

Regular Meeting of County Commissioners
Tuesday, February 4, 2020

The regularly scheduled meeting of the County Commissioners convened at 9:02 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
Wes Adams, County Attorney
Susan Ramsey-Claggett, Clerk to the Commissioners

Open Session

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

Recognition: Ms. Gina Durgin, Artist and Photographer

The Commissioners recognized the artistic contributions to the community of local artist and photographer Ms. Gina Durgin.

Proclamation: 2020-03 Pink Goes for Red for Heart health Day and the Month of February as National Wear Red Day

The Commissioners proclaimed February 2020 as Month of February as National Wear Red Day and February 7, 2020 as Pink Goes for Red for Heart Health Day in Charles County. Proclamation 2020-03 was received by the members of the Southern Maryland Chain Chapter of the Links, Inc., and members of the Alpha Kappa Alpha Sorority Incorporated Nu Zeta Omega Chapter.

Commissioners' Comments

There were no comments.

Approval of the Minutes of January 28, 2020

A motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the minutes of January 28, 2020.

Notice of the Tentative Agenda of February 11, 2020

Ms. Susan Claggett, Clerk, announced the tentative agenda for February 11, 2020.

Approval Items

eBuds:

FY2021 Budget Calendar – Fiscal and Administrative Services

Presenter: Ms. Jeni Ellin, Director, Department of Fiscal and Administrative Services and Ms. Jen Harris, Chief of Media Services, County Administration.

Ms. Ellin stated the regularly scheduled session for April 28, 2020 should remain as scheduled, however due to the Primary Election, also scheduled for April 28, 2020, the scheduled Public Hearing regarding Public Yield Tax Rate, also scheduled for the evening of April 28, 2020, be rescheduled to April 29, 2020 at 6:00 p.m.

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Ms. Elin stated she is seeking approval and/or a discussion to add/reschedule both, Public Hearing for Constant Yield Tax Rate and a Public Hearing on Operating and Capital Budgets to the April 29, 2020 Session to be schedule for 6:00 p.m.

Commissioner Stewart suggested adding as hyperlink to the presented public flier document to assist in forwarding the public to the Charles County Government website for additional information. Commissioner Stewart added that locating a place holder on the public flier for Public Hearing announcements with a link to the State.

Ms. Jen Harris explained that on the new County website homepage, there will be a designated place holder for future Public Hearings to include any additional information.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart, to approve the amendment of the FY2021 Budget Calendar, and passed.

Charles County Legislative Summary

Presenter: Ms. Danielle Mitchell, Associate County Attorney.

Ms. Mitchell referred the Commissioners to the Legislative Tracking Report giving updates and statuses of several legislative items in the presented tracking r sponsored by the Charles County Delegation. She reported there are a total of seven (7) House Bills in the tracking report, two (2) House Bills in "In the House - First Reading" status and five (5) House Bills scheduled for hearings. The Video Lottery Operation License – Expansion and Alterations is scheduled for a hearing before the Ways and Means Committee on February 20, 2020 at 1:00 p.m., The Charles County – Tax Increment Financing and Special Taxing Districts is scheduled for a hearing before the Ways and Means Committee on February 6, 2020 at 1:00 p.m., Tri-County Council for Southern Maryland – Funding is scheduled for a hearing before the Environment and Transportation Committee on February 11, 2020 at 1:00 p.m., Southern Maryland Code Counties – Collective Bargaining is scheduled for a hearing before the Appropriations Committee on February 4, 2020 at 1:00 p.m., Southern Maryland – homeowners Association Commission – Alternative Dispute Resolution Authority is scheduled for a hearing before the Environment and Transportation Committee on February 18, 2020 at 1:00 p.m.

As requested on the January 28, 2020 Open Session by Commissioner Bowling, Ms. Mitchell reported the following House Bills to be cross-filed with the Senate Bills: House Bill 335 is cross-filed with Senate Bill 432, House Bill 345 is cross-filed with Senate Bill 431, House Bill 384 is cross-filed with Senate Bill 429, House Bill 443 is cross-filed with Senate Bill 430, and House Bill 482 is cross-filed with Senate Bill 428.

Ms. Mitchell requested approval to send Letters of Support for House Bill 344, The Video Lottery Operation License – Expansion and Alterations, House Bill 345, Tri-County Council for Southern Maryland – Funding, and House Bill 482, Southern Maryland – Homeowners Association Commission – Alternative Dispute Resolution Authority. Commissioners approved the Letters of Support by consensus.

Briefing: Sister Cities Discussion

Presenter: Mr. Darrell Brown, Director, Department of Economic Development, Ms. Marcia Keeth, Deputy Director, Department of Economic Development and Ms. Lucretia Freeman-Buster, Chief of Business Development, Department of Economic Development.

Ms. Freeman-Buster specified the details in the months of arranging, planning and orchestrating the upcoming Sister Cities trip to Mozambique, Africa scheduled May 4 to May 8, 2020. She advised Dr. Murphy, President, College of Southern Maryland, will also be attending this event with the focus of education. Ms. Freeman-Buster highlighted the purpose of the trip as to encourage business and trade.

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Mr. Brown stated he had only just become aware of the letter that was sent November 13, 2019 from the City of Walldorf, Germany extending an invite to attend their 1250 Year Anniversary May 8 to May 12, 2020. He read the translated letter to the Commissioners.

Commissioner Bowling stated he believes both trips could be made and to consider the long-term relationship the County has had with Walldorf, Germany.

Commissioner Coates enquired if there is ample time to respond to the Mayor of Walldorf, Germany, funding of the trip and who would be attending. Mr. Brown stated there is not ample time to respond, nor has the prospect of the Walldorf, Germany trip been budgeted. He suggested the invitation from Walldorf, Germany was a social event, a party, while the Mozambique, Africa trip is focused on economic development. He added that at no time has Walldorf, Germany expressed interest in economic development; the relationship is social. Mr. Brown stated the position of the Economic Department focuses on business-to-business economic development. He concluded that the relationship with Walldorf, Germany may fall under the County's Tourism Department.

Commissioner Stewart stated she believed the County missed many opportunities of diplomacy, economic development, especially for education, networking and the arts. Commissioner Collins agreed, asking it to be on the record that he became aware of the letter a week and a half ago and believes a response is appropriate to continue the long-standing relationship with Walldorf, Germany.

Commissioner Stewart asks that Commissioner Collins' office to direct the Department of Tourism to inquire information as to whether it is too late to RSVP for the Walldorf, Germany celebration and include funding options for the trip.

Commissioner Bowling stated there has been no information offered to the Board of Commissioners in regard to the Mozambique, Africa trip. Commissioner Stewart agreed with Commissioner Bowling and suggested a future conversation to include fiscal impact, who is attending the Mozambique, Africa trip and a description of the end process.

Briefing: Broadband Task Force

Presenters: Ms. Deborah Hall, Deputy County Administrator, Ms. Evelyn Jacobson, Chief of Information Technology and Ms. Joanné Hovis, President of CTC Technology and Energy

Mr. Wes Adams, County Attorney, preference the briefing informing the Board of Commissioners there are two (2) components to share with the Commissioners, one to be in Open Session and the other to be presented in Closed Session.

Ms. Hall began by offering updates regarding the Board approved Partnership Letter sent to SMECO in January 2020. She reported the County had received an official response from SMECO who indicated that they are not a viable partner at this time.

Ms. Hovis stated an analysis of the unserved and served has been completed. Ms. Hovis added there are three (3) Categories which have been identified as unserved locations throughout the County. She defined each Category as such:

Category 1: there is no existing infrastructure

Category 2: some existing infrastructure

Category 3: (Federal and State definition) an area is served but resident is not

Ms. Hovis detailed Category 3 by offering the example of curbside availability to a resident who has a lengthy driveway, which the resident would have to contribute to the cost of installation from curbside to residence. She

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added neither Federal nor State Governments consider Category 3 as unserved, therefore there are no such grants for this category.

Ms. Hovis recommended pursuing State Grants first, then Federal Grants for Categories 1 and 2. She advised that there are hundreds (100's) of competing counties for Federal Grants.

Commissioner Coates requested the maps presented differentiate the pockets of unserved as well as served areas. Ms. Hovis explained that Nanjemoy, in its entirety is a Category 1 where there is no existing infrastructure at all. Commissioner Stewart suggested a clearer picture for the presented map regarding Category 2, would be helpful in deciphering the served and unserved.

Commissioner Coates asked whether there is an existing concessions, assistance in grants or vendor assistance, for a homeowner with a lengthy driveway. Ms. Hovis explained that if infrastructure exists at curbside, the Federal and State government defines that resident as being served.

Ms. Hall stated that Category 1 can be covered with funding, however Categories 2 and 3 will be difficult. She added that Category 2 would require additional surveys to determine and identify where other vendors, such as Verizon or Comcast, are located within the County or if another competitor can occupy these locations. She explained that Category 3 will not be funded with Federal or State grants, however the County could consider in the future, designing a grant programs to assist residents.

Commissioner Stewart identified two possible issues: which Category to prioritize and whether the community would agree County funds should be used to assist the unserved.

Ms. Hovis summarized the recommendation, not in order of prioritization, that a multi-year strategy of State and Federal grant support to for private partner to serve the areas with no infrastructure. She stated the County should continue to encourage ISPs to apply for State and Federal funds for unserved pockets. She expressed the recommendation for Category 3 that the County develop a long-term strategy for areas where there is no grant funding available.

Commissioner Bowling reiterated the Category 2 issue, stating there is not funding for many residents who find themselves dwelling in between the served and unserved in their communities. He added, unless there is County funding or negotiations with Comcast or Verizon, the issue will remain very cumbersome.

Ms. Hovis reported that although CTC has reached out to Comcast for data several times, they have not responded. She stated that Verizon is not interested in partnering with the County.

Commissioner Stewart stated that she thinks that the County should be very clear about a past conversations and to understand that the business models for these ISPs come from the demand of the consumer. She added that the demand from the consumer will bring the demand for service.

Commissioner Coates suggested the public contact their government leaders and ask that broadband become a utility. Commissioner Stewart and Commissioner Bowling concurred.

Ms. Hall ended the briefing by summarizing the Task Force's voting unanimously to support CTC's recommendations and to support ThinkBig application for the grant with the deadline of February 21, 2020.

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Action of Boards, Commissions and Committees.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed with all Commissioners present to approve the appointments of Mattie Satterfield and Tiffany Brown as members to the Area Council on Aging.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed with all Commissioners present to approve the appointments of Juanita Boyain, D'Yana James, Tori Nicole Ball, Ramonda Davis, Elveta E. Gibson and Laura Fay Wright as members to the Commission for Women.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed with all Commissioners present to approve the appointment William Gordon as alternate member to the Adult Public Guardianship Review Board.

Commissioners' New Business

There was no new business.

Budget Work Session: Board of Education

Presenters: Superintendent Kim Hill, Chairman Virginia McGraw, Vice Chairman Latina Wilson, Mr. David Hancock, Board of Education Member, Mr. Mike Lucas, Board of Education Member, Ms. Elizabeth Brown, Board of Education Member.

Present: Board of Commissioners, Mr. Mark Belton, County Administrator, Mr. Wes Adams, County Attorney, Ms. Jen Ellin, Director, Department of Fiscal and Administrative Services, Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, Ms. Jen Harris, Director, Media Services and Ms. Susan Claggett, Clerk.

Commissioner Collins stated the purpose of the Board of Education Budget Work Session was to jump-start discussions of the Board of Education's (BOE) FY2021 Budget. Commissioner Collins added he hoped the discussions would offer an opportunity to understand the intentions of the FY2021 Budget and the BOE's explanation of the budget increases.

Superintendent Hill thanked President Collins for taking a proactive stance in requesting a Budget Work Session with the Board of Education. She added although the BOE's budget is a significant cost to the County, she thinks of it as an investment into the children of Charles County. She stated there is a five percent (5%) increase in the budget from last year. Superintendent Hill explained that forty one million dollars (\$41,000,000) is ninety-four percent (94%) of the budget and is dedicated to people and of that percent, eighty-one percent (81%) is reserved for salaries, thirteen percent (13%) for contracted services and six percent (6%) to utilities. She stated that eight million eight hundred thousand dollars (\$8,800,000) is reserved for negotiations to recruit good teachers, stressing that the BOE must remain competitive in order to recruit and retain good teachers. Superintendent Hill added the BOE prioritizes the improvement of salaries for those who work behind the scenes as well. She explained that Charles County is ranked as eighth (8th) in the State for the fastest growing enrollment, therefore the BOE must prioritize hiring additional teachers.

Superintendent Hill stated the BOE recognizes that many of the students, seventy percent (70%), feel stress. She explained the BOE is focused on the mental health of students and have employed an initiative that studies the impact of students and how they access education during times of stress titled, Adverse Childhood Experiences, (ACE). She explained the FY2021 Budget is requesting three (3) additional psychologists.

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Superintendent Hill highlighted the ISI program as an alternative to suspension. Commissioner Stewart added the ISI program does not affect a student's enrollment but continues classroom instruction so the student will not be left behind once returned to the classroom.

Superintendent Hill detailed other programs such as "Move This World", a two to three (2-3) minute video focused on Kindergarten through fifth (5th) graders which is presented to students at the beginning of the school day and at the end of the school day. She emphasized the BOE has a working system in place with local partners who notify the schools when a student experiences a negative situation or issues within the home, and then notifies the school and teacher.

Commissioner Collins noted the BOE's Budget increases over the last five (5) years, with the FY2021 Budget request of a six-point three percent (6.3%) increase, giving the Board of Commissioners pause. Commissioner Collins reiterated the purpose of the Budget Work Session and requested if funding has become an issue with the State. Commissioner Stewart request the BOE provide the percentage of increases over the last five (5) years and explain the proposals verses allocations.

Superintendent Hill stated that the State funding has decline significantly to a two-thirds (2/3) decrease in State funding. She explained that the State funding inverses to wealth of a county and Charles County's wealth has increased. Commissioner Collins stated that the community's wealth may have increased, however the State's formula penalizes the County. Commissioner Bowling added that he believes the general public should be aware of this factor. Commissioner Rucci questioned the possible rise of County taxes.

Commissioner Collins asked whether the BOE's Fund Balance revenue is available. Superintendent Hill stated that the Board of Commissioners have always funded above maintenance of effort and that the BOE wanted to reduce the Fund Balance by one million dollars (\$1,000,000) this year, however, cannot without State funding. Commissioner Rucci asked how much the BOE has in Fund Balance and whether there is an existing guideline as to what should remain in their Fund Balance. Superintendent Hill explained there is no specific percentage locally or Statewide, however best practices indicate that one percent (1%) is put back for unforeseen emergencies which is about four million dollars (\$4,000,000). She added they do not use monies from the Fund Balance for reoccurring costs.

Superintendent Hill opined the State will continue to reduce funds as the County continues to grow in wealth. Commissioner Stewart added that as the County continues to be more well-off, the State will offer less in funding, and such adjustments will continue. Mr. Hancock stated the State formula has not changed; property taxes have increased. He opined Charles County is an area where some people have a lot and others do not. Commissioner Stewart added that there is a national phenomenon of divide among the "haves" and "have nots" and indicated pockets across the County of people who are in need of assistance.

Commissioner Coates asked whether Fresh Start Academy interacts with any of the programs mentioned. Superintendent Hill responded they do not interact and there is no additional funding requested in the FY2021 Fresh Start Academy.

Commissioner Stewart expressed concern of the equity regarding the athletics as she has noticed differences in school programs. She asked Superintendent to explain the differences in funding schools for athletics. Superintendent Hill offered to forward information regarding athletic funding, however the funding is equitable among schools.

Commissioner Coates inquired about whether or not the proposed budget included Activity Buses for students. Superintendent Hill responded Activity Buses are not included in the FY2021 Budget because of the issue of student after-school supervision and related safety issues. Commissioner Stewart added that students who are not in after school programs cannot be supervised and there are not enough teachers to supervise students. Commissioner Bowling recommended moving towards local Community Centers with the possibility of

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partnering with the Department of Parks and Recreation. Commissioner Stewart added that parents should be encouraged to have their children participate in school programs by having information readily available for parents.

Commissioner Coates inquired about the lack of sidewalks for students walking to and from school and offered the example of students walking to and from Billingsley Elementary School with no sidewalks. Commissioner Stewart suggested that staff look into this line-item and provide information as to which neighborhoods have sidewalks and those that do not have sidewalks for students.

Chairman McGraw expressed her thanks to the Board of Commissioners for the unprecedented meeting and believed it was very good. Commissioner Rucci emphasized the good teamwork among the two (2) Boards. Commissioner Collins remarked that although the issue is not resolved, he felt it was important to work together. He requested the BOE to consider partnering with the Board of Commissioners regarding the initiative of Smart Cities which focuses on the deterrence of duplications of spending.

Commissioner Collins recognized the Board of Commissioners' responsibility to fund the BOE and stated both Board will continue to work together.

Closed Session

At 10:45 a.m. a motion was made by Commissioner Bowling, seconded by Commissioner Stewart, and passed, with all Commissioners present, voting in favor to go into closed session pursuant to Section 3-305(b)(9) of the General Provisions Article of the Annotated Code of Maryland to discuss one negotiation. The reason for closing is to keep negotiations approaches and strategies confidential.

Closed Session began at 10:50 a.m.

Summary Closed Session Items

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

3-305(b)(9) Negotiations- Maryland Broadband Grant Opportunity

Presenters: Ms. Deborah Hall, Deputy County Administrator, Ms. Jeni Ellin, Director, Department of Fiscal and Administrative Services, Ms. Evelyn H. Jacobson, Chief of Information Technology, Fiscal and Administrative Services, Mr. Matt Jacobson, Network Specialist III, Utilities Coordinator, Fiscal and Administrative Services, Ms. Shanna L. Reese, Chief of Purchasing, Department of Fiscal and Administrative Services.

At 12:36 p.m., Commissioner Bowling made a motion to adjourn. His motion was seconded by Commissioner Coates and passed unanimously.

Closed Session Reconvened at 4:10 p.m.

Present: Commissioners Rucci, Bowling, Coates and Stewart and Susan Claggett.

**Commissioner Collins was not present.*

3-305(b)(1) Boards, Commissions and Committees Appointment Review:

Commissioners reviewed applicants for Planning Commission and the Board of Appeals.

**Commissioner Collins was not present for interviews or votes.*


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At 5:23 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Coates, and passed with all Commissioners present voting in favor to adjourn and end closed session.

**Commissioner Collins was not present for the vote.*



Susan Ramsey- Claggett, Clerk



Reuben B. Collins, II, Esq., President

FORM OF STATEMENT FOR CLOSING A MEETING

Location: Commissioners' Meeting Room

Date: February 4, 2020

Time: 10:45 a.m.

Motion By: Commissioner Bowling

Seconded By: Commissioner Stewart

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.

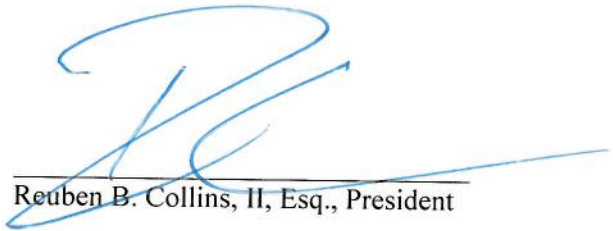
TOPICS TO BE DISCUSSED:

3-305 (b)(1) Appointment to Boards, Commissions and Committee Assignments

REASON FOR CLOSING: To keep and maintain applicant information confidential.

3-305 (b)(7)(9) Legal Advice/Negotiations: Business to locate, Expand or Remain

REASON FOR CLOSING: To keep negotiation strategy confidential and seek legal advice.



Reuben B. Collins, II, Esq., President