

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2020-06

RESOLUTION NO. 18-2020

Title of Resolution: Supplemental Appropriation – Grants Fund – State’s Attorney’s Office – Asset Forfeiture

Synopsis: A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2020, in the amount of \$47,232 within the Special Revenue – Other Grants Fund – State’s Attorney’s Office, in order to record the Town of Elkton, Maryland, granting a portion of an asset forfeiture to the agency.

Introduced by: Council President on behalf of the County Executive

Introduced and order posted on: April 7, 2020

Consideration scheduled on: April 21, 2020

By:


Council Manager

PUBLIC HEARING

Notice of title of Resolution having been posted on April 7, 2020 at the County Administration Building, 200 Chesapeake Blvd., Elkton, MD, and consideration by the Council having been scheduled on April 21, 2020.

By:


Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment.

1 **WHEREAS**, in accordance with Section 505 of the Cecil County Charter, on April 1, 2019, the
2 County Executive submitted a proposed budget to the County Council for Fiscal Year 2020; and

3 **WHEREAS**, in accordance with Section 506 of the Cecil County Charter, the County Council held
4 public hearings on the proposed budget submitted by the County Executive for Fiscal Year 2020; and

5 **WHEREAS**, in accordance with Section 507(b) of the Cecil County Charter, on June 4, 2019, the
6 Budget for Cecil County was adopted for Fiscal Year 2020; and

7 **WHEREAS**, the County Executive is revising the Fiscal Year 2020 Special Revenue – Other Grants
8 Fund revenue estimate for Cecil County to allow the following appropriation of \$47,232 in expenditures to
9 the Special Revenue – Other Grants Fund operating budget to allow use of an asset forfeiture from the
10 Town of Elkton, Maryland that was shared with the Cecil County States Attorney’s Office; and

11 **WHEREAS**, such appropriation is necessary to provide \$47,232 of funding to allow the State’s
12 Attorney’s Office the expenditure authority necessary to use the funds from a forfeiture, which was the
13 result of a plea agreement by which the Defendant had to forfeit his home to the Town of Elkton. An
14 agreement was made between the Town of Elkton and the Office of the State’s Attorney to split the net
15 proceeds from the sale of the home with 60% going to the Town and 40% going to the Office of the
16 State’s Attorney. The department, being mindful of certain spending restrictions on seized funds, will use
17 the money to supplement for the cost of training and travel, as well as new equipment necessary for the
18 operation of the Office.

19 **NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
20 **MARYLAND**, that the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for Fiscal
21 Year 2020 is hereby amended for the supplemental appropriation; and by amending the Current Budget
22 to appropriate additional expenditures in the Other Grants Fund – Special Revenue – State’s Attorney’s
23 Office to record the amount of \$47,232 awarded by the Town of Elkton, Maryland.

24 **BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, that all
25 provisions of this Resolution shall take effect on the date that the Resolution is approved.

INTRODUCED: April 7, 2020
ADOPTED: April 21, 2020

ATTEST:

Council Manager



Council President



CECIL COUNTY, MARYLAND

DEPARTMENT OF FINANCE

FISCAL IMPACT NOTE

SUMMARY OF LEGISLATION

SPONSOR: Council President Meffley at the request of the County Executive

RESOLUTION NO. 18-2020 – Supplemental Appropriation – Grants Fund –STATE’S ATTORNEY’S OFFICE ASSET FORFEITURE

SYNOPSIS: A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2020 in the amount of \$47,232 within the Special Revenue – Other Grants Fund – States Attorney’s Office to record the Town of Elkton, Maryland granting a portion of an asset forfeiture to the agency.

FISCAL IMPACT SUMMARY: Net fiscal impact to the County will be zero for Fiscal Year 2020. The asset forfeiture revenue granted from the Town of Elkton, Maryland, will allow the agency to purchase needed equipment and to train staff without requesting additional County funds.

FISCAL ANALYSIS:

The following description/analysis is an excerpt from an email received from State’s Attorney Dellmyer:

“During the course of a criminal investigation for controlled dangerous substances, conducted by the Elkton Police Department Street Crimes Unit, the Defendant’s home located within the Town of Elkton, was seized. The Defendant in that matter was operating a drug trafficking enterprise which included the sale of a heroin/fentanyl mix for profit. As part of a plea agreement, and in addition to incarceration, the Defendant forfeited his home to the Town of Elkton. An agreement was made between The Town of Elkton and the Office of the State’s Attorney to split the net proceeds from the sale of the home with 60% going to the Town and 40% to the Office of the State’s Attorney.

Being mindful of certain spending restrictions on seized funds, the Office of the State’s Attorney will use this money to supplement for the cost of training and travel, and to purchase equipment and other items necessary for the operation of the Office. “