

Regular Meeting of County Commissioners
Tuesday September 15, 2020 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:05 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

Listed Announcement of Additional Charles County Board of County Commissioners' Issued Proclamations for September 2020: 2020-25 Direct Support Professionals Week; 2020-26 National Recovery Month

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. Dianna Abney, Health Officer, Charles County Department of Health, and Ms. Michelle Lilly, Director, Department of Emergency Services provided an update on COVID-19 statistics. Ms. Lilly shared the latest weekly statistics indicating the continued downward trend. Dr. Abney shared that the Department of Health is offering personal protective equipment (PPE) for local businesses and that businesses can request PPEs by filling out the online form. Residents were also encouraged to get their annual flu shot.

Recognition: Employee Length of Service, March-July 2020 and Top Performer, First Quarter, January- March 2020 and Top Performer, Second Quarter, April-June 2020

Ms. Megan Donnick, Assistant Director, Department of Human Resources, explained the new format for recognizing employees virtually which will be done via video and newsletter. The Commissioners recognized employees' years of service for March through July 2020 and the Top Performers for the first and second quarters via a prerecorded video that was played during this virtual session.

Comments

Commissioner Collins discussed the proposed School Seat Allocation Policy and the input the Board of Education presented in the joint meeting the Commissioners had with the Board of Education on September 2, 2020. He recommended a meeting with Mr. Mike Lukas and Ms. Jennifer Abell, Board of Education, and Commissioner Thomasina Coates and Commissioner Amanda Stewart to discuss proposed options and strategies moving forward on this proposed policy. Staff members from both boards would also attend.

Commissioners Coates and Stewart both agreed to this meeting.

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Announcement: Next Commissioner Session will be held September 22, 2020

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled session was on September 22, 2020.

Approval Items

FY2021 Budget Amendment Increase #8159 Groundwater Study

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY 2021 Budget Amendment Increase #8159 for one hundred and forty thousand dollars (\$140,000.00).

Change Order #1- 19-30 Curbside Recycling Collection Service Contract Modification and FY2021 Budget Transfer Request #8192

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Change Order 31-19-30 Curbside Recycling Collection Service Contract Modification.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2021 Budget Transfer Request #8192 for five hundred and forty-five thousand dollars (\$545,000.00).

Proposed Resolution 2020-25 Designation of Board of Appeals as the Forum for Appeals for Orders Issued by the Nuisance Abatement Hearing Board

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Resolution 2020-25.

**Break 9:38 a.m. – 9:48 a.m.*

Briefing: Southern Maryland Electric Cooperative (SMECO) Electric Vehicles (EV) Charging Station Infrastructure Program

Ms. Beth Groth, Planner III, Department of Planning and Growth Management; Mr. Jeff Shaw, Vice President Distributed Energy and Sustainability, SMECO, briefed the Commissioners on the Southern Maryland Electric Cooperative (SMECO) Electric Vehicles (EV) Charging Station Infrastructure Program, which would install EV charging stations at public sites. The proposed sites include the Charles County Department of Health, Waldorf Jaycees, Waldorf Senior and Recreational Center, White Plains Regional Park, Laurel Springs Regional Park, Community Services Building, and the Capital Clubhouse. There will be no cost to the County. SMECO will install, meter, own, operate and maintain these stations.

Update: Task Force on Police Practice Policy Initiative

Mr. Wes Adams, County Attorney, provide an update on the Task Force on Police Practice and Policy Initiative.

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The consensus of the Commissioners was to have Mr. Adams explore and work with the Criminal Justice Coordinating Council (CJCC) to have this task force fall under this organization.

**Break 10:34 a.m. – 11:04 a.m.*

CARES Act Funding and COVID Initiatives:

Update: Charles County Health Department CARES Act Funding

Dr. Dianna Abney, Health Officer, Charles County Department of Health, provide the Commissioners a budget summary for the Charles County Department of Health CARES Act funds and expenses.

Update and Request for Approval: Charles County Government CARES Act Funding

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, provided an update on the County's CARES Act funding. She also reviewed a funding proposal from the Department of Social Services to support short-term to medium-term shelter and service needs of residents who are facing homelessness during COVID-19.

The consensus of the Commissioners was to have staff move forward and work with the Department of Social Services and the Charles County COVID-19 Relief Collaborative to utilize CARES Act Funding for this purpose.

The consensus of the Commissioners was to have Ms. Ellin review with the Charitable Trust the potential for non-profits to be able to use CARES Act funding for operational costs and to bring back options on September 22, 2020. Ms. Ellin will also bring back reinstating the seventy-five thousand dollars (\$75,000.00) Charitable Trust Operating Cost for approval.

Mr. Dyer explained the budget amendment needed to establish the budget for the County's costs associated with mitigating and responding to the COVID-19 emergency pandemic.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Budget Amendment Increase (renamed from FY2021 to FY2020) #8185 FY2020 COVID for three million eight hundred and forty four thousand and twenty dollars (\$3,844,020.00).

Update: Economic Development COVID Related Initiatives

Ms. Marcia Keeth, Deputy Director; Ms. Lucretia Freeman-Buster, Chief of Business Development; and Mr. Darrell Brown, Director, Department of Economic Development, and Dr. Evalyne Bryant-Ward, Economic Development Grant Review Committee, provided information on their COVID related initiatives.

Commissioners' New Business

There was no new business discussed.

Closed Session

At 12:25 p.m., motion was made by Commissioner Bowling, seconded by Commissioner Stewart 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)(4)(7) of the General Provisions

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Article of the Annotated Code of Maryland to seek legal advice on one (1) legal option and approach and to consider preliminary matters that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. The reason for closing is to keep legal approaches and strategies confidential.

Summary Closed Session Items

At 12:29 p.m. the Commissioners went into virtual closed session.

3-305(b)(4)(7): Legal and to Consider Preliminary Matters that Concerns the Proposal for a Business or Industrial Organization to Locate, Expand, or Remain in the State

Present: Commissioners Collins, Rucci, Bowling, Coates and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Darrell Brown and Taylor Yewell.

Mr. Darrell Brown, Director, and Mr. Taylor Yewell, Manager of Redevelopment, Department of Economic Development updated the Commissioners on potential businesses interested in doing business in the County.

The Commissioners provided direction on how to proceed.

3-305(b)(7): Legal Responsibilities

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

Mr. Wes Adams, County Attorney, reviewed legal options and responsibilities related to a County request.

The Commissioners provided direction on how to proceed so that this issue can be discussed further.

At 1:23 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to end Closed Session.

At 5:35 p.m. the Commissioners returned to virtual open session.

Roll Call

A roll call was taken. All Commissioners were present.

Public Hearing: Community Development Block Grant (CDBG) CARES Act Program Round Two -Eviction Prevention

The Commissioners conducted a virtual public hearing on the Community Development Block Grant (CDBG) CARES Act Program Round Two -Eviction Prevention Ms. Patricia King, Community Development Administrator; Ms. Rita Wood, Housing Authority Chief; and Ms. Dina Barclay, Director, Department of Community Services reviewed the proposed grant application. Ms. King stated:

“ that this public hearing was to hear views of citizens on community development and housing needs to be considered for submission of an application to the Maryland Community Development Block Grant Program (CDBG) for funds awarded through the federal CARES Act, what the intended use of the funds are, funds will be used for rental assistance eviction prevention needed due to COVID-19 crisis, and when and where the draft application will be

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available for public view, from September 20, 2020 until September 23, 2020 is on the Charles County Government website at www.charlescountymd.gov.”

There were no public comments.

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

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Resolution 2020-26 Authorization to Submit Application for Community Development Block Grant for Emergency Rental Assistance Program.

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

**Break 5:48 p.m.- 6:00 p.m.*

Public Hearing: State Legislative Proposals

The Commissioners were joined by the Charles County Delegation to hear legislative proposals for the 2021 State Legislative Proposals. Commissioner Collins explained that no action would be taken tonight. The public record has been advertised to remain open until September 25, 2020 and the follow up work session will be scheduled on September 29, 2020.

Lydia J. Wood proposal:

- A proposal for centralized trash collection.

Brianna Dunbar Bowling, Chairperson, The Charles County Rural and Zoning Task Force proposal:

- A proposal to re-introduce HB 335/SB432 - Charles County - Public Safety - Buildings Used for Agritourism (from 2020 Legislative Session), which proposes to add Charles County to the list of counties where an existing agricultural building used for agritourism is not considered a change of occupancy that requires a building permit under certain circumstances.

Charles County Sheriff's Office proposal:

- A proposal to amend Ann. Code MD, Correctional Services Section 11-710 to establish a pre-trial release and alternative sentencing program in Charles County.
Issue: The Maryland Parole and Probation notified the courts that they would no longer provide pre-trial services in Charles County. The Sheriff has developed a framework for a process to ensuring individuals charged with a crime continue to be provided these critical services while awaiting trial. These services are crucial in providing an alternative to incarceration for those is awaiting trial.

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Bonnie Hochman Rothell and Danny L. Rothell proposal:

- A proposal to amend Ann. Code MD, Alcohol Beverages Article, Sec. 2-216 to allow owners of small family farm wineries to also have an ownership interest in a small family-owned business establishment that sells alcohol. (Previously submitted 2020.)

Charles County Commission for Veterans Affairs proposal:

- A proposal to provide that “Charles County disabled veterans may receive a [lifetime benefit] property tax exemption of 50% of the assessed value of his/her primary residence within the County of Charles. The veteran must have a military service-connected disability rating of 50% or more...”

Ongisa Ichile-Mckenzie, Director, Southern Marylanders for Racial Equality proposals:

- A proposal for the creation of a Civilian Review Board ... empowered to create oversight of police when instances of misconduct or complaints occur...” with detailed specific procedures and powers as outlined in the written proposal.
- A proposal for the creation of a 11 – 13-member Housing Authority Board, “...increase housing equity for all Charles County residents ... to:
 - Secure funding/grants for housing and infrastructure projects
 - Make repair grants for low-income residents
 - Down payment assistance funding for first-time homebuyers
 - Provide low-interest loans for home improvements
 - Advocate for broadband internet in Nanjemoy and other areas with limited connectivity
 - Improve water and sewer connections in areas without access
 - Work with community partners to develop actionable solutions for unhoused/homeless citizens.
 - Aid the Community Services Office in reviewing the backlog in the housing voucher program.”

Dyotha R. Sweat, President, Angela French-Bell, Criminal Justice Chair, National Association for the Advancement of Colored People (NAACP) Charles County Branch proposals:

- A proposal “...creating new legislation that would establish a local Human Relations and Civil Rights Commission where county residents can file a discrimination complaint... serve as the civil rights policy arm of the county government and would be empowered to enforce local civil rights laws, and shall direct its efforts and resources toward eliminating discriminatory practices within the county in the areas of housing, employment, law enforcement, education, public accommodations, commercial real estate, county government contracts, and any other facets of county citizens lives where such practices may be found to exist.

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- A proposal to establish the Citizens Complaint Oversight Board (CCOB).

By:

Henry A. Collins, Jr. proposal:

- A proposal to Amend MD Code, Criminal Law, Section 3-804, Section 3:804. *Misuse of Telephone Facilities and Equipment* – to provide that “A person who violates this section is guilty of a “Felony and upon Conviction, is subject to imprisonment not less than five (5) years; and a fine not exceeding \$5,000, or both. Further, any future violation of the MD Code Statute, will be prosecuted to the “Maximum Extent of the Law”.

Mike Moses, Maryland State Commander/VSO National Association for Black Veterans, Inc. proposal:

- A proposal to amend the Maryland State Driver’s License to allow a “ ... qualified U.S. military veteran who was honorably discharged and [has] a valid State Driver’s license photo ID card, ... [to] have the word "Veteran" printed on the front of the photo document... [and] the back could have emblems representing life memberships of military organizations and Branches served.

Guy Black, Chairman, Board of License Commissioners (Liquor Board) proposal:

- A proposal to amend Ann. Code MD, Alcohol Beverage Article, to allow removal of an individual/corporate licensee and hold alcoholic beverage license inactive/in abeyance for a certain amount of time, until a substitute licensee can qualify to hold the license.

Ian Herd, Student Member, Charles County Board of Education, proposal:

- A proposal to amend the Annotated Code of MD so that the Student Member on the Charles County Board of Education has voting rights in all matters except personnel. The Student Member serves as a representative of the students enrolled in the school system. This would bring Charles County in line with several other jurisdictions in the state which grant their Student Member voting rights.

Michael Leventhal’s proposal:

- A proposal to approve adding to the Charles County tax ordinance a provision allowing for a Scenic Easement Tax Credit off eligible property tax bills for the life of the recorded Scenic Easement.

Commissioner President Collins proposals:

- A proposal to provide housing relief for seniors in the form of mandated rent stabilization to prevent rental costs for seniors from increasing beyond their ability to pay. Rent stabilization will limit a landlord’s ability to increase rent payments for senior tenants. COVID-19 further

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enhances the need for such legislation in order to prevent seniors from becoming homeless during the pandemic because of their inability to pay increased rent, when their chances of contracting the virus are also increased due to lack of housing. Under this proposal, rent increases shall not exceed the rent stabilization allowance as determined on an annual basis by the County for tenants 62 and older.

- A proposal to fund a post-COVID-19 recovery plan specifically for business recovery.
- A proposal to offer future research and development funding for businesses located in the County. These R&D dollars will assist with innovation, contribute to job growth, and support one of four identified targeted industries by the Department of Economic Development.
- Authorizing Charles County to impose, by local law, a fee on certain residential property owners for registration of their properties with the County in order to offer the properties for lease to residential tenants; authorizing fines be imposed on those property owners that do not adhere to the registration mandate; authorizing Charles County Commissioners to adopt regulations relating to the operation of the registration program.

Commissioner Bowling's proposals:

- A proposal to make internet service a regulated utility under the Maryland Public Service Commission.
- A proposal to amend Section 9-310 of the Tax Property Article, Ann. Code MD, to allow for implementation of a real property tax credit for certain County employees and volunteers.

Commissioner Coates' proposals:

- A proposal to support parents who have terminated their employment in order to assist their child(ren) with virtual learning. The affected parents would train as Instructional Assistants and earn a stipend for aiding their children with distance learning as assigned by their school's teachers. Parents of public-school students, pre-kindergarten through twelfth grade are eligible to participate.
- A proposal to create a County Office of Nursing Home Compliance that will receive and review complaints and inspect nursing homes for compliance. The Office of Health Care Quality with the Maryland Department of Health is currently charged with investigating complaints arising from nursing home facilities. This new proposed office would act as an intermediary between a complainant and the Office of Health Care Quality to help expedite resolution to local nursing home facility complaints.
- A proposal to require prescription drug labels to include the purpose of the medication in order to enhance safety and keep patients better informed about the drugs they are taking. The additional information would allow patients to better understand and adhere to their medication regimens. This proposal would amend Health Occupations Article, Title 12 Pharmacists and Pharmacies, Subtitle 5 Practice of Pharmacy and Operation of Pharmacies, Labeling

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Requirements for Prescription Medicines (§12-505) and Health- General Article, Title 21 Food, Drugs, and Cosmetics, Subtitle 2 Maryland Food, Drug, Cosmetic Act, Part III Drugs and Devices, Label Requirements for Prescription Drugs; Exemption from Provisions on Misbranded Drugs (§21-221).

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

At 9:30 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Stewart 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: September 15, 2020

Time: 12:25 p.m.

Motion By: Commissioner Bowling

Seconded By: Commissioner Stewart

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Reuben B. Collins, II, Esq.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gilbert O. Bowling, III.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomasina O. Coates, M.S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Stewart, M.Ed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bobby Rucci	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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.

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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)(4)(7) To consider preliminary matters that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State

REASON FOR CLOSING: To keep strategies and approaches confidential.

3-305(b)(7) Legal Responsibilities

REASON FOR CLOSING: To keep strategies and approaches confidential.



Reuben B. Collins, II, Esq., President