

Regular Meeting of County Commissioners
Tuesday, June 4, 2019

The regularly scheduled meeting of the County Commissioners was convened at 2:01 p.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
Deborah Hall, Deputy County Administrator
Wesley Adams, County Attorney
Danielle Mitchell, Former 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: Proclamation 2019-25 Birthday of the United States Army

The Commissioners proclaimed June 14, 2019 as the two hundred and forty fourth (244th) birthday of the United States Army in Charles County. Proclamation 2019-25 was received by members of Charles County Commission for Veterans Affairs and employees who served in the United States Army.

Recognition: Proclamation 2019-26 Law Enforcement Torch Run for Special Olympics

The Commissioners proclaimed June 6, 2019 as Law Enforcement Torch Run for Special Olympics Day. Proclamation 2019-26 was received by Sergeant Augustus "Gus" Proctor, Charles County Sheriff's Office, coordinator of the event.

Commissioners' Comments

Commissioner Collins acknowledged the Eid al-Fitr holiday, which marks the end of the Muslim's holy month.

Approval of the Minutes of May 21 and May 22, 2019

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the minutes of May 21, 2019.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the minutes of May 22, 2019.

Notice of Tentative Agenda of June 18, 2019

Ms. Carol DeSoto, Acting Clerk, announced the tentative agenda for June 18, 2019. She noted that there was no scheduled session on June 11 or June 12, 2019.

Approval Items

FY2020 Budget Amendment Increase #6771 Circuit Court

Ms. Jenifer Ellin, Director, and Mr. Jake Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained this increase was to establish a new budget account for the Court Operations FY2020 Targeted Special Grant Award. And to introduce the new grant funded position

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and creation of a new Personnel Identification Number (PIN) for a Court Researcher which is classified as a Grade thirteen (13).

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the new grant funded position and the FY2020 Budget Amendment Increase #6771 Circuit Court for eighty-one thousand one hundred and twenty-nine dollars (\$81,129.00).

Letter of Intent- College of Southern Maryland Annual Letter of Intent

Ms. Jenifer Ellin, Director, and Mr. Jake Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that this is an annual letter of intent that the College of Southern Maryland (CSM) is required to send to the Maryland Higher Education Commission. Ms. Ellin explained that the County is providing eight million eight hundred and seventy-seven thousand dollars (\$8,877,000.00) towards CSM Center for Health Sciences, Hughesville, MDMHEC Project CC-09-454.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the College of Southern Maryland's Annual letter of intent with the addition of the dollar amount the County is providing to be included in the letter.

FY2020 Pay Scale, Sworn Personnel, Charles County Sheriff's Office

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services, and Lieutenant Davis, Charles County Sheriff's Office, reviewed the Charles County Sheriff's Office Sworn Personnel Salary Scale for FY2020. It mirrors salaries for Maryland State Police. The only difference was that Charles County Sheriff recruits will begin at the entry level rate. This was included in the approved FY2020 Budget. The Maryland State Police recruits start at a lower rate because they cover room and board. Starting the Charles County Sheriff Recruits at entry level rate should help with recruiting.

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the Charles County Sheriff's Office Sworn Personnel Salary Scale for FY2020.

Closed Session

At 2:30 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to move into close session pursuant to Section 3-305(b)(1)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to seek legal advice on one (1) issue related to a contract and; seek legal advice and discuss one (1) potential litigation issue and; to consider appointment to the an outside agency advisory board. The reason for closing is to keep legal negotiations and approaches confidential and to keep applicant information confidential in order to attract more applicants. The administrative portion of closed session is for training of the County Commissioners in their executive role.

Summary Closed Session Items

At 2:39 p.m. the Commissioners went into closed session.

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Administrative

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Deborah Hall, Wes Adams, Danielle Mitchell, Carol DeSoto, Liz Theobalds, Kim Dye.

Ms. Kim Dye, Station Manager, CCGTV, Office of Media Services, reviewed suggestions that will assist in better broadcasting of the Commissioners' meetings.

3-305 (b) (7)(8) Legal Advice/Potential Litigation

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Deborah Hall, Wes Adams, Danielle Mitchell, Carol DeSoto, and Liz Theobalds.

Ms. Elizabeth Theobalds, Deputy County Attorney, provided the background history and recommendations on a potential litigation case.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor *to proceed with the specific course of action discussed.*

3-305 (b) (7) Legal Advice

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Deborah Hall, Wes Adams, Danielle Mitchell, Carol DeSoto, Dina Barclay, Rita Wood, Jenifer Ellin and Bill DeAtley.

Ms. Dina Barclay, Director, and Ms Rita Wood, Department of Community Services provided an overview and recommendations related to a contract under review. Ms. Jenifer Ellin, Director and Mr. Bill DeAtley, Chief of Accounting, Department of Fiscal and Administrative Services, provided additional financial information.

The Commissioners provided staff with specific directions related to the course of action to be taken related to this issue.

3-305 (b) (1) Personnel: Boards and Commissions

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Deborah Hall, Wes Adams, Danielle Mitchell, Carol DeSoto.

The Commissioners discussed the potential appointment to an outside agency's advisory board. No decision was reached related to this appointment.

At 3:58 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 4:05 p.m.

Briefing: Tri-County Council for Southern Maryland Summer Youth Program

Ms. Jobina Brown, Youth Program Manager, Tri-County Council for Southern Maryland, reviewed the Job Source Youth and Young Adult Program administered by the Tri-County Council for Southern Maryland. She explained that this program assists with career exploration, job training and employment opportunities for young people, ages sixteen to twenty-four (16-24), who are out of school, or are graduating high school seniors at risk of becoming disconnected youth. She noted that because of the Charles County Commissioners' support, an additional twenty (20) young people will be served. Sixty-one (61) young people will work as interns from June 24- August 16, 2019.

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Briefing: Governor Harry W. Nice Memorial/Senator Thomas “Mac” Middleton Bridge

Mr. Jason Groth, Director of Planning, Department of Planning and Growth Management, provided an update on the status of the bridge. The original option supported by the County had been a new bridge with four (4) travel lanes, two (2) in each direction; two (2) four (4) foot inside shoulders; two (2) twelve (12) foot outside shoulders for vehicle breakdowns; median barrier to separate opposing traffic flow; barrier separated two (2) way bicycle/pedestrian path and reduced bridge height and reduced grade. Maryland Department of Transportation has now proposed reducing the inside and outside shoulders and eliminating the bicycle/pedestrian lane to reduce the cost of the bridge. The County and Tri-County Council for Southern Maryland and the Transportation Planning Board (TPB) are in support of retaining the bike/pedestrian lane and shoulders. Similar comments from the public were also sent to the Maryland Transportation Authority (MdTA). The Maryland Transportation Authority has put the design/build portion of the bridge project out for bid, with an invitation to include alternate pricing for a bridge that includes or excludes wider shoulders and a bike lane. Selection of a bidder is anticipated by the end of 2019, with construction expected to begin early next year. The new bridge is projected for completion in 2023.

The Commissioners directed staff to draft a letter supporting the original bridge design with four lanes and retain the planned bicycle/pedestrian lane within the design.

Briefing: Foster Lane Extension Concept

Mr. Jason Groth, Director of Planning, and Mr. Jeff Barnett, Chief of Transportation, Department of Planning and Growth Management, explained the proposed building of a public transit hub at the College of Southern Maryland (CSM) in Hughesville in order to provide a connection between St. Mary's, Calvert, and Charles County. To ensure that transit access is available, staff reviewed several options to which would provide access to the CSM Hughesville campus to Route 5 and Route 231.

Staff was directed to draft a letter to the Maryland Department of Transportation requesting that they initiate a preliminary engineering study to assess the feasibility of providing a second point of access to the CSM Hughesville campus.

Actions on Boards, Commissions and Committees

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to appoint Matthew Darden, Jr. as the District three (3) representative on the Board of License Commissioners (Liquor Board).

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to appoint Charles Harding, Jr. to the Commission for Veterans Affairs.

Commissioners' New Business

No new business.

**Break 5:10 p.m. – 6:01 p.m.*

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Public Hearing: Comcast Franchise Renewal Agreement

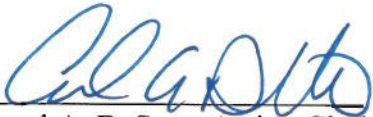
Mr. Thomas Robinson, President and CEO, CBG Communications, Inc. and Mr. Daniel Cohen, Cohen Law Group, provided an overview of the Comcast Franchise Renewal Agreement. The agreement would extend coverage to areas of Newburg and Maxwell Hall, and to areas where there is an average of fifteen (15) potential customers per mile who agree to subscribe to Comcast's service. It provides continued use of the Institutional Network (I-Net), which connects ninety (90) county, school, and public library facilities. It also ensures the availability of four (4) county public, education, and governmental access channels. The agreement is scheduled for final approval on Tuesday, June 18. If approved, the agreement would become effective on July 1, 2019 for a fixed term of 10 years.

Three (3) members of the community provided comments.

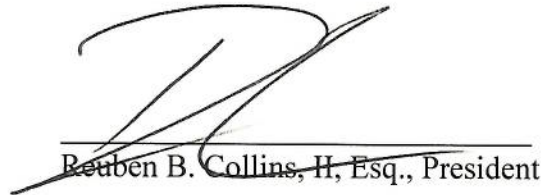
A motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to close the record.

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.

At 6:36 p.m., A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to adjourn.



Carol A. DeSoto, Acting Clerk



Reuben B. Collins, II, Esq., President

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FORM OF STATEMENT FOR CLOSING A MEETING

Location: Commissioners' Meeting Room

Date: June 4, 2019

Time: 2:30 p.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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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
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(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 particular 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)(7)(8) Legal Advice on one (1) issue related to a contract


REASON FOR CLOSING: To keep negotiations and approaches confidential

3-305 (b)(7)(8) Legal Advice/Potential Litigation on one (1) issue

REASON FOR CLOSING: To keep negotiations and approaches confidential.

3-305 (b)(1) Personnel: Discuss Appointment to an Outside Agency Advisory Board

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



Reuben B. Collins, H, Esq., President