

Regular Meeting of County Commissioners
Tuesday June 2, 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
Danielle Mitchell, Associate County Attorney
Carol A. DeSoto, Clerk to the Commissioners

Call to Order/Pledge

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

Roll Call

A roll call was taken. All Commissioners were present.

Bi-Annual Update: Charles County Health Department

Dr. Suzan Lowry, Health Officer, Ms. Karyn Black, Ms. Amber Starn, Ms. Lisa Laschalt, Ms. Sherita Hawkes, Ms. Juliea Misero, Ms. Linda Barnes, and Ms. Melanie Gardiner, Charles County Department of Health; and Dr. Howard Haft, Executive Director, Maryland Primary Care Program, Maryland Department of Health joined the Commissioners for the Bi-Annual update on the Charles County Health Department. Dr. Lowry reviewed a Power Point overview on the status of local public health initiatives, including metrics related to its performance, program achievements, new grants and initiatives, and the development of a strategic plan. She highlighted programs that address opioid use, chronic disease initiatives, environmental health program, promotion of HIV testing, and collaboration and education efforts that are ongoing in all areas and with COVID-19 impact.

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. Ms. Lilly shared data that shows a continued decline in hospitalizations and deaths related to COVID-19, and increased numbers of testing throughout the community. The Emergency Operations Center has been reduced from enhanced to monitoring status only and will stay activated through June 29.

Dr. Haft reported no current outbreaks at skilled nursing facilities and discussed measures for continued infection control. He explained that it would only take one case to be considered an outbreak in a congregate living facility. He indicated that the Health Department is providing ongoing technical assistance to businesses and religious leaders as their buildings reopen, supporting contact tracing efforts locally, and expanding testing locations and availability. The Health Department is conducting weekly educational webinars.

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The Commissioners directed Mark Belton to work on preparations for moving into Phase II of Maryland Strong: Road to Recovery in order to be ready when the Governor moves into this phase.

Comments

Commissioner Collins spoke on the tragic death of George Floyd. He requested that media draft a joint official statement that would be sent out today as a press release.

Commissioner Bowling suggested that some type of statement be posted in all Government buildings on equality before summer break.

Approval of the Minutes of May 14, May 19, and May 28, 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 May 14, 2020.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the minutes of May 19, 2020.

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

Announcement: Next Commissioner Session will be held June 16, 2020.

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled session was on June 16, 2020.

Approval Items

FY2020 Budget Transfer Request 7802 Western Parkway Phase Two

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that this request would move funds from the Western Parkway Phase II contingency line item into the project's Construction line item to cover the remaining balance and retainage for Reliable Contracting Company.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2020 Budget Transfer Request 7802 Western Parkway Phase Two for ninety two thousand dollars (\$92,000.00).

FY2020 Budget Transfer Request 7839 Legal Fees

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that this request was to cover the increased costs for litigation requiring outside counsel related to preparing for hearings and trials.

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 7839 Legal Fees for three hundred and twenty thousand dollars (\$320,000.00).

Memorandum of Understanding (MOU): Administrative Office of the Courts Video Bail Review MOU

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A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve Administrative Office of the Courts Video Bail Review MOU.

**Break 9:59 a.m. – 10:06 a.m.*

Legislative Wrap Up: 2020 Maryland General Assembly Legislative Session

Mr. Ivan Lanier, President, Ms. Tia Ortiz, Government Relations Representative, and Mr. Jacob Moore, Policy Analyst, Greenwill Consulting Group; and Senator Arthur Ellis, Charles County State Senator, joined the Commissioners to discuss the 2020 Maryland General Assembly Legislative Session. They provided a report on the legislative actions that occurred during the 2020 Maryland General Assembly which directly affected Charles County. They also provided an update on the legislative priorities that they advocated for on behalf of the Board of County Commissioners. They highlighted some bills that were approved, including legislation to authorize tax increment financing and special taxing districts, penalties for illegal disposal of bulky items, collective bargaining, and three bond bills. Mr. Lanier explained that the bond bill submitted by Senator Ellis did not need to go through local government for approval.

Commissioners Bowling and Stewart raised concerns of not receiving any communication from Mr. Lanier or Senator Ellis related to the Waldorf Multipurpose Civic Center Bond Bill that was approved for one hundred thousand dollars (\$100,000.00). Senator Ellis agreed that in the future he would extend the common courtesy of communicating better with the County.

Briefing: Incentive Awards Program (IAP) at University Maryland

Ms. Jacqueline Lee, Director, and Ms. Martina Grunwald, Executive Director of Development, University of Maryland Incentive Awards Program, provided an overview of their scholars program. The program provides one-on-one coaching, mentoring, summer bridge activities, study abroad, community service, and scholarship opportunities for students. She presented a proposal for a Charles County student cohort and the costs associated with initiating it for the 2021-22 school year.

Briefing: Waterman's Association

Mr. Bill Killinski, President, and Mr. Kevin Warring, Waterman's Association provided the Commissioners with an update on their industry related to Blue Crabs, Stripe Bass (Rock fish), Catfish and Oysters. They discussed the challenges that oyster fisheries are facing, regulatory concerns, and local opportunities to partner with Charles County Government to enhance fisheries and ensure clean waterways. They also informed the Commissioners that they were exploring opportunities to work with the schools to develop some type of curriculum of the fisheries surrounding 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 provided the Commissioners updated information related to the request for heavy commercial vehicle parking restrictions in the Kingsview Neighborhood.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed with Commissioners Rucci, Bowling and Collins voting in favor to approve the request from the Kingsview

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Homeowners Association (HOA) to post signs prohibiting Heavy Commercial Vehicles from parking on streets within the Kingsview neighborhood. Commissioners Coates and Stewart were opposed. A roll call of the vote was taken: Commissioner Stewart-no; Commissioner Bowling-yes; Commissioner Coates-no; Commissioner Rucci-yes; Commissioner Collins-yes. The motion passed three (3) to two (2).

Briefing: School Allocation Policy

Ms. Deborah Carpenter Director; Mr. Jason Groth, Deputy Director; and Mr. Ben Yeckley, Planner III, Department of Planning and Growth Management presented an overview of the current school allocation policy, the goals and objectives of potential changes; its limitations, review of other jurisdictions and two (2) potential options for addressing them. Mr. Groth explained that staff was briefing the Commissioners on the concepts then with the Commissioners' direction would draft legislation.

An initial motion was made Commissioner Rucci and seconded by Commissioner Bowling to approve Option One (1). This motion and second was later rescinded.

After further discussion, the Commissioners directed staff to come back with a hybrid of both options, define the terms Affordable and Workforce Housing, and include the Town of La Plata school seat allocation numbers.

Briefing: COVID-19 Small Business Relief Grant Program

Mr. Darrell Brown, Director; Ms. Lucretia Freeman-Buster, Chief of Business Development, and Ms. Marcia Keeth, Deputy Director, Department of Economic Development briefed the Commissioners on the proposal and process to launch the two point five (\$2.5) million dollar small business grant relief program which would provide relief to local businesses that have experienced closures related to the COVID-19 public health emergency. The grant program would designate five hundred thousand dollars (\$500,000.00) for local agriculture and aquaculture businesses that has experienced losses related to the COVID-19 public health emergency. Businesses that have between five (5) and seventy-five (75) employees are eligible for up to ten thousand dollars (\$10,000.00), and businesses with five (5) employees or less are eligible for up to five thousand dollars (\$5,000.00). Economic Development staff reviewed the grant application process and other eligibility requirements.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Small Business Relief Grant program application and process as discussed.

Discussion: Charles County Charitable Trust Funding

Commissioner Stewart was joined by Ms. Vivian Mills, Executive Director, Charles County Charitable Trust as she outlined her concerns for cutting the Charitable Trust's Administrative Cost operating budget by seventy-five thousand dollars (\$75,000.00) and adding that seventy-five thousand dollars (\$75,000.00) to the Charitable Trust's Grant Award Program.

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Commissioner Bowling questioned the Charitable Trust's administrative costs related to salaries and rent. He requested having the Charitable Trust provide comparative information related to other non-profit executive director's salaries and rent cost. He explained that he wanted to work with the Charitable Trust on potential ways to help lower these costs.

A motion was made by Commissioner Stewart to return the Charitable Trust funding back to the FY2020 breakdown. Her motion was not seconded, so the motion dies.

Discussion: Charles County Government/Board of Education Funding

Commissioner Bowling was joined by Dr. Kimberly Hill, Superintendent, Charles County Public Schools, Ms. Virginia McGraw, Chairman, Charles County Board of Education as he proposed changes to the budget.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and failed, with all Commissioners present, to freeze all current open positions, not yet selected, excluding the Chief Equity Officer position for a savings of one million, three hundred and eighty six thousand one hundred dollars (\$1,386,100.00) and reduce the Economic Development Department's budget by three hundred and eighteen thousand nine hundred and fifty four dollars (\$318,954.00) and eliminate the Community Services Contract for the Fuller House of one hundred and eleven thousand dollars (\$111,000.00) for a total reduction of one million eight hundred and sixteen thousand fifty four dollars (\$1,816,054.00). These funds will be used to increase the budget by five hundred and ninety-three thousand dollars (\$593,000.00) for a one percent (1%) Cost of Living Adjustment (COLA) for full time Charles County Government employees, this includes bargaining and non-bargaining employees, excluding sworn officers since they are receiving a five percent (5%) COLA on July first per the State pay plan. The COLA will be effective the first full pay period in July. The Board of Education budget will then be increased by one million two hundred and twenty-three thousand and fifty-four dollars (\$1,223,054.00) for teacher raises.

Commissioner Rucci added a friendly amendment to exclude the Sheriff's Department Commissioner Bowling accepted the friendly amendment and stated that this would increase the reduction to the Economic Development Budget to four hundred and seven thousand eight hundred dollars (\$407,800.00).

A roll call of the vote was taken: Commissioner Rucci-yes; Commissioner Coates-no; Commissioner Bowling-yes; Commissioner Stewart-no; Commissioner Collins-no. The motion failed three (3) to two (2).

Commissioners' New Business

Ms. Carol Desoto, Clerk to the Commissioners, noted that the draft joint statement related to the death of George Floyd was prepared for the Commissioners review and comments before the press release was sent out.

Commissioner Bowling queried about receiving an update on the request for the COVID-19 Memorial. Mr. Mark Belton, County Administrator, indicated that staff will be prepared to provide an update at one of the next scheduled sessions.

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Closed Session

At 1:35 p.m., motion was made by Commissioner Coates, seconded by Commissioner Rucci 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)(1)(7) of the General Provisions Article of the Annotated Code of Maryland to seek legal advice on three (3) potential agreements/proposals; and to discuss personnel appointments to seven (7) Commissioner appointed Boards, Commissions, and Committees; and to conduct one (1) personnel interview. The reason for closing is to keep legal approaches and strategies confidential and to keep personnel information confidential

Summary Closed Session Items

At 4:11 p.m. the Commissioners went into virtual closed session.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Danielle Mitchell, Carol DeSoto, Ivan Lanier, Jacob Moore, and Tia Ortiz.

Mr. Ivan Lanier, President, Greenwill Consulting Group, reviewed the proposed services and background on his company.

3-305(b)(1) Personnel: Interview

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Danielle Mitchell, Carol DeSoto and Alexis Blackwell.

The Commissioners conducted an interview for a potential leadership position.

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

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

The Commissioners discussed proposed contracts that will be up for renewal for FY2021 and potential options.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Danielle Mitchell, Carol DeSoto, and Elizabeth Theobalds.

Ms. Elizabeth Theobalds, Deputy County Attorney, reviewed a response letter to requested changes to an agreement.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed with all Commissioners present, voting in favor to approve the discussed changes and format.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Danielle Mitchell, Carol DeSoto, and Jesse Bungcayao.

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Ms. Jesse Buncayao, Commissioner Specialist, reviewed the appointment requests for Commissioner appointed Boards: Animal Matters Hearing Board, LOSAP, Area Council on Aging, Adult Public Guardianship Review Board, Library Board of Trustees, Board of Electrical Examiners and Tri County Animal Shelter Advisory Board.

The Commissioners reached a consensus related to these appointments and will take official action on these appointments at the June 16, 2020 session.

At 5:26 p.m. a motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to close Closed Session.

**Break 5:26 p.m. – 6:00 p.m.*

Public Hearing: Proposed Bill 2020-04 Zoning Text Amendment # 19-153 Business Park (BP) Zone

The Commissioners conducted a virtual public hearing on proposed Bill 2020-04 Zoning Text Amendment # 19-153 Business Park (BP) Zone. Mr. Jason Groth, Planning Director, and Mr. Kirby Blass, Planner III, Department of Planning and Growth Management, presented an overview of the proposal. They explained that this amendment would enhance the business park zoning district and make it more flexible. Ms. Sue Greer, Attorney, The Greer Law Firm, Mr. Nicolas Aragon and Ms. Stacy Hornstein, Republic Land Development reviewed a Power Point presentation on the application that was submitted by Republic Land Development requesting this amendment. Seven (7) speakers called in to provide comments to the Commissioners.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to keep the public record open until May 29, 2020.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to close this public hearing.

Public Hearing: Proposed Bill 2020-01 Benefit Assessments for Infrastructure Improvements.

The Commissioners conducted a virtual public hearing on proposed Bill 2020-01 Benefit Assessment for Infrastructure Improvements. Ms. Deborah Carpenter, Director, and Mr. Jason Groth, Deputy Director, Department of Planning & Growth Management explained that this would expand the manner of payment of assessments for infrastructure improvements by allowing any unpaid benefit assessment to be transferrable to subsequent property owners. Two (2) speakers called in to provide comments to the Commissioners.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to close the public record and close the public hearing.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor adopt Bill 2020-01.

Public Hearing: Maryland Community Development Block Grant Program (CDBG) Federal CARES Act

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The Commissioners conducted a virtual public hearing on Maryland Community Development Block Grant Program (CDBG) Federal CARES Act. Ms. Patricia King, Community Development Administrator, Department of Community Services and Mr. Michael Bellis, Executive Director, United Way of Charles County explained that this first round grant request of two hundred thousand dollars (\$200,000.00) would be used for emergency rental assistance program.

Ms. King stated that, "Today's Public Hearing is to hear citizens views and/or comments and to obtain the approval of the submission of the COVID Community Development Block Grant Application. The draft application can be viewed online at www.charlescountymd.gov until June 3, 2020."

Three (3) speakers called in to provide comments to the Commissioners.

A motion was made to by Commissioner Bowling, seconded by Commissioner Stewart and passed with all Commissioners present, voting in favor to keep the public record open through June 3, 2020.

A motion was made Commissioner Rucci, seconded by Commissioner Coates and passed with all Commissioners present, voting in favor to close the public hearing.

At 6:52 p.m. a motion was made by Commissioner Bowling, seconded by Commissioner Rucci 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: June 2, 2020

Time: 1:35 p.m.

Motion By: Commissioner Coates

Seconded By: Commissioner Rucci

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) [X] 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) [X] 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

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(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)(7) Legal: Three (3) Potential Agreements/ Proposals

REASON FOR CLOSING: To keep legal advice and approaches confidential.

3-305 (b)(1) Personnel: Interview

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

3-305 (b)(1) Personnel: Seven (7) Commissioner Appointed Boards, Commissions and Committees

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



Reuben B. Collins, II, Esq., President