

Regular Meeting of County Commissioners
Tuesday April 7, 2020

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:00 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, Clerk to the Commissioners

Announcement of Charles County Board of County Commissioners' Issued Proclamations for April: 2020-14 National Child Abuse Prevention Month; 2020-15 Crime Victims Awareness Week

Call to Order/Pledge

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

Charles County Health Department Update: Coronavirus/COVID-19

Dr. Suzan Lowry, Health Officer, Charles County Health Department shared latest efforts to prevent the spread of COVID-19 (Coronavirus). The information included the process for testing, treatment and prevention efforts for COVID-19 locally. This included information on wearing protective masks and how to make them. Ms. Michelle Lilly, Director, Department of Emergency Services, provided an overview of the Emergency Operation Center's work, including continued daily coordination with local and state affiliated agencies and how the augmented policies were being implemented

Comments

Commissioner Collins asked for a moment of prayer and reflection as Governor Hogan did on April 5, 2020. He also recognized and thanked the first responders and all those risking their lives to care and provide for others.

Approval of Minutes of March 17, and March 31, 2020

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 March 17, 2020.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the minutes of March 31, 2020.

Announcement: Next Commissioner Session will be held April 21, 2020

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled Commissioner Session is on Tuesday April 21, 2020.

Regular Meeting of County Commissioners
Tuesday April 7, 2020

Approval Items

Resolution 2020-06 Postponement of Tax Sale

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve Resolution 2020-06 Postponement of Tax Sale.

Draft Response Letter to the Board of Education- Broadband

Ms. Deborah Hall, Deputy County Administrator, provided a brief overview of the work of the Broadband Task Force and how the COVID-19 further highlighted the need to provide broadband services in all areas of the County. She spoke on the Maryland Governor's Office of Rural Broadband's funding assistance available to schools and libraries to set up drive-up internet access from school parking lots during this crisis and the commitment of the Board of Commissioners to provide and fund the infrastructure for a long term solution to broadband access.

Commissioner Stewart requested that the Maryland Governor's Office of Rural Broadband be copied on the response letter to the Board of Education.

A motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the response letter to the Board of Education.

Exceptions to Ghostwriter Standard Operating Procedure (SOP) during COVID-19

Ms. Carol DeSoto, Clerk to the Commissioners, reviewed the designated exceptions to the Ghostwriter-Automated Signing Machine Use Policy and the procedures required for signature use. These exceptions will be in place until the State of Emergency for the COVID-19 pandemic is lifted.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Exceptions to the Ghostwriter Standard Operating Procedure (SOP) during COVID-19.

Request to Transmit Petition to the Planning Commission: Waldorf Station Development Agreement

Ms. Danielle Mitchell, Associate County Attorney, explained that the Commissioners were being asked to approve the process for this agreement to move forward. This petition would need to go the Planning Commission for review. This agreement designates capital improvements including required environmental permits, road improvements, land dedication, stormwater management facility, and school capacity allocations contingency. The agreement also delineates public benefit commitments; development stages; development review process; and several other compliance requirements as the development plan is implemented.

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to transmit The Waldorf Station Development Agreement to the Planning Commission.

FY2021 Transportation Priority Letter to Maryland Department of Transportation

Mr. Jason Groth, Deputy Director, and Mr. Alex Waltz, Planner II, Department of Planning and Growth Management, reviewed the County's FY2021 transportation priorities outlined in the letter for state funding. Charles County has consistently requested that the Southern Maryland Rapid Transit be

Regular Meeting of County Commissioners
Tuesday April 7, 2020

funded for the Project Planning Phase of the Project Development process. The letter reiterates the value in integrating the project with land-use planning that is vital to higher-density, transit-oriented development in Waldorf and White Plains. The letter also outlines other priorities such as the US 301 Corridor Waldorf Improvements; Pedestrian Safety Enhancements at Intersections Involving State Roadways; MD 5 Business/MD 925 Corridor Improvements; Foster Land Extended (College of Southern Maryland-Hughesville); MD 231 Corridor Improvements; MD 210/MD 227 Intersection Improvements; Hughesville Improvement Project; MD 488/Radio Station Road Intersection Improvements-Traffic Control; MD 6 (Charles Street) Pedestrian Safety Improvements and Community Enhancements; MD 210 Indian Head Highway Streetscape Project; and projects related to Maryland Transit Administration as well as the request for the Maryland Department of Transportation Bikeways Grant funding for the design of the Indian Head Trail and Three Notch Trail Connection project.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the FY2021 Transportation Priority Letter to Maryland Department of Transportation.

Briefing and Request for Approval: Families First Coronavirus Response Act

Ms. Alexis Blackwell, Director, Ms. Megan Donnick, Assistant Director Department of Human Resources and Ms. Kelly Holcomb, Payroll Manager, Department of Fiscal and Administrative Services, briefed the Commissioners on the Families First Coronavirus Response Act. This federal bill requires public employers, including Charles County Government, to comply with its policies. Two parts of the bill directly affect county leave and pay policies: Emergency Paid Sick Leave for up to two (2) weeks must be provided; and Emergency Family and Medical Leave for up to twelve (12) weeks of job-protected leave must be provided. They summarized the requirements for employees to be provided with emergency sick leave; the pay caps, calculations, and process for obtaining paid sick leave; and the eligibility and entitlement for twelve (12) weeks of emergency family and medical leave.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve staff to use the total dollar cap on payments rather than the daily caps as it relates to the Family First Coronavirus Response Act.

Budget Review and Work Sessions:

Review: FY2020 Third Quarter General Fund Report

Ms. Jeni Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, reviewed the third quarter FY2020 General Fund Report. It was explained that the FY2020 Adjusted Budget includes a twelve point nine (\$12.9) million dollars of fund balance use and due to declining revenues, a total of fourteen point three (\$14.3) million dollars will be needed to offset the estimated net operating loss due to COVID-19. Mr. Dyer gave the actual breakdown on the revenues in comparison to the second quarter review of the FY2020 General Fund. He also reported on

Regular Meeting of County Commissioners
Tuesday April 7, 2020

the expenditures and year end estimated fund balance. Ms. Ellin concluded the briefing with a review of the fund balance change since the second quarter report.

Budget Work Session: FY2021 General Fund Overview Update

Ms. Jeni Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, provided the forecasted overview of the FY2021 General Fund Operating Budget, due to COVID-19, has a current deficit of three million one hundred and thirty nine thousand dollars (\$3,139,000.00). Ms. Ellin also presented some suggested budget adjustments that would bring the revised deficit to one million nine hundred and sixteen thousand dollars (\$1,916,000.00). She also indicated that the Fiscal and Administrative staff would reach out to agencies such as the Board of Education, Sheriff's Office, Library, State's Attorney Office, Circuit Court for assistance in helping the County balance the FY2021 budget by looking at their budgets for reductions as well.

Commissioner Collins indicated he felt that the summer youth program should remain a priority for funding. Commissioner Stewart suggested the same and to have staff look at the new positions created in the Commissioners' Office as another possible area for reductions.

Budget Work Session: FY2021 Follow Up General Government Capital Improvement Projects (CIP) and Enterprise Funds

Ms. Jeni Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, reviewed the Updated Debt Affordability Model with the current deficit. She explained the Add/Delete Form included in the documents presented. This form would allow each Commissioner the opportunity to review the proposed Capital Budget and provide information on any proposed project adjustments they would like to suggest.

Discussion: Requested Relief Fund for CoVID-19

Relief Fund Outline for Small Businesses

Mr. Darrell Brown, Director, and Ms. Lucretia Freeman- Buster, Chief of Business Development, Department of Economic Development, presented options for the Charles County COVID-19 Relief Fund for Small Businesses. He could be administered as either a grant or loan for those needing assistance. They also shared a proposal for revisions to the current Economic Development Revolving Loan funds to be modified and provide additional financial assistance.

Commissioner Stewart stressed the importance that businesses provide evidence of good standing with the State of Maryland and are operated in Charles County.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to allocate the Charles County COVID-19 Relief Fund for Small Businesses as loans.

The consensus of the Commissioners was to direct staff to develop loan repayment options such as potential partial loan forgiveness if fifty percent (50%) of the loans are paid back more quickly or

Regular Meeting of County Commissioners
Tuesday April 7, 2020

donations made to the Charles County Charitable Trust Fund. The Economic Develop staff may also request additional staff support from other departments to help get this assistance process started.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the terms and conditions presented for the Charles County Revolving Loan Fund.

Relief Fund Outline for Nonprofits

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services staff presented a special report prepared by the Charles County Charitable Trust on how they would manage the Charles County Nonprofit COVID-19 Emergency Relief Fund process; information on how this program would distribute the funds; and a template of the application that would be used to apply for these funds.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to make the Charles County Charitable Trust the entity to administer and distribute the Charles County COVID-19 Relief Fund for Nonprofits.

The Commissioners directed staff to share their concerns and suggestions that the nonprofits, who are provided assistance with these funds, should have documentation that they are in good standing.

Commissioners' New Business

There was no new business discussed.

Closed Session

At 12:41 p.m., a motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to move into closed session where all or a portion of this session may be closed pursuant to Section 3-305(b) the General Provisions Article of the Annotated Code of Maryland to discuss one (1) concern related to the Administrative function of the County Commissioners in their executive role related to the virtual capabilities for public hearings.

Summary Closed Session Items

At 12:45 p.m. the Commissioners went into virtual closed session.

Administrative Function


Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Jenifer Ellin and Evelyn Jacobson

Ms. Evelyn Jacobson, Chief of Information Technologies, Department of Fiscal and Administrative Services, reviewed the virtual capabilities to hold a public hearing. Mr. Wes Adams, County Attorney, Office of County Attorney, indicated that all of the options outlined meet the Open Meetings Act obligation.

At 12:57 p.m. a motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to end close session and adjourn.



Carol A. DeSoto, Acting Clerk



Reuben B. Collins, II, Esq., President

Regular Meeting of County Commissioners
Tuesday April 7, 2020

FORM OF STATEMENT FOR CLOSING A MEETING

Location: ~~Commissioners' Meeting Room~~ ^{Virtual} Date: April 7, 2020

Time: 12:41 p.m.

Motion By: Commissioner Rucci

Seconded By: Commissioner Stewart

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Reuben B. Collins, II, Esq.	[X]	[]	[]	[]
Gilbert O. Bowling, III.	[X]	[]	[]	[]
Thomasina O. Coates, M.S.	[X]	[]	[]	[]
Amanda Stewart, M.Ed.	[X]	[]	[]	[]
Bobby Rucci	[X]	[]	[]	[]

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 April 7, 2020

- (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:

3-106 Administrative Update on Virtual Capabilities for Public Hearings/Comments



Reuben B. Collins, II, Esq., President

F: Home/Com/Minutes/Form of Statement for Closing Mtg.doc