-2022, which was seconded by Councilman Miller.

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

Resolution No. 43-2022 Supplemental Appropriation – Grants Funds – Information Technology – Broadband Expansion – Neighborhood Connect

Council Manager Massey stated for the record:

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, in order to provide a total of \$2,797,982 to the Special Revenue Other Grants Fund-Information Technology to record the "Neighborhood Connect" grants awarded from the Maryland Department of Housing and Community Development, administered by the Office of Statewide Broadband, for the purpose of bringing internet access to unserved areas of Cecil County.

The Resolution was introduced and posted on July 5, 2022 and scheduled for consideration on July 26, 2022.

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

Councilman Miller made a motion to approve Resolution No. 43-2022, which was seconded by Councilman Coutz.

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

Resolution No. 44-2022 Supplemental Appropriation – Grant Funds – Information Technology – Broadband Expansion – Connected Communities

Council Manager Massey stated for the record:

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, to provide a total of \$271,548 to the Special Revenue Other Grants Fund-Information Technology, in order to record the “Connected Communities” broadband grant, awarded from the Maryland Department of Housing and Community Development, administered by the Office of Statewide Broadband, for the purpose of improving wireless internet access at Calvert Park, Cecil Arena, the Child Advocacy Center, Circuit Courthouse, the Domestic Violence Center, the Help Center, and the Rising Sun Community Center.

The Resolution was introduced and posted on July 5, 2022 and scheduled for consideration on July 26, 2022.

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

Councilman Coutz made a motion to approve Resolution No. 44-2022, which was seconded by Vice President Gregory.

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

CALL FOR FINAL READING OF BILLS

Bill No. 2022-07 Supplemental Appropriation – Fund Balance – Courthouse Parking Lot

Council Manager Massey stated for the record:

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2022, to move expenditure authority from the fund balance to the Courthouse Parking Lot, in the amount of \$120,000.

The Bill was introduced and posted on June 7, 2022, public hearing held on July 5, 2022, and scheduled for final consideration on July 26, 2022.

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

Vice President Gregory made a motion to approve Bill No. 2022-07, which was seconded by Councilwoman Culberson.

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

Council Manager Massey stated for the record:

Bill No. 2022-08 Establishment - Police Accountability Board

To establish a Cecil County Police Accountability Board, including an Administrative Charging Committee, pursuant to the Maryland Police Accountability Act of 2021, in order to receive police misconduct complaints from the public and follow specified procedures to improve police accountability in Cecil County.

The Bill was introduced and posted on June 7, 2022, public hearing held on July 5, 2022, and scheduled for final consideration on July 26, 2022.

Council Manager Massey stated for the record:

AMENDMENT NO. 1

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To specify CCACC to review findings on calendar year, not fiscal year.

Introduced by: Council President on behalf of County Executive

In section 82.3 Administrative Charging Committee, on Page 4, Line 84, delete “fiscal” and insert “calendar”.

AMENDMENT NO. 2

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To correct State specified term of “model disciplinary matrix”.

Introduced by: Council President on behalf of County Executive

In section 82.3 Administrative Charging Committee, on Page 5, Line 94, delete “LEA’s” and insert “model”.

AMENDMENT NO. 3

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To post notice of vacancy on CCPAB so that interested persons may apply for appointment.

Introduced by: Council President on behalf of Council

In section 82.4 Membership, on Page 5, Line 115, insert the following:

“A. The County Executive shall post a public notice to invite persons to apply to serve on the CCPAB. Public notice shall be posted prior to initial appointments and any successive term or vacancy of a member.”

AMENDMENT NO. 4

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To require members of CCPAB and CCACC to be a county resident for at least six months and pass a background check.

Introduced by: Council President on behalf of County Executive

In section 82.4 Membership, on Page 6, Line 121, insert the following:

“D. Membership to the CCPAB and CCACC shall be restricted to Conty Residents who

have met residency requirements of at least six (6) months and successfully pass a background check, including a criminal record check, before a nomination is forwarded to the County Council."

**AMENDMENT NO. 5
TO BILL NO. 2022-08**

Title: Establishment – Police Accountability Board

Synopsis: To prohibit employees of county government or municipalities, which have police departments, from serving on the CCPAB or CCACC.

Introduced by: Council President on behalf of County Executive

In section 82.4 Membership, on Page 6, Line 123, insert the following:

"F. Employees of Cecil County Government and Cecil County municipalities, which have police departments, are prohibited from serving on the CCPAB or CCACC."

**AMENDMENT NO. 6
TO BILL NO. 2022-08**

Title: Establishment – Police Accountability Board

Synopsis: To specify members of CCPAB and CCACC must be adults at least 21 years of age.

Introduced by: Council President on behalf of County Council

In section 82.4 Membership, on Page 6, Line 126,
delete "be adults" and insert "be an adult, at least 21 years of age,"

**AMENDMENT NO. 7
TO BILL NO. 2022-08**

Title: Establishment – Police Accountability Board

Synopsis: To specify five members on CCPAB.

Introduced by: Council President on behalf of County Council

In section 82.4 Membership, on Page 6, Lines 144-145,
delete "at least five (5) and no more than seven (7) members"" and insert "five (5)"

**AMENDMENT NO. 8
TO BILL NO. 2022-08**

Title: Establishment – Police Accountability Board

Synopsis: To specify Council confirmation shall occur within 30 days of the date of introduction of appointment at legislative session.

Introduced by: Council President on behalf of County Council

In section 82.4 Membership, on Page 6, Line 150,
delete "date of appointment" and insert "date of introduction at legislative session"

AMENDMENT NO. 9

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To specify Council confirmation shall occur within 30 days of the date of introduction of appointment at legislative session.

Introduced by: Council President on behalf of County Council

In section 82.4 Membership, on Page 7, Line 178,
delete “date of appointment” and insert “date of introduction at legislative session”

AMENDMENT NO. 10

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To specify that County Executive may remove a member of the CCPAB or CCACC for just cause.

Introduced by: Council President on behalf of County Council

In section 82.5 Resignation and Removal, on Page 9, Line 211,
insert “f. Just Cause”

AMENDMENT NO. 11

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To specify that all CCPAB meetings must be held in person and notice given.

Introduced by: Council President on behalf of County Council

In section 82.6 Meetings and Reporting, on Page 10, Lines 241-246,
delete in its entirety and insert the following:

“H. All meetings of the CCPAB shall be conducted in person and shall require CCPAB members and the public are given at least three-day notice prior to the meeting.

AMENDMENT NO. 12

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To specify that County Attorney is the custodian of all records of the CCPAB.

Introduced by: Council President on behalf of County Council

In section 82.8 Ethics, Rules, Record Keeping, and Support, on Page 11, Line 286,
Delete “Chairperson of the CCPAB” and insert “County Attorney’s Office”

AMENDMENT NO. 13

TO BILL NO. 2022-08

Title: Establishment – Police Accountability Board

Synopsis: To specify that County Attorney is the custodian of all records of the CCACC.

Introduced by: Council President on behalf of County Council

In section 82.8 Ethics, Rules, Record Keeping, and Support, on Page 11, Line 294,
Delete “Chairperson of the CCACC” and insert “County Attorney’s Office”

**AMENDMENT NO. 14
TO BILL NO. 2022-08**

Title: Establishment – Police Accountability Board

Synopsis: To specify that County Attorney shall provide legal support for the CCPAB and CCACC.

Introduced by: Council President on behalf of County Council

In section 82.8 Ethics, Rules, Record Keeping, and Support, on Page 12, Lines 303-305,
Delete in its entirety and insert the following:

“The Office of the County Attorney shall provide legal support and administrative oversight to the CCPAB and the CCACC and will be the As Record legal advisor to each.”

**AMENDMENT NO. 15
TO BILL NO. 2022-08**

Title: Establishment – Police Accountability Board

Synopsis: To specify legislation as a Bill.

Introduced by: Council President on behalf of County Executive

On Page 12, Line 338,

Delete “Resolution” and insert “Bill”.

**AMENDMENT NO. 16
To BILL NO. 2022-08**

Title: Establishment-Police Accountability Board

Synopsis: To specify that any stipend to member deemed appropriate by County Executive must be approved by Council.

Introduced by: Council President on behalf of County Council

On Page 10, Lines 253-254,

Delete in its entirety and insert the following:

"B. May include a quarterly stipend as County Executive deems appropriate, with Council Approval.

Steve Overbay, Acting Director of Administration, stated that the administration was in support of the amendments. There were no Council questions or comments.

Council President Meffley polled Council Members on their preference for consideration of these amendments. The Council agreed by consensus to consider them as a whole.

Councilman Coutz made a motion to approve Amendment Nos. 1 to 16 to Bill No. 2022-08, which was seconded by Councilwoman Culberson.

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

Councilman Coutz made a motion to approve Bill No. 2022-08 As Amended, which was seconded by Vice President Gregory.

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

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #100

Councilman Miller made a motion to approve Budget Amendment #100, in the amount of \$7,297,467 for June 2022 expenses. The motion was seconded by Councilwoman Culberson. The motion was approved by a voice vote of 5 to 0.

ADJOURNMENT

On motion made by Councilman Coutz, seconded by Councilwoman Culberson, , Council President Meffley adjourned the meeting at 8:00 p.m.

Council President Meffley announced that the next Council Legislative Session is scheduled on Tuesday, August 2, 2022, 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:



Robert Meffley
Council President

Attest:


James Massey
Council Manager