

**Regular Meeting of County Commissioners**  
**Tuesday February 2, 2021(Legislative Day)**

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:04 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.

**Announcement of Charles County Board of County Commissioners' Issued Proclamations for February 2021**

2021-05 Black History Month; 2021-06 Career and Technical Education Month

**Roll Call**

A roll call was taken. All Commissioners were present.

**Comments**

There were no comments.

**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; Mr. William Grimes, Vice President, Ancillary Services & Incident Commander, University of Maryland Charles Regional Medical Center, provided an update on COVID-19 statistics and how they are responding to COVID-19. Ms. Lilly indicated a slight decrease in COVID Positive numbers. She also informed the Commissioners that Department of Emergency Services is providing logistical support for vaccine clinics. Dr. Abney announced that the new online link to pre-register for the vaccination should be able to handle a higher amount of traffic and is up and running. She also provided national statistics of COVID Disparities by race and ethnicity and on Charles county Cases, deaths and hospitalization by race and ethnicity. Dr. Abney also explained vaccine hesitancy and how the Health Department and partners are working to provide information to decrease COVID-19 vaccine hesitancy. She indicated that the County is now in Phase 1C. She also reiterated the need to wear masks, wash your hands, avoid large gatherings and social distance and she encouraged people to get tested.

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Mr. Grimes indicated that the number of COVID patient at the hospital is also down. He also shared that the hospital has acquired a freezer for the Pfizer vaccine and is currently working with the Health department on a memorandum of understanding related to storing the County's vaccines at the hospital.

Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, provided an update on the County's communication efforts related to COVID 19 and vaccination schedule. She is working with the Health Department with education and vaccination distribution messaging. She also shared two (2) videos from Governor Hogan. In the first video, Governor Hogan talked about the limited supply of the vaccine and that the counties have the flexibility on how to move through the phases but must prioritize elderly and vulnerable populations. The second video was on the GoVAX media campaign for joint use for counties and the State.

Mr. Jason Stoddard, Director of Safety, Charles County Public Schools joined the discussion to update the Commissioners on vaccinations for Charles County Public School staff. He also indicated that they are working with the Department of Health regarding COVID vaccination distribution for education staff.

Commissioner Bowling expressed the Board's desire and willingness to help. He also spoke about concerns with youth sports and mask requirement when they are on the field.

Commissioner Stewart suggested a special link for teachers related to COVID information.

Commissioner Coates requested that Dr. Abney reiterate what the Governor's Orders at the next briefing.

**Recognition: COVID Recovery Task Force**

Mr. Darrell Brown, Director, and Ms. Marcia Keeth, Deputy Director, Department of Economic Development; Judge Harrington, Chair, Mr. Steve Scott, Co-Chair, Ms. Anne Hooper, COVID Recovery Task Force provided a brief overview of the task force work to address the pandemic's impact on local businesses. Mr. Brown indicated that a report is being prepared and will be provided the Commissioners.

The Commissioners acknowledged all the members of the task force for their dedication and collaboration and expressed their appreciation for their work.

**Approval of the Minutes of January 26, 2021**

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 January 26, 2021.

**Announcement: Next Commissioner Session will be held February 9, 2021**

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled session is on February 24, 2021.

**Legislative: Update 2021 Maryland General Assembly Session**

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney, Mr. Joe Green and

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Ms. Michelle Goodwin, Lobbyist, GS Proctor and Associates, Inc. discussed legislative bills being considered by the Maryland General Assembly. Ms. Mitchell indicated that they have received bill drafts for:

1. Pretrial Release – LR133
2. Human Relations Commission – LR2956
3. Residential Registration/Licensing – LR1939
4. Alcoholic Beverage Art Small Wineries – LR2109

She also discussed reviewed that some Bills are drafted for Code Home Rule, which Charles County is the only county in Southern Maryland that is Code Hoe Rule, or just drafted for Charles County. She requested approval to have the Charles County Delegation seek a legal opinion on the requirement for Charles County bills to be drafted for Code Home Rules counties in the southern Maryland class opposed to being drafted for Charles County.

Ms. Mitchell requested approval to submit favorable testimony for SB 148 (fossil fuel/coal plant emissions bill).

Commissioner Bowling brought HB655 to the attention of the Commissioners for support. This Bill concerns Commissioner elections. Ms. Mitchell was directed to provide more information on this Bill introduced by St. Mary's County.

Mr. Green and Ms. Goodwin provided an update overview of the eight (8) legislative items related to Broadband.

The Commissioners reached a consensus to have staff request the Charles County Delegation to seek a legal opinion on the requirement for Charles County bills to be drafted for Code Home Rules counties in the southern Maryland class opposed to being drafted for Charles County.

The Commissioners reached a consensus to submit favorable testimony for SB 148.

**Briefing and Request for Approval: Mobile Recreation Vehicle for Department of Recreation, Parks, and Tourism**

Mr. Sam Drury, Chief of Recreation, and Mr. Robert Jones, Recreation Service Administrator, Department of Recreation Parks, and Tourism, provided reviewed the impact of COVID-19 on recreation and parks and how the department responded by offering successful recreation programs in the parks. They shared the concept of expanding these services by purchasing a mobile recreation vehicle and funding costs.

The Commissioners reached a consensus to have staff continue the planning process as discussed.

**Briefing: FY2021 Second Quarter General Fund Review**

Ms. Jenifer Ellin, Director; Mr. Jacob Dyer, Chief of Budget, and Ms. TaTanya a Bowen, Senior Budget Analyst, Department of Fiscal and Administrative Services reviewed the FY2021 Second Quarter General Fund Report which excludes the CARES Act Revenues and Expenses. The FY2021 year-end estimates show a net operating loss of eight million nine hundred and forty-seven hundred and fifty dollars (\$8,947,750.00). They reviewed revenues, expenditures, and fund balance budget.

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**Briefing: College of Southern Maryland State of the College**

Dr. Maureen Murphy, President, Mr. Shawn Coates, Vice Chair, Board of Trustees, Ms. Cordelia Postell, Trustee, Mr. Jose Gonzalez, Trustee, Ms. Ellen Flowers-Fields, Associate Vice President, Ms. Angela Small, Public Information Officer, Ms. Karen Smith Hupp, Government Relations, and Ms. Larisa Pfeiffer, Chief of Staff, College of Southern Maryland joined the Commissioners to brief them on the State of College with their College of Southern Maryland 2020 Year in Review video.

**Closed Session**

At 11:43 a.m. Commissioner Rucci made a motion, 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)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to seek legal advice on one (1) proposed agreement related to a potential litigation; and to discuss appointments to Commissioner appointed Boards, Commissions, and Committees. The reason for going into closed is to keep legal approaches and strategies confidential and to keep personnel information confidential.

**Summary Closed Session Items**

At 11:45 a.m. the Commissioners went into virtual closed session.

**3-305(b)(7)(8) Legal: Proposed Agreement**

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

Mr. Wes Adams, County Attorney, provided an overview of case and proposed agreement.

At 12:00 p.m. Ms. Kim O'Halloran Perez, Mr. Charles Schaller, and Mr. Paul Kelly joined the discussion. They left the session after providing their input.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to give the authority for the County Attorney to negotiate up to *(the specified amount)*.

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

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

Ms. Jesse Bungcayao, Executive Assistant, reviewed the appointment requests for Commissioner appointed Boards: Planning Commission, Board of Appeals, Liquor Board, Animal Matters Hearing Board, Agricultural Land Preservation Board, Board of Social Services, Ethics Commission, Homeowners Association Dispute Review board, and Commission for Veterans Affairs.

The Commissioners reached majority agreement and/or consensus related to these appointments and took official action on these appointments later this day under Actions on Boards, Commissions and Committees. The Commissioners directed Ms. Bungcayao to schedule the interviews for February 23, 2021.

**3-305(b)(1) Personnel**

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

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Commissioner Bowling discussed a personnel concern.

At 12:47 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to end this Closed Session.

At 4:03 p.m. the Commissioners returned to open session.

**Roll Call**

A roll call was taken. All Commissioners were present.

**Approval Items**

*Revised FY2022 Budget Calendar*

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

*Letter of Support- Friends of Chapman State Park Accessibility Grant Application*

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

*Standard Operating Procedures (SOP) Commissioners' Office Signature Items*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve SOP # CP.CC.03.001 Commissioners' Office Signature Items.

*Proposed Resolution 2021-(03) Community for a Lifetime*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve newly number Resolution 2021-03.

**Action on Boards, Commissions and Committees**

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Rucci, Coates and Collins present, voting in favor to reappoint Wayne Magoon as Chair of the Planning Commission. Commissioner Stewart was opposed. A roll call of the vote was taken: Commissioner Bowling-yes; Commissioner Coates-yes; Commissioner Stewart-no; Commissioner Rucci-yes; Commissioner Collins-yes. The motion passed four (4) to one (1).

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to reappoint Elizabeth (Katie) Shelton as an At Large Member and appoint Cynthia Sharpley as a Vet knowledgeable member; and appoint Gabriele Gonzalez as a Humane Society Representative member appoint Tia Spencer-Blake as an At Large Member of the Animal Matters Hearing Board.

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

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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 reappoint Earle Knapp and Yvette Riddick and appoint Denise Joseph and Brionna Mayo as citizen members to the Board of Social Services.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to reappoint Ralph Peterson as a citizen member of the Ethics Commission. *\*\*Note Commissioner Bowling amended the name to Patterson, but Peterson is the correct last name.*

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to appoint Katarina Eyler as a real estate sales member to the Homeowners Association Dispute Review Board.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to reappoint Marilyn Ragin and Olga Roberts and appoint Renaldo Walston, Charles Cummings, Ebony Cullens, Matthew Perez, Jenine Melton, and Idongesit Ekpo (Don) to the Commission for Veteran's Affairs.

**Discussion: Heritage Green Project**

Representatives of Heritage Green; Mr. Brent Manuel, Town Manager, and Ms. Jeanine Harrington, Director of Planning, Town of La Plata; Mr. Michael Heim, Assistant Superintendent of Supporting Services, Mr. Steve Andritz, Director of Planning and Construction, Charles County Public Schools; and Members of Charles County Board of Education joined the Commissioners to discuss the Heritage Green Project. Each representative group discussed their support of development and concerns. All parties agreed to continue to work with staff to reach an agreement related to this project.

**Commissioners' New Business**

There was no new business discussed.

*\*Break 5:14 p.m.- 6:00 p.m.*

**Public Hearing: Amendment to Developer Rights and Responsibility Agreement Christopher Pointe XPN#02-0018**

Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney, reviewed the history and the amendment that has been approved by the Planning Commission.

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 public record.

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.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Amendment to the Developer Rights and Responsibilities Agreement for Christopher pointe XPN#02-0018.

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**Public Hearing: Bill 2021-01 Zoning Text Amendment #20-156, Agricultural Related Uses**

Mr. Charles Rice, Assistant Chief of Planning, Department of Planning and Growth Management and Mr. Martin Proulx, Agricultural Business Development Manager, Department of Economic Development provided an overview of the recommendations within this Bill.

There were eleven (11) people who provided public comments.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to keep the public record open for sixty (60) days.

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

At 6:55 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, Clerk to the Commissioners



Reuben B. Collins, II, Esq., President

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**FORM OF STATEMENT FOR CLOSING A MEETING**

Location: Virtually- MS Teams      Date: February 2, 2021

Time: 11:43 a.m.

Motion By: Commissioner Rucci

Seconded By: Commissioner Bowling

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.

**FORM OF STATEMENT FOR CLOSING A MEETING**

**Appendix C C-2**



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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)(8) Legal Advice: One (1) Proposed Agreement Related to a Potential Litigation**

REASON FOR CLOSING: To keep legal approaches confidential.

**3-305 (b)(1)Discuss Appointments to Commissioner Appointed Boards, Commissions, and Committees**

REASON FOR CLOSING: To keep legal Personnel information confidential.



Reuben B. Collins, II, Esq., President