

Regular Meeting of County Commissioners
Tuesday April 28, 2020

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:01 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

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 explained that across the state that all residents in nursing homes, homeless shelters, group homes, assisted living would be tested and that all tests' numbers will be reported. He shared that one hundred and thirty-three (133) nursing home residents in Charles County have tested positive for COVID-19. He stated that the state is continuing to work on a new statewide reporting system across all nursing home facilities with standardized data.

Ms. Lilly provided an overview of the Emergency Operation Center's (EOC) work. She also reported that local first responders recognized the University of Maryland Charles Regional Medical Center last week with a banner and parade of ambulances and fire trucks. Also, earlier this month, as part of the statewide medical surge planning efforts, the EOC requested an advanced medical tent for the hospital and this tent will be constructed in May and will provide ten (10) additional hospital beds.

Commissioner Rucci and Commissioner Stewart expressed concern that the efforts to provide a means, such as iPads, for residents in nursing home facilities to be able to connect with their families has not been implemented. They felt that this should be a priority.

Mr. Wes Adams, County Attorney, responded the Commissioner's Bowling about the Board of Commissioners' role as the Board of Health for the County. Mr. Adams explained that this role is delegated to the Department of Health during health emergencies and the Board of County Commissioners receive briefings and updates from the Health Department.

Commissioner Collins requested an update on the detention center related to COVID-19.

Comments

There were no comments.

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Notice of the Tentative Agenda of May 5, 2020

Ms. Carol DeSoto, Clerk to the Commissioners, reviewed the tentative agenda for May 5, 2020.

Approval Items

FY2020 Budget Transfer Request 7732 Debt Issue Cost

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that this request would be used to cover the overage in Debt Issue Cost fund. This cost is associated with issuing the most recent bond issue which was greater than budgeted.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2020 Budget Transfer Request 7732 Debt Issue Cost for two hundred and eighty-six thousand six hundred and thirty dollars (\$286,630.00).

FY2020 Intercategory Budget Transfer Request- Board of Education

Ms. Sheri Fischer-Davis, Budget Manager, Charles County Public Schools, explained that this year end intercategory budget transfer is necessary for instruction supplies and materials; student personnel service; student transportation; operation of plant; community service; and capital outlay. This request was approved by the Board of Education.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2020 Intercategory Budget Transfer- Board of Education for ten point three (\$10.3) million dollars.

Neutrality Agreement

Mr. Wes Adams, County Attorney, explained this agreement covered neutrality between Charles County and union organizations in regard to employees.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the neutrality agreement with the added amendment to item seven (7) to specifically outline a list of designated meeting space in County Office Buildings.

Southern Maryland Transit Project Draft Letter of Support

Ms. Jason Groth, deputy Director, Department of Planning and Growth Management, explained that this was for a joint Charles County and Prince George's County Better Utilizing Investments to Leverage Development transportation planning grant application. This funding will be used to complete a draft environmental impact statement for the Southern Maryland Rapid Transit (SMRT) project.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Southern Maryland Transit Project draft letter of support and grant application and Charles County's portion of funding.

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Follow up Discussion: Charles County COVID-19 Relief Fund for Small Businesses

Ms. Lucretia Freeman-Buster, Chief of Business Development, Department of Economic Development, reviewed the process for the Charles County COVID-19 Relief Fund for Small Businesses.

Commissioner Stewart suggested to clarify the bullet points on the application instructions to make it easier for residents to understand what is needed:

1. Documentation of applying to the Small Business Administration is optional
2. Evidence that they did not qualify for federal, or state loan fund is a statement only.
3. Evidence of good standing with the state can be printed from the web site and does not need to be certified copy.

Commissioner Coates requested creating a COVID-19 advisory board to set up funding guidelines for the second portion of funding that the County would receive from the CARES Act.

Mr. Mark Belton, County Administrator, reviewed what the County's internal planning group is doing to prepare for this and submit the report that is due on May 1, 2020.

A motion was made by Commissioner Coates to look into creating an advisory board to provide feedback to the Board of County Commissioners on the overall response of the County to the COVID-19 pandemic. This motion was not seconded.

Commissioner Stewart suggested that staff set up a platform where written comments could be collected systematically instead of an advisory board.

The consensus of the Commissioners was for staff to bring back this information.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all the Commissioners present, voting in favor to approve setting up infrastructure for a COVID-19 Business Relief Grant fund using funds from the Federal Coronavirus Aid Relief, and Economic Security Act (CARES Act) and County Funds to provide economic support to those Charles County businesses that have suffered interruptions due to COVID-19 related business closures, subject to the following conditions:

1. Meet all eligibility requirements established by the program
2. Must use all funds for purposes related to the impact of COVID-19
3. Provide written statement prior to closing certifying that funds will be used in accordance with the grant eligibility requirements for expenses incurred due to COVID-19

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all the Commissioners present, voting in favor to approve adding one hundred thousand dollars (\$100,000.00) to the existing Non-profit COVID-19 Emergency Relief Fund and that non-profits applying must meet eligibility requirements established by the program; must use all funds for purposes related to the impact of COVID-19; and provide written evidence for expenses incurred due to COVID-19 according to the eligibility requirements set up by the Charitable Trust. This motion was approved with the added amendment to include that the funding source is coming from the fund balance.

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Briefing: Charles County Drainage Systems Improvement Program

Mr. Jason Groth, Planning Director, and Ms. Alicia Afroilan, Program Manager, Department of Planning and Growth Management, Mr. John Stevens, Chief of Capital Services, Department of Public Works, provided a presentation on the Drainage System Improvement Project, including response to stormwater concerns in the county. It outlined the design of a comprehensive program which would centralize data collection; evaluate and prioritize; create project planning and implementation; outline funding sources; and include community involvement. Ms. Afroilan explained the steps involved in the process of evaluating drainage issues which are to investigate, diagnose, and resolve.

The next steps would be for staff to prepare for Commissioner approval, policy recommendations for non-County owned drainage structure systems and the Standard Operating Procedure (SOP) for the drainage program.

Briefing: Bryans Road Update Report

Mr. Darrell Brown, Director, and Mr. Taylor Yewell, Redevelopment Manager, Department of Economic Development provided an update on Bryans Road current conditions and market assessment, which included demographics, zoning and current conditions, retail and commercial market trends, residential market and housing trends, economic development implications of the Watershed Conservation District (WCD), and economic development implications of the Maryland Airport.

Briefing: Billingsley Road Safety Improvements Update

Mr. John Stevens, Chief of Capital Services, and Mr. Brian Kagarise, Senior Project Manager, Department of Public Works-Capital Services provided an update on the Billingsley Road safety improvements. It focused on the two (2) remaining area for safety improvement. Mr. Kagarise outlined the issues and improvements needed to Prince Edward Drive and Pearl Street as well as the plan to complete these safety improvements.

Budget Work Session - FY2021 General Fund

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, reviewed the proposed FY2021 General Fund Budget. During the review of each of the partnering agencies proposed budgets, the Commissioners received from these agencies their video and written comments on their proposed budgets. These video and written comments were from the Board of Education, Charles County Sheriff's Office, College of Southern Maryland, Charles County Public Library, Charles County State's Attorney's Office, Charles County Health Department, Circuit Court, Charles County Department of Social Services, and the Charles County Charitable Trust.

Ms. Ellin concluded the work session informing the Commissioners that they would receive the add/delete form for their proposed budget changes. The final review of the budget is scheduled for May 12, 2020.

Commissioners' New Business

There was no new business discussed.

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Closed Session

At 12:47 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Coates 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)(7) of the General Provisions Article of the Annotated Code of Maryland to seek legal advice on two (2) issues related to negotiations on potential agreements. The reason for going into closed is to keep legal approaches and strategies confidential

Summary Closed Session Items

At 1:22 p.m. the Commissioners went into virtual closed session.

3-305(b)(7) Legal: Proposed Agreement

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, John Bohanan, P. J. Hogan, Bernie Marczyk, Ellen Valentino, Will Smith, and Sierra Fuller.

Mr. John Bohanan, Principal, Cornerstone, reviewed the proposed services and background on his company.

3-305(b)(7) Legal: Proposed Agreement

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

Mr. Eric Paltell, Negotiation Attorney, reviewed proposed modifications to an agreement and the terms of the agreement.

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

At 1:54 p.m. a motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to end closed session and 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 ^{Virtual}

Date: April 28, 2020

Time: 12:47 p.m.,

Motion By: Commissioner Bowling

Seconded By: Commissioner Coates

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

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(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)(7) Legal Advice: Two (2) Agreements

REASON FOR CLOSING: To keep legal approaches confidential



Reuben B. Collins, II, Esq., President