

**Regular Meeting of County Commissioners**

**Tuesday October 29, 2019**

The regularly scheduled meeting of the County Commissioners was convened at 9.06 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  
Mark Belton, County Administrator  
Wesley Adams, 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: Citation President of the Chamber of Commerce**

The Commissioners recognized Ms. Betsy Burian on her retirement as President of the Charles County Chamber of Commerce and her years of service and leadership.

**Recognition: Proclamation 2019-43 Native American Heritage Month**

The Commissioners proclaimed November 2019 as Native American Heritage Month in Charles County. Proclamation 2019-43 was received by Mr. Francis Gray, Tribal Chair, Mr. Mario Harley, Tribal Vice Chair, and Ms. Diana Penny, Tribal Council Woman, Piscataway Conoy People and Members of the Port Tobacco Chapter National Society Daughters of the American Revolution.

**Presentation: Mallows Bay-Potomac River Watercolor Drawing**

Mr. Jim Hudnall, President, and Club Members of The Oxon Hill Bicycle and Trail Club presented the Commissioners with an original watercolor artwork of the Mallows Bay and Potomac River waterfront, in recognition of the National Marine Sanctuary Designation.

**Recognition: New Employees Introductions; Years of Service Awards (October 2019); and Employees of the Quarter (July, August, September 2019) and Retirees**

The Commissioners recognized new employees; those employees who have retired from County Government; those employees celebrating milestone years of service in the month of October 2019; and Employees of the Quarter for July, August, and September of 2019.

**Commissioners' Comments**

There were no comments.

**Approval of the Minutes of October 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 October 22, 2019.

**Notice of Tentative Agenda of November 5 and November 6, 2019**

Ms. Carol DeSoto, Acting Clerk, announced the tentative agenda for November 5 and November 6, 2019. Commissioner Stewart requested that a note indicating the purpose for the scheduled Joint Meeting with the Commissioners from Calvert and St. Mary's Counties be added to the agenda.

**Regular Meeting of County Commissioners**  
**Tuesday October 29, 2019**

**Approval Items**

*Other:*

*Bryans Road Well #7 Minor Subdivision Plat Signature and Real Estate Declaration of Intent*

Mr. John Stevens, Chief of Capital Services, Department of Public Works, explained was the approved Minor Subdivision Plat and Real Estate Declaration of Intent for the fifty (50) acre property, in the Indian Head Technology Park, to establish the Bryans Road Well Seven (7). He explained he was bringing this item back with the requested maps and information requested.

Commissioner Stewart queried why the request to subdivide this property is being requested now. Mr. Stevens explained that the initial intent was to have enough space if a water tower is needed. He furthered explained that the project would not be adversely affected if it was the property was not subdivided at this time. Commissioner Stewart requested the other Commissioners consider not subdividing this property now since it did not need to be subdivided at this time.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with Commissioners Coates, Rucci, Bowling and Collins, voting in favor to approve the Bryans Road Well #7 Minor Subdivision Plat and Real Estate Declaration of Intent. Commissioner Stewart was opposed. The motion passed four (4) to one (1).

**Follow-Up Work Session and Request for Approval: Modification to the County's Fiscal Year 2019 MS4 Permit Financial Assurance Plan**

Ms. Karen Wiggen, Planner III and Mr. Charles Rice, Program Manager, Department of Planning and Growth Management provided an update on this plan since the Public Hearing, which was held on October 8, 2019. There were no comments during the hearing or during the additional ten (10) days the public record was held open. This modification would add nutrient trading as an option to achieve compliance with the permit requirements.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Modification to the County's Fiscal Year 2019 MS4 Permit Financial Assurance Plan with Resolution 2019-15.

**Closed Session**

At 10:00 a.m., a motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to move into close session where all or a portion of this session may be closed pursuant to Section 3-305(b)(1)(4)(7) of the General Provisions Article of the Annotated Code of Maryland to seek legal one (1) potential business or industrial organization to locate, expand, or remain in the State; and to discuss one (1) Personnel Issue. A portion of this session will also concern the Administrative function of the County Commissioners in their executive role. The reason for closing is to keep legal, approaches and strategies confidential and to keep personnel information confidential.

**Regular Meeting of County Commissioners**  
**Tuesday October 29, 2019**

**Summary Closed Session Items**

At 10:14 a.m. the Commissioners went into closed session.

**Administrative**

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall

Ms. Carol DeSoto, Acting Clerk, explained the request related to scheduling the Commissioners to film a holiday message.

The Commissioners agreed to have this added to their schedule.

**3-305(b)(4) Consider Business to Locate, Expand, Remain in State:**

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Darrell Brown, Taylor Yewell, Jason Groth, and John Stevens.

Mr. Jason Groth, Planning Director, Department of Planning and Growth Management, and Mr. Darrell Brown, Director, Department of Economic Development, reviewed components of a potential agreement for a business to locate in the County.

The Commissioners provided comments on how to proceed.

**3-305(b)(1)(7) Personnel:**

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Alexis Blackwell, and Crystal Hunt.

Commissioner Stewart queried staff related to personnel staffing.

At 11:27 a.m. Ms. Carol DeSoto, Acting Clerk, was asked to step out of closed session. Ms. Crystal Hunt, Chief of Staff, continued taking the minutes.

Close Session Ended at 12:30 pm

*\*Break 12:30 p.m.-1:26 p.m.*

The Commissioners returned to open session at 1:26 p.m.

**Briefing: Clean Charles Initiative**

Ms. Frankie Sherman, Chief of Environmental Resources, and Ms. Meg Romero, Recycling Contract Manager, Department of Public Works, reviewed the Clean Charles Initiative project goals to encourage community involvement and partner with the Charles County Sheriff's office and other civic groups to clean up the community outdoor spaces. Ms. Sherman reviewed the budget and cleaned up process. A countywide cleanup event is being planned in May 2020. Following the event, volunteers will be recognized at an event held at the Blue Crabs Stadium.

**Regular Meeting of County Commissioners**  
**Tuesday October 29, 2019**

**Briefing and Request for Approval: Modification to Rosewick Road Access Management Plan**

Mr. Jason Groth, Planning Director, and Mr. Alex Waltz, Planner II, Department of Planning and Growth Management reviewed the proposed modification that would establish a new closed median, right-in only access point from Rosewick Road.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the access management request for a new right-in only access point on Rosewick Road and modify Table F.10 as presented.

**Action on Boards, Commissions and Committees**

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to appoint Ms. Kimberly Johnson to the Board of Education's Fresh Start Academy Advisory Committee.

**Commissioners' New Business**

Commissioner Coates requested an update on the American Federation of State, County and Municipal Employees AFSCME Neutrality Agreement that was tabled on October 8, 2019. An update was requested for November 5, 2019.

*\*Break 1:44 p.m. – 3:04 p.m.*

**The Annual Maryland Department of Transportation (MDOT) Consolidated Transportation Program (CTP)**

Mr. Sean Powell, Acting Deputy Secretary of Operations, Maryland Department Transportation and other State of Maryland transportation officials met with the Commissioners as part of the State's Annual Transportation Tour to brief local jurisdictions on the state of Maryland's transportation program (CTP), and capital budget. Mr. Enoch Bevel, Senator Arthur Ellis' Chief of Staff, Delegate Deborah Davis and Delegate C.T. Wilson were also in attendance. The MDOT draft plan for 2020-2025 was provided to all in attendance. Deputy Secretary Powell and other Maryland Department of Transportation officials outlined key updates on transportation. The Commissioners and members of the Delegation provided follow-up commentary, to include frustration with lack of movement on projects to alleviate the traffic congestion experienced by Charles County residents and the request to reinstate the funding to complete the Maryland Transit Administration (MTA) process planning study. Mr. Jason Groth, Planning Director, Department of Planning and Growth Management, provided comments on key projects for the County, namely the Southern Maryland Rapid Transit Project and the need to have the funding to complete the MTA study. He reiterated that the County is doing everything a local jurisdiction can do but this study is crucial to help determine ways to alleviate congestion and gridlock. Another issue raised was the additional future gridlock from the construction of the New Mac Middleton/Harry Nice Bridge construction.

*\*Break 4:33 p.m.- 6:04 p.m.*

**Recognition: Citation for Life Saving Actions**

The Commissioners presented citations to Chief Wallace Danielson, Mr. Wayne Klinger Sr., Mr. Wayne Klinger, Jr. and Sondai Bem, Tenth District Fire Department, Pisgah for their lifesaving actions related to an investigation of a carbon monoxide alarm. Ms. Toki Sydnor-Smith and her family joined the Commissioners in honoring these men and to thank them for their actions.

**Regular Meeting of County Commissioners**  
**Tuesday October 29, 2019**

**Briefing and Recognition: First Citizen Academy Class**

Ms. Renesha Miles, Community Engagement Coordinator, reviewed the first session of the Charles County Government Citizens Academy which took place from September 12, 2019 – October 24, 2019 with twenty-one (21) participants. The program involved engaging with Charles County Staff, sharing what they learned and staying connected. She explained that the next class would begin in March 2020. Following her update, the Commissioners presented these participants with certificates to recognize their completion of the Citizens Academy and recognizing them as County Ambassadors.

At 6:28 p.m., a motion was made by Commissioner Bowling, 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

**Regular Meeting of County Commissioners**  
**Tuesday October 29, 2019**

**FORM OF STATEMENT FOR CLOSING A MEETING**

Location: Commissioners' Meeting Room

Date: October 29, 2019

Time: 10:00 a.m.

Motion By: Commissioner Coates

Seconded By: Commissioner Bowling

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**

**Appendix C C-2**

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

**Regular Meeting of County Commissioners**  
**Tuesday October 29, 2019**

(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)(4)(7) Legal Advice: Related to business to locate, expand or remain**

REASON FOR CLOSING: To keep legal approaches confidential

**3-305 (b)(1)(7) Personnel Issue**

REASON FOR CLOSING: To keep personnel information confidential



Reuben B. Collins, II, Esq., President