

**Regular Meeting of County Commissioners**  
**Tuesday April 21, 2020**

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:03 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: 2020-16 National Volunteer Week**

**Call to Order/Pledge**

Commissioner Collins called the meeting to order and Commissioner Bowling led the Pledge of Allegiance.

**Charles County Health Department Update: Coronavirus/CoVid-19**

Dr. Howard Haft, Executive Director, Maryland Primary Care Program, Maryland Department of Health, and Ms. Michelle Lilly, Director, Department of Emergency Services provided an update on COVID-19. Dr. Haft spoke on how county nursing homes are being impacted by COVID-19. He shared that one hundred and twenty (120) nursing home residents in Charles County have tested positive for COVID-19 and clarified that it did not indicate that all of these cases were people who were actually sick since it also included some a-symptomatic cases as well. He stated that the state is currently working to create a new statewide reporting system across all nursing home facilities with standardized data.

Ms. Lilly provided an overview of the Emergency Operation Center's work, including continued daily coordination with local and state affiliated agencies. She also reported fifty-two (52) individuals who are in quarantine (county first responders, career and volunteer fire and EMS, and law enforcement) since they were exposed but are not necessarily sick. She indicated that twelve (12) cases were in isolation. She also mentioned that the Southern Maryland Mask Makers and members of the Amish Community provided two hundred and fifteen (215) homemade masks to the department to be used by public service personnel in the County.

Commissioner Rucci suggested that the State provide a means, such as iPads, for residents in nursing home facilities to be able to connect with their families.

The Commissioners requested that the Department of Emergency services include date range of quarantined members. Commissioner Stewart also requested that staff look into a means to be able to test County career first responders with no hassles or costs and asked for an update on this as well. Commissioner Stewart also stressed the need to establish a plan for when County employees return to work to be tested.

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**Comments**

There were no comments.

**Closed Session**

At 9:56 a.m., a motion was made by Commissioner Rucci, seconded by Commissioner Stewart 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)(3)(7) of the General Provisions Article of the Annotated Code of Maryland to seek legal advice on one (1) potential land acquisition and on one (1) issue related to a negotiation on an agreement. The reason for going into closed is to keep legal approaches and strategies confidential.

**Summary Closed Session Items**

At 10:00 a.m. the Commissioners went into virtual closed session.

**3-305(b)(7) Legal: Negotiation on an Agreement**

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Alexis Blackwell, Jacob Dyer, Megan Donnack, and Eric Paltell.

Mr. Eric Paltell, Negotiation Attorney, reviewed an agreement and the terms that were reached. Ms. Alexis Blackwell, Director, Department of Human Resources, reviewed the terms and guidelines that would be used. Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, outlined the fiscal impact of the agreement and funding sources.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present voting in favor to approve the agreement for union and nonunion members as presented.

The consensus of the Commissioners was to bring this item back into open session for approval of the funding source and is reflected in these minutes under Approval Items for the FY2020 Budget Transfer Request 7735 COVID-19 Hazard Pay.

**3-305(b)(3)(7) Legal: Potential Land Acquisition**

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Jenifer Ellin, John Stevens, KennethWayne Thompson.

Ms. Deborah Hall, Deputy County Administrator, provided an update on a potential land acquisition. Mr. John Stevens, Chief of Capital Services, Department of Public Works reviewed information related to the potential studies needed for the proposed acquisitions.

A motion was made by Commissioner Stewart and seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the next steps for the proposed site.

At 10:56 a.m. a motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to end close session.

At 11:03 a.m., the Commissioners returned to open session.

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**Approval Items**

*FY2020 Budget Amendment Increase 7723 Economic Development Loan Programs*

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that this request would increase the funds in the Business Development Loan Fund to address the current needs of businesses that have been adversely impacted by the COVID-19 crisis.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2020 Budget Amendment Increase 7723 Economic Development Loan Programs for one hundred and fifteen thousand dollars (\$115,000.00).

*FY2020 Budget Amendment Increase 7726 Inspections and Review*

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that the County's new Energov permitting system allows for fee payers to pay with a credit card. Credit card fees associated with these transactions have been allocated to Inspection and Review Enterprise Fund and budget needs to be adjusted to cover these costs.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2020 Budget Amendment Increase 7726 Inspections and Review for forty thousand six hundred dollars (\$40,600.00).

*FY2020 Contingency Transfer Request 7727 Inspections and Review*

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that the County's new Energov permitting system allows for fee payers to pay with a credit card. Credit card fees associated with these transactions have been allocated to Inspection and Review Enterprise Fund and budget needs to be adjusted to cover these costs.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2020 Contingency Transfer Request 7727 Inspections and Review for thirty one thousand six hundred dollars (\$31,600.00).

*FY2020 Budget Transfer Request 7735 COVID-19 Hazard Pay*

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that this request would establish funding to provide hazard premium pay to our first responders and essential public facing employees and mission critical personnel employees during the COVID-19 pandemic. It will cover pay from March 16, 2020 through June 30, 2020 unless the State of Emergency ends earlier.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2020 Budget Transfer Request 7735 COVID-19 Hazard Pay one million four hundred and thirty-one thousand dollars (\$1,431,000.00).

*Revised FY2021 Budget Calendar*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the revised FY2021 Budget Calendar.

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*Revisions: State and Local Legislative Package Process/Guidelines Standard Operation Procedure (SOP)*

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney, reviewed the amendment to the standard operating procedure to clarify the process of sending information to the General Assembly.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the State and Local Legislative Package Process/Guidelines Standard Operation Procedure (SOP) CP.Cat.01.001 as amended.

*Commissioner Committee Assignments*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the calendar year 2020 Commissioner Committee Assignments as outlined.

*Draft Letter of Support - Humanities Grant for Maryland Veterans Museum*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the Draft Letter of Support for the Humanities Grant for the Maryland Veterans Museum.

**Approval of Minutes of April 7 and April 14, 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 April 7, 2020.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the minutes of April 14, 2020.

**Notice of the Tentative Agendas of April 28 and April 29, 2020**

Ms. Carol DeSoto, Clerk to the Commissioners, reviewed the tentative agendas for April 28 and April 29, 2020.

**Briefing: Homeless Shelter Work Group Report**

Ms. Dina Barclay, Director, Department of Community Services, and Ms. Cathy Reisinger, Program Manager, Department of Planning and Growth Management, introduced members of the work group and reviewed the mission which is to identify the most appropriate strategy for delivering homeless shelter services, including consideration of a permanent shelter location. They further explained the different definitions of homelessness: who typically experiences homelessness: the categories of shelter services; the Continuum of Care for Southern Maryland (CoC) program; Charles County Homeless Data; the reasons for success in the decline in homelessness; and what is working well in Charles County. They went on to review the different options to addressing homelessness and the work groups' recommendation to consider companion programs such as Rapid Rehousing to address the needs of homelessness.

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Commissioner Collins requested that the work group get feedback from providers who serve the homeless on their perspective of the need for additional shelter space or more companion programs to address the needs of homeless in the County.

**Briefing and Request for Approval: Heavy Commercial Vehicle Parking Restrictions in Kingsview Neighborhood**

Mr. Jason Groth, Planning Director, and Mr. Alex Waltz, Engineer III, Department of Planning and Growth Management, reviewed the request from the Kingsview Homeowners Association (HOA) to approve the heavy commercial vehicle parking restrictions in the Kingsview neighborhood. They reviewed the decision paper which outlines staff recommendations to approve this request and the justifications for their recommendation.

The Commissioners requested staff to review the HOA bylaws related to large vehicles parking in the neighborhood; clarity on posting of signs if it is on County roads or private roads, and to provide examples of other neighborhoods related to heavy commercial vehicle parking.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all the Commissioners present, voting in favor to table this request until all requested information is provided.

**Briefing and Request for Approval: Land of Mallard's Pond, LLC; Residential Density Within the Town of La Plata Tax Map 108, Parcel 7, Account 01-021052; 2.887 Acres Off Lodge Street**

Mr. Jason Groth, Deputy Director, Department of Planning and Growth Management, Mr. Stephen Scott, Scott Law Group, and Ms. Staci Lagana, Lorenzi, Dodds & Gunnil, Inc. provided a briefing on a zoning request for the property of Mallard's Pond to allow a higher density on the property and approval of the zoning classification placed upon the property by the Town of La Plata. Mayor Jeannine James, Town of La Plata, joined the session to inform the Commissioners of the Town of La Plata's approval of this project.

The Commissioners deferred voting on this request. They asked that staff contact the Charles County Board of Education for their input; clarify the impact on schools in La Plata; and identify which schools would be affected by these additional seats.

**\*Postponed Briefing: Billingsley Road Safety Improvements Update**

**Budget Work Session - FY2021 General Fund Update and Follow Up on General Government Capital Improvement Projects (CIP)**

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, provided an update on the FY2021 General Fund, CARES Act Analysis, and Governmental Capital Improvement Program. They reviewed the County Commissioners individual FY2021 budget proposals on the Governmental Capital Improvement Program. They also provided information to questions submitted by Commissioner Coates.

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Commissioner Collins suggested that Commissioner Coates complete the add/delete form in order for staff to look at specific programs.

The consensus of the Commissioners was for staff to include information on districts for the next budget year session.

**Commissioners' New Business**

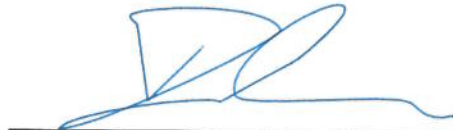
Commissioner Rucci requested staff to look at the County's Economic Development Loan Program for COVID-19 to see if it can be more flexible. Commissioner Stewart requested staff to send the Commissioners the application being used for this program so that the Commissioners can submit questions for next week's update.

Commissioner Coates wanted to remind residents to complete the 2020 census survey.

At 2:41 p.m. a motion was made by Commissioner Bowling, seconded by Commissioner Stewart 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 <sup>Virtual</sup> Date: April 21, 2020

Time: 9:56 a.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**

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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)(3)(7) Legal Advice: Potential Land Acquisition**

REASON FOR CLOSING: To keep legal approaches confidential

**3-305 (b)(7) Legal Advice: An Agreement**

REASON FOR CLOSING: To keep legal approaches confidential



Reuben B. Collins, II, Esq., President