

Regular Meeting of County Commissioners

Tuesday July 7, 2020

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:08 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.

Comments

Commissioner Bowling shared information that the Tri-County Council of Southern Maryland is working on the Regional Transportation Letter and will keep the Board updated on the status.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to make today, July 7, 2020, a Legislative Day.

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 that the COVID positive cases and deaths have significantly declined in Charles County. The Emergency Operations Center will continue to monitor statistics and work in partnership with the Department of Health to make recommendations for crisis intervention if needed. Dr. Haft shared that COVID positive cases continue to decline in Charles County and testing options have expanded so more residents can get access without a doctor's order. He stressed the importance of social distancing, wearing masks, and washing hands to help mitigate the virus.

Closed Session

At 9:26 a.m., motion was made by Commissioner Stewart, seconded by Commissioner Bowling 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)(3)(7) of the General Provisions Article of the Annotated Code of Maryland to seek legal advice on five (5) potential agreements/proposals; and to discuss personnel appointments to three (3) Commissioner appointed Boards, Commissions, and Committees; to discuss one (1) personnel position; and to discuss one (1) potential land acquisition. The reason for closing is to keep legal approaches and strategies confidential and to keep personnel information confidential

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Summary Closed Session Items

At 9:31 a.m. the Commissioners went into virtual closed session.

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

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

Ms. Danielle Mitchell, Associated County Attorney, reviewed several proposed agreements and services.

The Commissioners directed Ms. Mitchell to get further information and bring back for discussion on July 21, 2020.

3-305(b)(7) Legal: Potential Lease Options

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

Ms. Deborah Hall, Deputy County Administrator, reviewed several lease options.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present voting in favor to work out the lease agreements and bring back on July 21, 2020 for approval.

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

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 agreements and recommended further options.

The consensus of the Commissioners was to vote on the approval of these agreements in open session later this day under Approval Items.

3-305(b)(1) Personnel: Potential Position

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

Ms. Alexis Blackwell, Director of Human Resources, reviewed the negotiations related to a County position.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed with all Commissioners present voting in favor to move forward *with the negotiations as presented*.

3-305(b)(7) Legal: Consider Potential Lease

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

Ms. Deborah Hall, Deputy County Administrator, reviewed a potential lease with the Commissioners.

The consensus of the Commissioners was to vote on the approval of this lease in open session later this day under Approval Items.

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3-305(b)(3)(7) Potential Land Acquisition

Present: Commissioners Collins, Rucci, Bowling, Coates and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Bill Shreve, Frances Sherman, Elizabeth Theobalds and Diane Shelton.

Staff reviewed a potential land acquisition option.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed with all Commissioners present, voting in favor to give staff the authority to start negotiations.

3-305(b)(7) Legal: Swan Point TIF

Present: Commissioners Collins, Rucci, Bowling, Coates and Stewart, Mark Belton, Wes Adams, Carol DeSoto, and Terrah Dews.

Mr. Wes Adams, County Attorney reviewed a request for a letter related to the development district.

The consensus of the Commissioners was to have Mr. Adams draft the letter.

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

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

Ms. Jesse Bungcayao, Commissioner Specialist, reviewed the appointment requests for Commissioner appointed Boards: LOSAP, Board of Fire and Rescue and Historic Preservation Commission

The Commissioners reached a consensus related to these appointments and took official action on these appointments later this day under Actions on Boards, Commissions and Committees.

At 11:23 a.m. a motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to close Closed Session.

At 1:45 p.m. the Commissioners returned to open session.

Roll Call

A roll call was taken. All Commissioners were present.

Approval of the Minutes of June 9, June 12, June 16, and June 17, 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 June 9, 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 June 12, 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 June 16, 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 June 17, 2020.

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

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled session was on July 21, 2020.

Approval Items

FY2020 Budget Transfer Request 7872 Phase Two Mattawoman Treatment Plant

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 7872 Phase Two Mattawoman Treatment Plant for one hundred and forty seven thousand five hundred dollars (\$147,500.00).

FY2020 Budget Transfer Request 7976 Emergency Services Holiday Coverage

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 7976 Emergency Services Holiday Coverage for sixty three thousand two hundred dollars (\$63,200.00).

BOE FY2021 Approved Operating Budget

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the Board of Education FY2021 Operating Budget.

Amendment to Holiday Leave Schedule

A motion was made by Commissioner Stewart, seconded by Commissioner Rucci to amend the holiday leave schedule for County employees to include Wednesday November 25, 2020; and December 24, and 28, 2020.

Mobile Integrated Healthcare Agreement

A motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed with all Commissioners present, voting in favor to approve the Mobile Integrated Healthcare Memorandum of Understanding.

Correction Officers Agreement

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present voting in favor to approve the Charles County Correctional Officers Association Agreement.

International Association of Fire Fighters (IAFF) Agreement

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present voting in favor to approve the Local 4658, International Association of Fire Fighters (IAFF) Agreement.

ThinkBig Networks Armory Lease

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present voting in favor to approve the ThinkBig Networks old Armory Lease.

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Action on Boards, Commissions, and Committees

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to reappoint Kabir Tompkins and appoint George Hawley, Lawrence Moses and Omyni Harrell to the Commission for Veterans Affairs.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to appoint Gregg Taylor to the Board of Electrical Examiners.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to reappoint Helen Cheseldine, Francis Gray, Denise Grote, Maria Kane, and Franklin Robinson; and appoint Alex True to the Historic Preservation Commission.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to appoint Alan Hettel to the LOSAP Board.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to appoint Robert Cleaveland to the Board of Fire and Rescue as a citizen member.

Briefing: Update on Amendments to the 2016 Charles County Comprehensive Plan

Ms. Deborah Carpenter, Director; Mr. Jason Groth, Deputy Director; and Mr. Charles Rice, Assistant Chief of Planning, Department of Planning and Growth Management briefed Commissioners on amendments that were made to the proposed 2016 Comprehensive Plan during a Commissioner work session held on June 28, 2016. The amendments address a variety of chapters in the plan, such as land use, water resources, natural resources, community and economic development, and agriculture, forestry, and fisheries.

The Commissioners directed staff to bring back amendment twenty-four (24) related to zoning around the airport to support commercial development and amendment sixteen (16) related to the Development District in relation to school seat allocations.

The Commissioners also directed staff to schedule a briefing on the upcoming Comprehensive Plan process to include State requirements, schedule, overview and review of the cycle.

Update: COVID-19 Memorial

Ms. Deborah Hall, Deputy County Administrator, and Mr. Bill Shreve, Director, Department of Public Works, provided an overview of the proposed policy for placing monuments on Charles County Government property. A Monument Committee presented the proposed policy in 2015, along with a suggested monument application and agreement. This background was shared with Commissioners as part of their discussion on a requested COVID-19 memorial.

The Commissioners recommended some changes to the monument policy and bring it back on July 21, 2020 for approval.

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A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed with Commissioners Stewart, Bowling, Coates and Rucci present, voting in favor to have staff (County Administrator) establish a COVID-19 Memorial Task Force of experts. * *Commissioner Collins was not present for the vote.*

This Task force is to return with recommendations that could be used to guide the process for developing and paying for a COVID-19 memorial.

Follow-Up Work Session: Proposed Bill 2020-02 Vehicle Parking Restrictions Amendment

A motion was made by Commissioner Bowling, seconded Commissioner Stewart and passed, with all Commissioners present, voting in favor to adopt Bill 2020-02 Vehicle Parking restrictions Amendment.

Follow-Up Work Session: Solid Waste Management Plan Amendment -Office Building Recycling Program

A motion was made by Commissioner Bowling, seconded Commissioner Stewart and passed, with Commissioners Bowling, Stewart, Rucci and Coates present, voting in favor to approve the Solid Waste Management Plan Amendment – Office Building Recycling Program. * *Commissioner Collins was not present for the vote.*

Follow-Up Work Session: Waldorf Station Development Agreement

A motion was made by Commissioner Stewart, seconded Commissioner Bowling and passed, with Commissioners Stewart, Bowling, Rucci and Coates present, voting in favor to approve the Waldorf Station Development Agreement as presented. * *Commissioner Collins was not present for the vote.*

Commissioners' New Business

There was no new business discussed.

**Break 3:11 p.m. – 3:38 p.m.*

Virtual Discussion: Criminal Justice Reform in Charles County

The Board of Commissioners hosted a stakeholder discussion on criminal justice reform in Charles County. They were joined by members of Charles County Delegation; Women of Action Charles County; NAACP; Southern Marylanders for Racial Equality, States Attorney Tony Covington, Sheriff Troy Berry, and Public Defender Michael Beach. They shared their perspectives on initiating a civilian review board to investigate complaints regarding law enforcement's use of force and treatment of those in their custody.

The Commissioners directed Mr. Wes Adams, County Attorney to get a general opinion from the Attorney General on the scope of authority the County has for an oversight board and bring back on another session day.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Stewart, Bowling and Rucci present, voting in favor to direct staff to establish a task force composed of stakeholders and community advocates who would develop legislative recommendations to the Charles County State Delegation within the next ninety (90) days.

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

At 5:12 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: July 7, 2020

Time: 9:26 a.m.

Motion By: Commissioner Stewart

Seconded By: Commissioner Bowling

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) [X] 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

(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: Five (5) Potential Contracts/Agreements

REASON FOR CLOSING: To keep legal advice

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

REASON FOR CLOSING: To keep legal advice

3-305(b)(1) Personnel: Appointments to Three (3) Commissioner Appointed Boards

REASON FOR CLOSING: To keep personnel information confidential

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

REASON FOR CLOSING: To keep personnel information confidential



Reuben B. Collins, II, Esq., President