

**Regular Meeting of County Commissioners**  
**Tuesday, December 10, 2019**

The regularly scheduled meeting of the County Commissioners was convened at 9:04 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  
Deborah Hall, Deputy County Administrator  
Wes Adams, County Attorney  
Susan C. Claggett, Clerk to the Commissioners  
Carol A. DeSoto, Acting Clerk to the Commissioners, (Training)

**Open Session**

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

**Recognition: 2019 Charles County Government and Charles County Sherriff's Office**

**Truck Rodeo Awards**

Commissioners, Mr. Marvin Anderson, Safety Officer and Ms. Rebecca Quade, Risk Management Accountant, handed out awards to twenty-four (24) employees within seven (7) categories.

**Commissioners' Comments**

There were no comments.

**Approval of the Minutes of December 3, 2019**

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the minutes of December 3, 2019.

**Notice of the Tentative Agenda of December 17, 2019**

Ms. Susan Claggett, Clerk, announced the tentative agenda for December 17, 2019.

**Approval Items**

**2020 Commissioners' Session Calendar**

Commissioner Stewart requested that the scheduled Session for April 14, 2020 reflect on the proposed calendar to be modified to a No Session week, due to the Easter holiday. A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the 2020 Commissioners' Session Calendar.

**RFP 17-10, Mattawoman WWTP Electrical & Automation Improvements, Change Order No. 4**

Presenters: Mr. Sam Walter, Program Manager, Utilities, & Mr. Bill Schreve, Director, Public Works.  
Mr. Walter stated the request is in the amount of one hundred sixty-seven thousand dollars (\$167,000) for the design changes that will be coordinated with current on-going projects, near future projects and updating to latest standards.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve RFP 17-10, Mattawoman WWTP Electrical & Automation Improvements, Change Order No. 4.

**RFP 17-10, Mattawoman WWTP Electrical & Automation Improvements, Change Order No. 5**

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Presenters: Mr. Sam Walter, Program Manager, Utilities, & Mr. Bill Schreve, Director, Public Works. Mr. Walter began his presentation by stating that this request is in the amount of eighty-four thousand eight hundred fifty-three dollars (\$84,853) for the design changes that will be coordinated with current on-going projects, near future projects and updating standards.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve RFP 17-10, Mattawoman WWTP Electrical & Automation Improvements, Change Order No. 5.

**Approval of Broadband Letter Partnership**

Presenter: Ms. Deborah Hall, Deputy County Administrator and Acting Director of Planning and Growth Management.

Ms. Hall presented a draft letter requested by the Commissioners at the December 3, 2019 Session. Commissioner Stewart stated the County's responsibility is to offer information, such as data, and to support SMECO's initiatives by not blocking legislation, permitting, or zoning efforts. Commissioner Collins emphasized the charge of the letter is to seek and find an opportunity to speak directly to SMECO. Ms. Hall stressed the deadlines of several grants opportunities for the County are rapidly approaching in the next few months and ensured the letter will be edited to reflect the County's desire for dialogue and partnership with SMECO.

Commissioner Stewart opined that the letter should be edited to specify the logistics of scheduling a meeting with SMECO between the Planning and Growth Management Task Force to discuss action items, next steps, and planning. She proposed scheduling a spring retreat with SMECO's Board and the Board of Commissioners.

Commissioner Bowling stated SMECO understands this is a significant opportunity to expand their base and is fully aware of entering into the partnership as a competitor of Verizon and Comcast. Ms. Hall added that SMECO is uniquely positioned, unlike any other provider in the county, to deploy rural broadband.

Ms. Hall is to return on December 17, 2019 with a revised letter for approval.

*Commissioner Collins left Open Session at 9:52 a.m.*

**Briefing: and Request for Approval: Chief Equity Officer**

Presenters: Ms. Alexis Blackwell, Director, Department of Human Resources and Ms. Jeni Ellin, Director, Department of Fiscal & Administrative Services.

Ms. Blackwell detailed the purpose of the position was to meet the current climate of the County's growing diversity and demographics. She stated the outcome sought in hiring for this position, is to apply an equity perspective to the County's goals in meeting the needs of all residents, to include economic development, supportive services, institutional governance and policy. She expressed the candidate for the Chief Equity Officer would champion equity as a shared value and be considered a technical expert in addressing equity.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci.

*Commissioner Collins was not present during vote.*

Commissioner Stewart opined the fiscal note to this request is hefty and cautioned her colleagues of excess spending of County funds by expanding the budget and adding additional PINS. Commissioner Stewart stated although she believes there is a need for a Charles County Chief Equity Officer, she expressed concern for the upcoming budget and the possible inability to provide employee raises for current employees.

Commissioner Coates requested Ms. Jeni Ellin, Director, Department of Fiscal & Administrative Services, state the genesis as to when the position was presented to the Board of Commissioners. Ms. Ellin stated the position

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was under the FY2020 Budget, however there were not efficient funds initially to fill the position. She explained through raising the County's level of income tax revenue, the position could be fully funded, and funds would then be specifically allocated to fill a position. Ms. Ellin reports the salary for this position, to include fringe, is one hundred fifty thousand dollars (\$150,000).

Commissioner Stewart suggested that a qualification for candidates should include a Master's Degree.

Commissioner Rucci queried the Commissioners as to table the item for next week or next year. Commissioner Bowling suggested it be rescheduled for next FY Budget Sessions. Commissioner Coates emphasized the need to approve the Chief Equity Officer position due to the many county communities who have expressed their concerns to her.

Commissioner Coates withdrew her motion and Commissioner Rucci withdrew his second and the vote was deferred until a later date.

*Commissioner Collins was not present during vote.*

**Request to Amend: Employee Leave Donation Policy**  
*To be rescheduled to a later date.*

**Commissioners' New Business**

Commissioner Stewart proposed that the County Attorney's Office draft a new policy to state any businesses or organizations receiving grants from any department of the Charles County Government is in good standing with the State of Maryland at time of application and during time of distribution of funds.

The consensus of Commissioners present, Commissioner Rucci, Bowling, Stewart and Coates, was to have the County Attorney's Office add this stipulation to the current grant application and to return in early 2020 for approval.

*Commissioner Collins was not present during vote.*

**Closed Session**

At 10:30 a.m. a motion was made by Commissioner Coates, seconded by Commissioner Bowling, and passed, with all Commissioners present, voting in favor to go into closed session pursuant to Section 3-305(b)(4)(7) of the General Provisions Article of the Annotated Code of Maryland to discuss one (1) potential business or industrial organization to locate, expand, or remain in the State and one (1) negotiation and one (1) potential litigation. The reason for closing is to keep legal, approaches and strategies confidential.

*Closed Session began at 10:43 a.m.*

*Commissioner Collins return to Closed Session at 11:10 a.m.*

**Summary Closed Session Items**

Present: Commissioners Collins, Rucci, Bowling, Coates and Stewart, Mark Belton, Wes Adams, Susan Claggett, Carol DeSoto.

1. Economic Development Department Projects Update: The Commissioners were updated on pending and existing projects throughout the County. They were joined by Mr. Darrell Brown, Ms. Marcia Keeth, Ms. Lucretia Freeman-Buster and Mr. Taylor Yewell.

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2. Consider Business to Locate, Expand, Remain in State: The Commissioners were briefed and updated on components of a potential agreement for a business to locate in the County. They were joined by Mr. Darrell Brown, Ms. Danielle Mitchell, Ms. Jeni Ellin, Mr. Jason Groth, Mr. Taylor Yewell, and Mr. John Stevens.
3. Permit Litigation and Compliance: The Commissioners were briefed on the status of pending litigation. They were joined by Mr. Charles Rice.

Open Session Resumed at 3:02 p.m.

**Tri-County Commissioners' Joint Meeting**

The Commissioners attended a Tri-County Joint Meeting with the Board of Commissioners from St. Mary's County and Calvert County. The Joint Meeting took place at the Prince Frederick, Maryland, College of Southern Maryland (CSM) Campus. In attendance were the represented Tri-County Commissioners and staff. Presentations by the County Attorneys Offices, Emergency Medical Services and Transportation Departments were given from each represented county.


It was decided among the Commissioners present, to schedule an Annual Tri-County Joint Meeting December 2020.

At 4:35 p.m., Commissioner Bowling made a motion to adjourn. His motion was seconded by Commissioner Rucci and passed unanimously.

*Commissioner Stewart was not present for this vote.*

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Susan C. Claggett, Clerk



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Reuben B. Collins, II, Esq., President

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**FORM OF STATEMENT FOR CLOSING A MEETING**

Location: Commissioners' Meeting Room

Date: December 10, 2019

Time: 10:30 a.m.

Motion By: Coates Commissioner

Seconded By: Bowling Commissioner

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.

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(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 on one (1) Potential Business to stay, relocate in State**

REASON FOR CLOSING: To keep legal approaches confidential

**3-305 (b)(7)Legal Advice on one agreement**

REASON FOR CLOSING: To keep legal approaches confidential

**3-305 (b)(7)(8)Legal Advice on one (1) potential litigation**

REASON FOR CLOSING: To keep legal approaches confidential



Reuben B. Collins, II, Esq., President