

Regular Meeting of County Commissioners
Thursday May 28, 2020

The special meeting of the County Commissioners was convened virtually at 11:00 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

Call to Order/Pledge

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

Roll Call

A roll call was taken. All Commissioners were present.

Closed Session

At 11:03 a.m., motion was made by Commissioner Bowling, 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)(7) of the General Provisions Article of the Annotated Code of Maryland to seek legal advice on Governor Hogan's Expanded Phase One (1) Reopening Directives.

Summary Closed Session Items

At 11:05 a.m. the Commissioners went into virtual closed session.

3-305(b)(7) Legal: Discuss Legal Options on Governor Hogan's Expanded phase One Directives

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Carpenter, and Danielle Mitchell.

Mr. Wes Adams, County Attorney, reviewed the May 27, 2020 "Order of the Governor of the State of Maryland Number 20-05-27-01 Amending and Restating the Order of May 13, 2020, Allowing Reopening of Certain Businesses and Facilities Subject to Local Regulation." Ms. Deborah Carpenter, Director of Planning and Growth Management (PGM) and Ms. Danielle Mitchell, Associate County Attorney, provided an update related to the permit process and liquor license requirements for businesses in Charles County to reopen under the new guidelines.

At 11:44 a.m., a motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed with all Commissioners present, voting in favor to end Closed Session.

At 12:03 p.m. the Commissioners returned to virtual open session.

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Discussion: Opening Charles County Within Parameters of Governor Hogan's Executive Order to Move into Complete Phase One of Maryland's Roadmap to Recovery

Dr. Howard Haft, Executive Director, Maryland Primary Care Program, Maryland Department of Health; Ms. Michelle Lilly, Director, Department of Emergency Services; Mr. Mark Kaufmann, Fire Chief; Mr. Noel Cervino, President/CEO, Dr. Joseph Moser, Chief Medical Officer, University of Maryland Charles Regional Medical Center (UM-CRMC); Mr. Thomas Blanford, Chair, Charles County Chamber of Commerce; Mr. Darrell Brown, Director, and Ms. Marcia Keeth, Deputy Director, Department of Economic Development; and Ms. Deborah Carpenter, Director, Department of Planning and Growth Management (PGM) joined the Commissioners to discuss implementing Governor Hogan's expanded phase one guidelines of Maryland's "Roadmap to Recovery."

Mr. Wes Adams, County Attorney, reviewed Governor Hogan's expanded order for allowing reopening of certain businesses and facilities subject to local regulation and the interpretive guide. He also spoke on the Department of Planning and Growth Management's revised permit guidelines that would be online today. The permit application would be for a temporary outside service area along with guidance documents regarding the reopening requirements in Charles County. He also advised the Commissioners to direct the Liquor Board to temporarily suspend local rules related to outside service at restaurants.

Dr. Haft explained that in addition to restaurants and bars the Governor's Expanded Order also covered swimming pools, youth camp programs, outdoor youth sports and non-congregant settings. He also explained that the Maryland Department of Health's directives were also outlined in the documents.

Ms. Lilly reviewed COVID-19 statistics from the Charles County Emergency Operation Center (EOC). She indicated that the weekly summary of new COVID positive and COVID deaths showed a decline. She also reviewed the weekly summary of negative tests; summary of partially and fully recovered COVID positive cases; and COVID positive case counts by zip codes. She concluded with a review of the Fire and EMS total incident volume comparison showing a decline as well. She stated that the EOC will be maintaining a constant state of vigilance.

Mr. Cervino and Dr. Moser reviewed information related to UM-CRMC readiness to handle surge capacity, testing, personal protective equipment (PPE), staffing, and system utilization. Dr. Moser indicated they were discharging more COVID patients than they are admitting and that they were prepared for the reopening of the County.

Mr. Blanford shared a statement from the Charles County Chamber of Commerce in conjunction with the Southern Maryland Minority Chamber of Commerce, and the Business Associations from La Plata, Indian Head and the Western County indicating that businesses were ready to reopen safely and responsibly.

A motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to adopt Governor Hogan's May 27, 2020 Executive Order regarding completing phase one reopening of Maryland with the following guidelines:

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- All businesses permitted under the May 13, 2020 executive order to open may open as of 12:01 a.m. on Friday May 29, 2020.
- Restaurants, bars and the additional outdoor recreation activities covered by the May 27, 2020 order are permitted to open to employees at 12:01 a.m. on Friday May 29, 2020 provided that they follow all application and permitting guidelines established by the Department of Planning Growth Management and the Board of License Commissioners (the Liquor Board) and are permitted to open to the public at 5:00 p.m. on Friday May 29, 2020.
- Businesses are advised that application for a temporary outside service area permit will be on the County's website at approximately 5:00 p.m. this evening along with all guidance documents regarding opening requirements. This application must be filled out and returned prior to opening to the public.
- All businesses are advised that they must still follow all other social distancing, masking, and capacity guidelines or they are subject to enforcement including revocation of this authorization and closing.
- All citizens are advised that this order does not override personal health concerns and that it is still safer at home and citizens are advised to assess their own health situation before deciding to head out to newly opened establishments.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to suspend any local rules concerning serving alcohol in an Outside Service Area, and direct the Charles County Board of License Commissioners, Liquor Board, to establish a temporary rule concerning Outside Service Areas for alcohol beverage licensees that will accomplish an expedited and streamlined approval process for licensees in order to allow for them to serve alcohol in an Outside Service Area by tonight, May 28 at 5:00 p.m., consistent with the Governor's Executive Order 20-05-27-01.

At 12:46 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Bowling 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: Virtual

Date: May 28, 2020

Time: 11:03 a.m.

Motion By: Commissioner Bowling

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

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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: On Governor's Expanded Directives

REASON FOR CLOSING: To seek legal advice



Reuben B. Collins, II, Esq., President

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