

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

The regularly scheduled meeting of the County Commissioners was convened at 10:32 a.m. with the following persons in attendance:

Reuben B. Collins II, Esq., President, County Commissioner
Bobby Rucci, Vice President, County Commissioner
Gilbert O. Bowling, III, County Commissioner
Thomasina O. Coates, M.S., County Commissioner
Amanda M. Stewart, M.Ed., County Commissioner **Joined session at 12:16 p.m.*
Mark Belton, County Administrator
Danielle Mitchell, Acting County Attorney
Carol A. DeSoto, Acting Clerk to the Commissioners

Open Session

Commissioner Collins called the meeting to order and led the pledge of allegiance

Recognition: New Employees Introductions; Years of Service Awards (April 2019); and Employees of the Quarter for the First Quarter of 2019 (January, February, March)

The Commissioners recognized new employees; those employees celebrating milestone years of service in the month of April 2019; and Employees of the Quarter for January, February and March of 2019.

Commissioners' Comments

There were no Commissioners' comments.

Notice of Tentative Agenda of May 7, 2019

Ms. Carol DeSoto, Acting Clerk, announced the tentative agenda for May 7, 2019

Approval Items **Postponed until 4:00 p.m. Item 4.07

Update: Broadband Plan

Ms. Deborah Hall, Deputy County Administrator, and Ms. Evelyn Jacobson, Chief of Information Technology, Department of Fiscal and Administrative Services provided an update on the Broadband Task Force. The overview included maps of areas without broadband service; the description of the Internet Access Questionnaire being used to help refine these maps of broadband service; and a review of the website being used by the Task Force to provide updates, answer questions and contact information. Ms. Michelle DeSoto, Economic Research Specialist, Department of Economic Development, provided an overview of United States Department of Agriculture (USDA) ReConnect Program. Ms. Jacobson continued the update outlining the Rural Broadband Feasibility Grant that was awarded to the County which will cover half the cost to hire a consultant to develop a Broadband Strategic Plan, up to fifty thousand dollars (\$50,000.00). Ms. Hall discussed the importance of Senate Bill 634-Electric Cooperatives-Power- Conduct of Communications Facilities and how this Bill would allow Southern Maryland Electric Cooperative (SMECO) to enhance broadband services. Ms. Hall explained that CTC Technology and Energy has been identified as the consultant that will be used to develop the County's Broadband Strategic Plan. She continued to outline the specific tasks that will be addressed in the strategic plan which include: assess current infrastructure and services, evaluate current and future broadband demand, prepare a high-level design/cost estimate, evaluate funding options, develop a grant strategy, develop a public-private partnership strategy, develop financial

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

analysis and business plan and prepare a comprehensive written project report. The Broadband Strategic Plan will cost ninety-four thousand dollars (\$94,000.00) half of which is covered by the grant the County received. A one-time transfer from the cable Fund will be requested on May 7, 2019 to cover the difference. It is expected that to complete all these tasks will take four (4) to six (6) months. The next update will be provided in September 2019.

Closed Session

At 11:30 a.m., a motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with Commissioners Coates, Rucci, Bowling and Collins present, voting in favor to move into closed session pursuant Section 3-05(b)(1)(3)(7) of the General Provisions Article of the Annotated Code of Maryland to discuss collective bargaining negotiations and to discuss appointments to the Commissioner appointed Rural Planning and Zoning Task Force and Board of Electrical Examiners. The reason for closing is to keep legal negotiations and approaches confidential and to keep applicant information confidential in order to attract applicants. A portion of this session will also concern the Administrative function of the County Commissioners in their executive role Commissioner *Stewart was not present for the vote.*

Summary Closed Session Items

At 11:45 a.m. the Commissioners went into closed session.

Administrative Function

Present: Commissioners Collins, Rucci, Bowling, and Coates, Mark Belton, Danielle Mitchell, Carol DeSoto, Deborah Hall, and John McConnell.

Mr. John McConnell, Chief of Central Services, Office of County Administrator, reviewed security procedures related to County staff and the County Commissioners.

The Commissioners directed staff to on how to proceed with these security measures.

3-305 (b) (9) (7) To Discuss Collective Bargaining Negotiations

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart Mark Belton, Danielle Mitchell, Carol DeSoto, Deborah Hall, Jacob Dyer and Megan Donnich,

Ms. Deborah Hall, Deputy County Administrator, reviewed the FY2020 Collective Bargaining Negotiations and approaches staff recommended.

**12:16 p.m. Commissioner Stewart joined Closed Session*

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to give staff authority to negotiate as presented.

3-305 (b) (1) Personnel: Commissioner Appointed Boards

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Danielle Mitchell, and Carol DeSoto.

Ms. Carol DeSoto, Acting Clerk, provided an overview on the applicants for the Rural Planning and Zoning Task Force. An agreement was reached related to the appointments to this board.

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

Ms. DeSoto provided an update on the Board of Electrical Examiners and the members. The Commissioners provided directions related to this board.

The Commissioners' official action, on these appointments, was taken in open session on this day, April 30, 2019, as reflected in Action on Boards, Commissions and Committees of these minutes.

At 12:44 p.m. a motion was made by Commissioner Rucci, seconded by Commissioner Bowling, and passed, with all Commissioners present, voting in favor to end closed session.

The Commissioners returned to open session at 1:33 p.m.

Briefing: New Animal Shelter Project

Mr. Ed Tucker, Chief of Animal Control and Ms. Kim Stephens, Animal Shelter Supervisor, Department of Emergency Services, briefed the Commissioners on the proposed plan for the new animal shelter. A new animal shelter was approved in 2017 and would operate independently. Calvert County opened its own animal shelter in November 2018. St. Mary's County approved building its own animal shelter in October 2017. The site for Charles County's New Animal Shelter has been designated on Piney Church Road across from the Regency Stadium. The site was dedicated for the new animal Shelter on November 14, 2018. The briefing outlined the programs and services this new shelter will provide in addition to the design and construction process and timeline. The Charles County Animal Care Center is anticipated to be open in 2022.

Briefing: Lifestyles Homeless Shelter Project

Ms. Corae Young, Assistant Director and Mr. Greg Waring, Board Member, Lifestyles, Inc., discussed the need for a year-round homeless shelter in the County. They highlighted the increased demand for the Safe Nights Program, which provides emergency shelter through local churches during the winter. Lifestyles has received a State Grant to extend the Safe Nights Program but cannot use these funds until a facility is secured. A permanent homeless shelter is needed to provide a stable location for emergency housing and client services. Lifestyles has requested, from the County, eight hundred and forty-five thousand dollars (\$845,000.00) to partially support operating and onetime costs to open the shelter for FY2020 and an annual support of five hundred and sixty-five thousand dollars (\$565,000.00) starting in 2021.

Commissioner Collins stressed that the issue of homelessness will be strongly considered in the Board of Commissioners priorities.

Briefing and Request for Approval: Economic Development Regional Collaboration Project and Memorandum of Understanding

Mr. Darrell Brown, Director, and Ms. Marcia Keeth, Deputy Director, Department of Economic Development reviewed the Southern Maryland 2025 Initiative which will develop a regional work plan to implement and promote the quality of life in Southern Maryland, coordinate efforts to grow entrepreneurial and technology startup support systems and develop programming and funding to grow small businesses. This Regional Memorandum of Understanding (MOU) will allow Charles, Calvert and St. Mary's Counties in Southern Maryland to collaborate on common issues and challenges and work together to create solutions and support.

Regular Meeting of County Commissioners

Tuesday, April 30, 2019

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Regional Innovation Ecosystem in Southern Maryland Memorandum of Understanding as presented.

Briefing: Review and Update on Billingsley Road Improvement Project

Mr. John Stevens, Chief of Capital Services, and Mr. Brian Kagarise, Senior Project Manager, Department of Public Works provided information on a preliminary study conducted to determine where safety improvements are needed on Billingsley Road. The Commissioners reviewed the study recommendations that are being implemented and those that required additional funding to complete. Staff reported on current projects that are underway to reduce safety concerns at the intersections of Billingsley Road and Prince Edward Drive, Pearl Street, and Acquinsicke Place. Alternative road alignment options and cost considerations for Billingsley Road were also presented.

Commissioner Bowling requested that Mr. Stevens provide further information on what initiates an environmental study and what are the concerns of Emergency Services related to this road.

FY2020 Budget Work Session: General Fund; Capital Outlay; and Special Revenue Funds

Ms. Jenifer Ellin, Director and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services provided an overview of the proposed FY2020 General Fund Operating Budget. This included a review of the proposed budget for the College of Southern Maryland.

College of Southern Maryland (CSM): Ms. Ellin highlighted that the proposed budget for the College of Southern Maryland provides an additional thirty-five thousand dollars (\$35,000.00) funding for the Regional Campus in Hughesville and one-time funding towards technology upgrades for the College's enterprise reporting system.

Dr. Maureen Murphy, President, Ms. Lois DiNatale, Board Member and Ms. Judith Mills, Financial Services, College of Southern Maryland provided an overview of the college enrollment by county, their operating revenue, funding history, and effects of underfunding and their request for the county to increase their funding by one hundred and sixty two thousand seven hundred dollars (\$162,700.00).

Staff continued the budget review of the Debt Service, Fringe Benefits, Central Services, Contingency Fund, Other Post-Employment Benefits (OPEB), Financing Uses, the Charitable Trust, Conservation of Natural Resources, Liquor Board and Orphan's Court. In addition, the Commissioners Support Policy was reviewed as well as Vehicle and Equipment budgets.

Commissioner Stewart requested a copy of the College of Southern Maryland's budget request to include the one-time cost for IT funding. She also requested a breakout of the costs and funding for the Velocity Center and wanted information on the process of applying for the Teachers Incentive Grant and the deadline.

Commissioner Bowling requested that forty thousand dollars (\$40,000.00) be included for the Watermen's Association for oyster planting using funds set aside for Commissioner priorities for consideration next week. He also requested that five hundred thousand dollars (\$500,000.00) be included for the Readiness and Environmental Protection Integration (REPI) Program using the fund balance for consideration next week. He also wanted to include specific guidelines for the County to phase out funding for the Charitable Trust's operating costs.

**Break 4:32 p.m. – 4:47 p.m.*

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

FY2020 Budget Work Session: General Fund Capital Improvement Program (CIP) Interactive Review

Ms. Jenifer Ellin, Director and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, began the work session with the Capital Improvement Program recap. The budget work session continued with an interactive review of the General Fund Capital Improvement Projects. The Commissioners suggested projects to add and reduce/remove from the proposed budget while staff adjusted live on the computer.

Commissioner Coates requested two hundred and fifty thousand dollars (\$250,000.00) for the Billingsley Road Expansion Analysis and ninety thousand dollars (\$90,000.00) for the Bryans Road Sidewalk Project and received concurrence from the Board to add both projects to the CIP budget. She also requested funding for the Emergency Homeless Shelter, but the Board wanted to delay that decision at this time in order to review more information.

Commissioner Collins requested funding a study on the Post Office Road Extension. Mr. John Stevens, Chief of Capital Services, Department of Public Works, said that this study would cost one hundred thousand dollars (\$100,000.00) to one hundred and fifty thousand dollars (\$150,000.00). Ms. Ellin recommended the proposed funding from the General Fund Balance.

Ms. Ellin concluded this work session by asking the Commissioners to send any further recommendations to staff so that they can prepare for further review on May 7, 2019

****Postponed Item 2.06: Approval items**

Change Orders Mattawoman Wastewater Treatment Plant (MWWTP):

Closed Loop Project Change Order #14 MWWTP

Mr. John Stevens, Chief of Capital Services, Department of Public Works, explained that this change order covers the rental, operations and maintenance of the bypass system.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Change Order #14 for two hundred and ninety-seven thousand one hundred and fifty-two dollars and ninety-nine cents (\$297,152.99).

Closed Loop Project Change Order #15 MWWTP

Mr. John Stevens, Chief of Capital Services, Department of Public Works, explained that this change order covers the anticipated fuel costs of the bypass system.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Change Order #15 for two hundred and forty-two thousand two hundred dollars (\$242,200.00).

Ebuds:

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, provided a brief review each requested ebud.

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

FY2019 Budget Transfer Request #6694 Courthouse Satellite Building

A motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2019 Budget Transfer Request #6694 for twenty-seven thousand dollars (\$27,000.00)

FY2019 Budget Amendment Increase #6696 Waldorf Senior and Recreational Center Parking Lot

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2019 Budget Amendment Increase #6696 Waldorf Senior and Recreational Center Parking Lot for three hundred thousand two hundred dollars (\$300,200.00).

FY2019 Budget Transfer Request #6674 Closed Loop

A motion was made by Commissioner Coates seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2019 Budget Transfer Request #6674 Closed Loop Influent/Effluent Pump Station for five hundred and thirteen thousand two hundred and eighty thousand dollars (\$513,280.00)

Waldorf Senior and Recreational Center (WSRC) Construction:

Public Works-Facilities Budget- 2019 Waldorf Senior and Recreational Center Change Order #15

FY2019 Budget Transfer Request #6654 Waldorf Senior and Recreational Center

FY2019 Budget Transfer Request # 6660 Waldorf Senior and Recreational Center

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services provided an overview history of the Waldorf Senior and Recreational Center project. Mr. John Stevens, Chief of Capital Services, Department of Public Works, explained that the project was now sixty five percent (65%) complete and that this transfer would complete this project. It should be opened by August 2019.

Commissioner Stewart wanted to be on record that she supported this original project. However, when the increased funding request came in last year due to the change in the scope of the project, she voted against the increased funding request, which passed four (4) to one (1). She was against it because it drastically changed the scope of the project, the length of delivery and the cost. She was not included in the change of the scope of the project and was against the additional cost and time since it was not what she envisioned for this project. She does respect staff's recommendation that this project will be better.

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve Change order #15 for one hundred and fifty three thousand dollars and ninety nine cents (\$153,000.99) and Budget Transfer Request #6654 for three hundred and sixteen thousand eight hundred and seventy dollars (\$316,870.00) and Budget Transfer request #6660 for one hundred and sixteen thousand three hundred and eighty dollars (\$116,380.00).

Board of Election Lease

Ms. Deborah Hall, Deputy County Administrator, explained that this request is extend the Board of Election's Lease by using the additional lease extension option. A motion was made by Commissioner Bowling, seconded by Commissioner Rucci. The motion was removed after discussion and questions about the lease option and the document that was presented in BoardDocs for approval.

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

The Commissioners asked Ms. Hall to come back with this approval item with the original lease and requested letter for approval to extend the lease.

Action on Boards, Committees, and Commissions

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with Commissioners Bowling, Rucci, Coates and Collins, voting in favor to appoint Mr. Russell Shlagel as the owner-operator of a farming operation in Charles County; Mr. Timothy Lessner as the resident with professional land development experience; Ms. Brianna Dunbar Bowling as the business owner-operator specializing in equestrian services in Charles County; Mr. Franklin Robinson as the resident with land conservation experience; Mr. Michael Sullivan as the resident professional waterman; and Mr. Paco Blake, Ms. Bonnie Rothell, and Mr. David Lines as At-Large Members to the Rural Planning and Zoning Task Force. *Commissioner Stewart was opposed.* The motion passed four (4) to one (1).

Commissioners' New Business

There was no new business.

**Break 5:27 p.m. - 6:02 p.m.*

Public Hearing: FY2020 Constant Yield

The Commissioners conducted a public hearing on the FY2020 Constant Yield. Ms. Jenifer Ellin, Director and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative explained that this public hearing was a State requirement. It is a hypothetical tax rate to generate the same tax revenue for the next year. There is no tax rate change. Two (2) members of the community provided comments.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to keep the record open for ten (10) days.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to close the public hearing.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to set the tax rate on Tuesday, May 14, 2019 between 9:00 a.m.-10:00 a.m. here in the Government Building located at 200 Baltimore Street, LaPlata, Maryland.

At 6:12 p.m. a motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to adjourn.



Carol A. DeSoto, Acting Clerk



Reuben B. Collins, II, Esq., President

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

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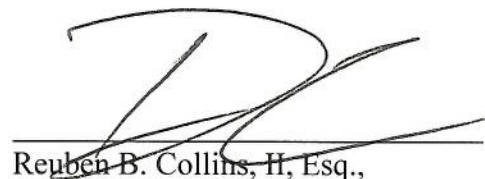
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Carol A. DeSoto, Acting Clerk
President



Reuben B. Collins, II, Esq.,

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

FORM OF STATEMENT FOR CLOSING A MEETING

Location: Commissioners' Meeting Room

Date: April 30, 2019

Time: 11:30 a.m.

Motion By: Commissioner Coates

Seconded By: Commissioner Rucci

Vote to Close Session:

| | AYE | NAY | ABSTAIN | ABSENT |
|-----------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Reuben B. Collins, II, Esq. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gilbert O. Bowling, III. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Thomasina O. Coates, M.S. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Amanda Stewart, M.Ed. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Bobby Rucci | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

STATUTORY AUTHORITY TO CLOSE SESSION

General Provisions Article §3--305(b):

(1) To discuss:

(i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or

(ii) Any other personnel matter that affects one or more specific individuals.

(2) To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

(4) To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

(5) To consider the investment of public funds.

(6) To consider the marketing of public securities.

(7) To consult with counsel to obtain legal advice on a legal matter.

(8) To consult with staff, consultants, or other individuals about pending or potential litigation.

(9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

(10) To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:

(i) the deployment of fire and police services and staff; and

(ii) the development and implementation of emergency plans.

FORM OF STATEMENT FOR CLOSING A MEETING

Regular Meeting of County Commissioners
Tuesday, April 30, 2019

Appendix C C-2

(11) To prepare, administer or grade a scholastic, licensing, or qualifying examination.

(12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct.

(13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a proceeding or matter.

(14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.


TOPICS TO BE DISCUSSED:

3-305 (b) (9) (7) To Discuss Collective Bargaining Negotiations

REASON FOR CLOSING: To keep negotiations and approaches confidential.

3-305 (b) (1) Personnel: Commissioner Appointed Boards

REASON FOR CLOSING: To keep applicant information confidential in order to attract applicants



Reuben B. Collins, II, Esq., President