

**Regular Meeting of County Commissioners**  
**Tuesday September 29, 2020 (Legislative Day)**

The regularly scheduled meeting of the County Commissioners was convened virtually at 1:09 p.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 Coates led the Pledge of Allegiance.

**Roll Call**

A roll call was taken. All Commissioners were present.

**Comments**

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to make today, September 29, 2020, a Legislative Day.

**Charles County Health Department Update: Coronavirus/COVID-19**

Dr. Dianna Abney, Health Officer, Charles County Department of Health; Ms. Michelle Lilly, Director, Department of Emergency Services provided an update on COVID-19 statistics. Ms. Lilly reviewed the weekly statistics and noted the significant decline of the positivity rate and overall statistics. Dr. Abney announced that today was the last day testing at Waldorf Vehicle Emission Inspection Program (VEIP) would take place. Starting Tuesday, Oct. 6, testing will be available at the Regency Furniture Stadium on Tuesdays from 8:00 a.m. – 12:00 noon as drive through testing by appointment only. The County's numbers have over the last four (4) days been lower than the State's numbers. Dr. Abney stressed the importance to keep social distancing, wearing masks, and getting tested. She announced that the Department of Health is also offering Flu Vaccines at Charles County Schools as a drive through service on October 7, 14, 21, 28 and November 4, 2020.

**Approval of the Minutes of September 21 and September 22, 2020**

A motion was made Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the minutes of September 21, 2020.

A motion was made Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the minutes of September 22, 2020.

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**Announcement: Next Commissioner Session will be held October 6, 2020**

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled session was on October 6, 2020.

**Approval Items**

*FY2021 Contingency Transfer Request #8181 Sutherland Septic Connection*

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 #8181 for four hundred and twenty thousand dollars (\$420,000.00).

*FY2022 Budget Calendar and FY2022 CIP Budget Calendar*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve FY2022 Budget Calendar.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve FY2022 Capital Improvement Program Budget Calendar.

*Letter of Support Friends of Chapman State Park Southern Maryland Heritage Area Consortium Grant Request*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the letter of support.

*Commissioners' Initiative Funding*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Commissioners' Initiative Funding as presented.

**Review Process: Maryland Department of the Environment Biosolids Land Application**

Mr. Charles Rice, Assistant Chief of Planning, Department of Planning and Growth Management, provided information about the Biosolids Land Application process for the Maryland Department of the Environment (MDE) holding public information meetings regarding permit requests to apply sewage sludge on specific properties in Charles County.

**Briefing and Request to Introduce Bill 2020-06 School Allocation Policy Amendments**

Mr. Jason Groth, Deputy Director, and Mr. Ben Yeckley, Planner III, Department of Planning and Growth Management, explained that this legislation would amend the Zoning Ordinance provisions governing adequate public facilities for schools to revise school capacity allocation processes and ensure consistency with the Adequate Public Facilities Manual. This is the two (2) step process. The first step went through the Planning Commission's process for approval. The second step is for the

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Commissioners to introduce the proposed legislation and schedule a public hearing. Mr. Yeckley reviewed the timeline of events related to this proposal.

Commissioners Stewart and Coates confirmed that they would be meeting with members of the Board of Education to discuss any concerns related to this proposed legislation.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to introduce newly numbered Bill 2020-06 School Adequate Public Facilities.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to set the public hearing for October 20, 2020 at 6:00 p.m. to be held virtually.

**Briefing: Military Affairs Update**

Mr. John Bohanan, Cornerstone, and Ms. Jennifer Dione, ASG, provided an update on collaborative efforts to promote economic development in the vicinity of the military installation in the Town of Indian Head. They highlighted the recent opening of the Velocity Center; an eight (8) million-dollar appropriation from the Office of Naval Research to support community investments and activities in Indian Head; and potential funding requests for the next fiscal year. Mr. Bohanan also reviewed the Federal funding process related to defense appropriations. He stressed the continued commitment to work and communicate with the Charles County Military Alliance (MAC), the Indian Head Base, the Department of the Navy and Department of Economic Development.

*Break 2:18 p.m. – 2:30 p.m.*

**Roll Call**

A roll call was taken. All Commissioners were present.

**Work Session: 2021 State Legislative Proposal Package**

Ms. Danielle Michell, Associate County Attorney II, led the Commissioners through the review of the legislative proposals to determine and finalize a list of proposals to forward to the Charles County State Delegation for consideration.

- **A proposal for centralized trash collection**

There was no consensus or vote to move this proposal forward.

- **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.**

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A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to include this proposal in the 2021 Legislative Package.

- **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.**

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with Commissioners Coates, Rucci, Stewart and Collins, voting in favor to include this proposal in the 2021 Legislative Package. Commissioner Bowling was opposed. A roll call of the vote was taken: Commissioner Coates-yes; Commissioner Rucci-yes; Commissioner Stewart-yes; Commissioner Bowling-no; Commissioner Collins-yes. The motion passed four (4) to one (1).

- **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.)**

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to include this proposal in the 2021 Legislative Package.

- **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...”**

A consensus of the Commissioners was that there should be an income restriction added to this proposal.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to include this proposal in the 2021 Legislative Package with the stipulation to include an income restriction.

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

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed,

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with all Commissioners present, voting in favor to include these proposals in the 2021 Legislative Package.

- **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.”**

The consensus of Commissioners was that this did not need additional State legislation since the Housing Authority is in the Department of Community Services’ Housing Division.

The consensus of the Commissioners was to have the County Attorney and the Housing Division provide a briefing related Housing Authorities responsibility and looking at local laws.

- **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.**

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to include this proposal in the 2021 Legislative Package.

**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”.**

There was no consensus or vote to move this proposal forward.

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**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.**

A motion was made by Commissioner Coates but no second to move this proposal forward.

- **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.**

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to include this proposal in the 2021 Legislative Package.

- **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.**

The consensus of the Commissioners was to hold decision on this proposal until a letter is sent the Board of Education requesting them to weigh in on this topic.

- **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.**

The consensus of the Commissioners was that this proposal does not need to be added to the State package since there is enabling legislation already.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling, and passed with all Commissioners present, voting in favor to have staff draft local legislation.

- **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 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.**

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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 include this proposal in the 2021 Legislative Package.

- **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.**

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to include these proposals in the 2021 Legislative Package.

- **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.**

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to include this proposal in the 2021 Legislative Package.

- **A proposal to make internet service a regulated utility under the Maryland Public Service Commission.**

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to include this proposal in the 2021 Legislative Package.

- **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.**

There was no consensus or vote to move this proposal forward.

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- **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 motion was made by Commissioner Coates but no second to move this proposal forward.

- **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.**

The consensus of the Commissioners was that this did not need additional statutory legislation. Further discussion is needed at a future work session during the next budget cycle.

- **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 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 Coates, seconded by Commissioner Rucci and passed, with Commissioners Coates, Rucci and Collins, voting in favor to include this proposal in the 2021 Legislative Package. Commissioners Bowling and Stewart were opposed. A roll call of the vote was taken: Commissioner Coates-yes; Commissioner Rucci-yes; Commissioner Bowling-no; Commissioner Stewart-no; Commissioner Collins-yes. The motion passed three (3) to two (2).

Commissioners' New Business

Commissioner Rucci requested staff to review places to shelter homeless during the upcoming cold months that adhere to the social distancing mandates.

The consensus of the Commissioners was to have staff look into this potential issue and if Cares Act funding would cover these expenses since it is COVID related.

Closed Session

The consensus of the Commissioners was to reschedule the closed session items.



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*\*Break 4:59 p.m. - 5:59 p.m.*

**Roll Call**

A roll call was taken. All Commissioners were present.

**Public Hearing: Proposed Bill 2020-05 Investment Policy**

The Commissioners conducted a virtual public hearing on the proposed Bill 2020-05 Investment Policy. Ms. Elizabeth Theobalds, Deputy County Attorney, explained that this was proposed by the Department of Fiscal and Administrative Services to increase the maturity duration of short-term investments up to a maximum of two (2) years.

There were no public comments.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart 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 close this public hearing.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adopt Bill 2020-05 Investments.

**Public Hearing: Comprehensive Water and Sewer Plan Amendments- 2019 Fall Cycle**

The Commissioners conducted a virtual public hearing on the proposed amendments to the Comprehensive Water and Sewer Plan 2019 Fall Cycle. Mr. Jason Groth, Deputy Director, Department of Planning and Growth Management; Mr. Steve Scott, Attorney, and Mr. Rick Barnas provided an overview of the submitted applications. It was requested that a public hearing for the Highlands Neighborhood (Village of Wooded Glen Neighborhood Three) be postponed until another date. This public hearing would only concern the Parklands neighborhood (Village of Wooded Glen Neighborhood Four).

There were no public comments.

It was announced that the public record would remain open through October 9, 2020 as advertised in the public Notice.

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

At 6:20 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