

Regular Meeting of County Commissioners
Tuesday July 21, 2020

Highway grant application from MARAD, United States Maritime Administration for a commuter ferry.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the letter of support for the MARAD Grant Application (Commuter Ferry).

Road Dedication Memorial Sign

Mr. Stephen Staples, Chief of County Roads, Department of Public Works; Captain David Kelly, Charles County Sheriff's Office, and Ms. Gloria Minor, wife of Deputy Timothy Minor, reviewed the request to place a memorial sign on a County road in memory of Deputy Timothy Minor who died in the line of duty while responding to an emergency call.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor of installing a dedication memorial sign as presented.

Revised Standard Operating Policy-COVID-19 Memorial

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the revised Standard Operating Policy on Monuments on Charles County Government Property as presented.

Charitable Trust Lease

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the Charitable Trust lease.

Update: CARES Act Funding

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services, presented an update on expenditures from the CARES Act funding that is designated for costs related to the County's COVID-19 public health emergency. Ms. Ellin explained that since there is still a lot of certainty and the County is still receiving additional requests, the plan is always being reviewed for additional changes.

Commissioner Bowling requested staff to look into potential funding for volunteer fire departments since they were not able to hold fundraising events.

Commissioner Collins requested to revisit these allocations and plan in September.

Briefing and Request to Initiate the Public Process: School Allocation Policy Amendments

Ms. Deborah Carpenter Director; Mr. Jason Groth, Deputy Director, and Mr. Ben Yeckley, Planner III, Department of Planning and Growth Management, briefed the Commissioners on the proposed amendments to the school allocation policy. These revisions are being recommended to improve the allocation process and provide incentives and additional flexibility to accommodate priority projects, including mixed-used development and affordable workforce housing.

Commissioner Collins requested to schedule a meeting for the Board of County Commissioners with

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the Board of Education in the fall before any public hearing is scheduled related to school seat allocations.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve staff to initiate the public process for the school allocation policy amendments.

Briefing: Charles County Climate Resilience Action Strategy

Ms. Deborah Carpenter, Director, and Ms. Beth Groth, Planner III, Department of Planning and Growth Management and Ms. Joanne Throwe, Senior Fellow, Mr. Dan Nees, Senior Research Associate, University of Maryland School of Public Policy, joined the Commissioners to report on the County's Climate Resilience Action Strategy. The work group had to assess risk, identify affected County assets, and draft a plan with goals and strategies to address adverse impacts of climate change. The work group is also evaluating options for a financing strategy and establishing a Climate Resilience Authority to administer its implementation. A Resilience Authority would be responsible for financing resilience infrastructure such as flood barriers, green spaces, building elevation and stormwater infrastructure.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to have staff move to the next steps of the public process as outlined.

Follow-Up 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 and Mr. Stephen Scott, Scott Law Group, reviewed the request for a zoning change to allow higher density on the Land of Mallard's Pond, which was annexed into the Town of La Plata on December 19, 2017. The presentation included a memorandum regarding the impact on school seat allocation as was previously requested by the Commissioners.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, to approve Resolution 2020-20 for approval of the zoning classification for Mallard's Pond Annexation.

Briefing: Prescription Drug Affordability Resolution

Mr. Vinny DeMarco, Ms. Catherine Kirk Robins, Maryland Citizens' Health Initiative, joined the Commissioners to explain the need for more affordable prescription drugs. Mr. Marco provided data on why prescription drug costs are rising, discussed the impact on state and local budgets, and reviewed a legislative proposal for a statewide Prescription Drug Affordability Board.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Resolution 2020-21 Prescription Drug Affordability Initiative.

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Commissioners' New Business

There was no new business discussed.

**Break 4:12 p.m. – 6:02 p.m.*

Roll Call

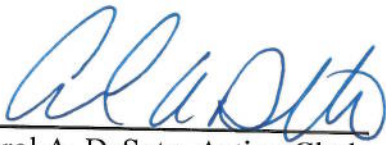
A roll call was taken. All Commissioners were present.

Community Forum on Criminal Justice Reform in Charles County

The Board of Commissioners hosted a virtual community forum on criminal justice reform in Charles County. Six (6) members of the public called in to share their comments with the Commissioners.

The Commissioners agreed to keep the public record open for additional written e-comments until July 28, 2020.

At 6:29 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: July 21, 2020

Time: 9:19 a.m.

Motion By: Commissioner Rucci

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.
- (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: Two (2) Potential Lease Agreements

REASON FOR CLOSING: To keep legal advice

3-305(b)(7) Legal: One (1) Contract Negotiation

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: One (1) Interview and one (1) Evaluation

REASON FOR CLOSING: To keep personnel information confidential



Reuben B. Collins, II, Esq., President

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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.

Roll Call

A roll call was taken. All Commissioners were present.

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 the latest statistics indicating the continue declined in COVID positive cases and deaths 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 stressed the importance of adhering to the Orders and best practices for businesses which include social distancing, wearing masks, and washing hands to help mitigate the virus since it is community transmitted. The Health Department has increased the availability of testing and contact tracing and will focus on high-risk settings and enforcements.

Comments

Commissioner Collins requested a moment of silence to honor two (2) Charles County Government employees, Mr. Brian Bland and Mr. Michael Norwood, who had recently died.

Commissioner Bowling shared information that the Tri-County Council of Southern Maryland is working on the Regional Transportation Letter that will be presented to the full Tri-County Council membership for a vote. He explained that Charles County's transportation priorities have not changed.

Closed Session

At 9:19 a.m., motion was made by Commissioner Rucci, 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 two (2) potential lease agreements and one (1) contract negotiation; and to conduct one (1) personnel interview and one (1) personnel

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evaluation; 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.

Summary Closed Session Items

At 9:30 a.m. the Commissioners went into virtual closed session.

3-305(b)(3): Legal: Lease Agreement

Present: Commissioners Collins, Rucci, Bowling, Coates and Stewart, Mark Belton, Wes Adams, Deborah Hall, Carol DeSoto, Delegate Patterson, Ben Marcantonio, Michael Brady, Regina Moody, Sandra Dillion, and Jessie Syms.

Mr. Wes Adams, County Attorney, reviewed a lease agreement and requested modifications.

The Commissioners directed the County Attorney to get terms and details in writing from the organization and to bring back during another 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, Darrell Brown, Marcia Keeth, and Danielle Mitchell.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor for the Department of Economic Development to continue the relationship agreement with Cornerstone.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed with Commissioners Bowling, Rucci and Stewart present, voting in favor to have G.S. Proctor & Associates, Inc. as the County's Lobbyist. Commissioners Collins and Coates were opposed. A roll call of the vote was taken: Commissioner Bowling -yes; Commissioner Rucci-yes; Commissioner Coates-no; Commissioner Stewart-yes; Commissioner Collins-no. The motion passed three (3) to two (2).

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

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

Ms. Deborah Hall provided the Commissioners an update on a potential land acquisition.

3-305(b)(7) Legal: 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 the proposed lease.

The Commissioner provided some additional changes to this lease and future leases. Official action on this lease took place under Approval Items listed later this day.

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

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

The Commissioners conducted an interview for an executive level position.

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3-305(b)(1) Personnel: Employee Evaluation

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

At 11:30 a.m. Commissioner Coates left Closed Session.

At 11:32 a.m. Ms. Carol DeSoto, Clerk to the Commissioners, left closed session. Mr. Wes Adams, County Attorney, continued to take the minutes.

3-305(b)(7) Legal

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

At 12:33 p.m. Commissioner Coates and Ms. DeSoto returned to close session.

Mr. Wes Adams, County Attorney, reviewed a potential concern for the County and recommendations on how to handle this situation.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Stewart, Bowling, Rucci and Collins present, voting in favor publish a response in the newspaper with the cost taken out of each Commissioners' budget that signs the letter. Commissioner Coates was opposed. A roll call of the vote was taken: Commissioner Stewart-yes; Commissioner Bowling-yes; Commissioner Rucci-yes; Commissioner Coates-no; Commissioner Collins-yes. The motion passed four (4) to one (1).

Commissioners Stewart, Bowling, Rucci and Collins approved using the Ghostwriter for their signature on this letter. Commissioner Coates was opposed.

At 12:55 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.

At 1:32 p.m. the Commissioners returned to open session.

Roll Call

A roll call was taken. All Commissioners were present.

Approval of the Minutes of July 7, 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 July 7, 2020.

Announcement: Next Commissioner Session will be held September 1, 2020

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled session was on September 1, 2020.

Approval Items

FY2020 Contingency Transfer Request #7980 Cobb Island Bridge Sewer

A motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2020 Contingency Transfer Request #7980 Cobb Island Bridge Sewer for two hundred and three thousand dollars (\$203,000.00).

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FY2021 Contingency Transfer Request #7983 Cobb Island Bridge Water Line

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2021 Contingency Transfer Request #7983 Cobb Island Bridge Water Line for eighty-five thousand dollars (\$85,000.00).

FY2021 Budget Transfer Request #7995 Environmental Services Program

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2021 Budget Transfer Request #7995 Environmental Services Program for one hundred thousand dollars (\$100,000.00)

FY2021 Budget Amendment Increase #8012 SMECO Donation

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Budget Amendment Increase #8012 SMECO Donation for five thousand dollars (\$5,000.00).

Detention Center Intake Area Project (FS#3136) Change Order #7

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the Detention Center Intake Area Project (FS#3136) Change Order #7 for one hundred and fifteen thousand two hundred dollars (\$115,200.00).

Solid Waste Management Plan Resolution

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Resolution 2020-17 Solid Waste Management Plan.

Renewed Declaration of Local State of Emergency

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Resolution 2020-19 Renewed Declaration of Local State of Emergency.

Charles County Criminal Justice Coordinating Council Resolution (CJCC)

Ms. Deborah Zrioka, Court Administrator, Judge H. James West, County Administrative Judge, and Mr. Anthony Covington, Charles County States Attorney, joined the Commissioners to discuss establishing the Charles County Criminal Justice Coordinating Council (CJCC) as an advisory board.

The Commissioners requested that potential changes be made to the bylaws to include a member or representative of the Fraternal Order of Police (FOP). In addition, to clarifying the funding.

A motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve Resolution 2020-18 Charles County Criminal Justice Coordinating Council.

Letter of Support MARAD Grant Application (Commuter Ferry)

Ms. Peggy Tadej, Northern Virginia Regional Commission; Mr. Frank Principe, M495 Fast Ferry Stakeholder Group; Mr. Jeremy Ebie, Phoenix Infrastructure; and Mr. Jeffrey Barnett, Chief of Transit, Department of Planning and Growth Management, joined the Commissioners to discuss the Marine