

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

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:06 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.

Announcement of Charles County Board of County Commissioners' Proclamations Issued for March 2021

2021-10 National Women's History Month and Good Sportsmanship Month.

Comments

Commissioner Collins took a moment to remember Oliver A. Berry, a Department of Public Works recycling employee who passed away unexpectedly on February 20, 2021.

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 and how they are responding to COVID-19.

Ms. Lilly indicated a continued decrease in COVID positive numbers and COVID deaths. She also informed the Commissioners that the Department of Emergency Services will continue to provide logistical support for vaccine clinics and monitor COVID in the County. Dr. Abney reviewed the Health Department's plan for more community vaccination sites to begin in late March. She also reviewed other locations available now to go to get the vaccination such as Charles Regional Medical Center, local pharmacies, senior centers, the Capital Clubhouse and Statewide Mass Vaccination sites. She explained that the Regency Stadium will now be used by the State of Maryland as the Southern Maryland Regional Mass Vaccination Site. She also mentioned her department's plans for a mobile vaccination unit to reach the more rural areas. Dr. Abney reviewed current statistics on the three (3) COVID-19 variants and location of reported cases in the United States. She stressed the importance to

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remain vigilant and to continue to wear masks correctly; social distance; wash hands; avoid large crowds; avoid travel if possible; and get the COVID-19 vaccine.

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, vaccination schedules, and reminders to wear masks, social distance and avoid large gatherings. She also provided information on the vaccine call center support and the various ways to get vaccination information. She shared a video featuring Commissioner Stewart sharing information on the importance of getting the vaccination.

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 provided an update Charles County Public Schools reopening in person learning plans.

Recognition: Employee Length of Service, November 2020-January 2021; Top Performer, Fourth Quarter, October-December 2020; and Top Performer of the Year for 2020

The Commissioners recognized employees' years of service for November 2020 through January 2021 and the Top Performers for the fourth quarter and Top Performer for 2020 via prerecorded videos that were played during this virtual session.

Approval of the Minutes of February 23, 2021

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the minutes of February 23, 2021.

Announcement: Next Commissioner Session will be held March 9, 2021

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled session is on March 9, 2021.

Approval Items

Request to Changes to the Area Council on Aging Bylaws

A motion was made by Commissioner Coates, seconded by Commissioner Rucci, and passed with all Commissioners present, voting in favor to amend the Area Council on Aging Bylaws as presented.

Request to Set a Public Hearing

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to schedule a public hearing on the Amendment to the 2011-2021 Solid Waste Management Plan for March 23, 2021 at 6:00 p.m. to be held virtually.

Memorandum of Understanding

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci, and passed, with all Commissioners present, voting in favor to approve the Memorandum of Understanding between The Department of Recreation, Parks, and Tourism and the Friends of Maxwell Hall.

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Action on Boards, Commissions and Committees

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling, and passed, with all Commissioners present, voting in favor to appoint Maya Coleman to the Planning Commission.

A motion was made by Commissioner Rucci, seconded by Commissioner Coaters and passed, with all Commissioners present, voting in favor to appoint Damion Trasada to the Board of Appeals.

Legislative: Update 2021 Maryland General Assembly Session

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney, Ms. Deborah Hall, Deputy County Administrator, Mr. Joe Green and Ms. Michelle Goodwin, Lobbyist, GS Proctor and Associates, Inc. discussed legislative bills being considered by the Maryland General Assembly. Ms. Mitchell reviewed the County's Standard Operating Procedure (SOP) related to State and Local Legislative Process, specifically related to letters of support, opposition and in person testimony. Currently these guidelines do not address Commissioner Appointed Board member's process related to legislation.

The Consensus of the Commissioners was to update the SOP related to Commissioner appointed Board's and Board members providing comments or testimony on any State legislation on behalf of that Board must do it through the Board of County Commissioners.

The Commissioners directed Ms. Mitchell to bring back a redline version of the current SOP which would clarify these changes.

Ms. Mitchell continued to provide an update on the following Bills:

House Bill 1018 Charles County – Alcoholic Beverages – Class 4 Limited Winery License
Senate hearing will be held on March 5, 2021.

House Bill 1024 Charles County - Citizens Complaint Oversight Board
Amendment takes out mandated language and makes in permissive Bill related States Attorney and Investigators members.

Commissioner Bowling expressed his support of this Bill in concept but was opposed to not having a member on this Board from the Sheriff's Office.

Commissioner Bowling again asked for a joint meeting with the Delegation to discuss this Bill and others.

Commissioner Collins and Ms. Mitchell explained that the request to meet with the Delegation has been sent to the Delegation. The Delegation was not available to do this currently. Commissioner Collins furthered that he believes that it would be unlikely that they would agree to meet given their schedule during this legislative session.

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House Bill 1072 Charles County – Community Service and Pretrial Release Programs – Authorization

House hearing scheduled for March 2, 2021 and Senate hearing on March 4, 2021; Amendments were added that were submitted from the Criminal Justice Coordinating Council.

House Bill 1081 Southern Maryland – Human Relations Commission

The Delegation voted to withdraw this, Bill.

House Bill 1061 Southern Maryland – Multifamily Dwelling Registration – Fees and Fines

Senate hearing scheduled on March 2. Delegation agreed to change language to include all residential units.

House Bill 1060 Charles County - Board of Education - Membership Alterations

Bill is in Ways and Means Committee.

House Bill 655 Local Government – County Commissioner Elections – District Voting

Bill is in Ways and Means Committee and has had favorable committee vote.

Commissioner Collins stressed his belief that the Board of County Commissioners should still send a letter to be on record on this Bill.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Stewart, Coates, Rucci and Collins present, voting in favor to send an unfavorable letter of support for House Bill 655. Commissioner Bowling was opposed. A roll call of the vote was taken: Commissioner Stewart-yes; Commissioner Coates-yes; Commissioner Bowling-no; Commissioner Rucci-yes; and Commissioner Collins-yes. The motion passed four (4) to one (1).

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci with added agreed amendment by Commissioner Stewart and passed, with Commissioners Bowling, Rucci and Stewart present, voting in favor to send an unfavorable letter of support as the *Bill* is presented, but would consider the *Bill* with amendments. 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; and Commissioner Collins-no. The motion passed three (3) to two (2).

House Bill 325 and Senate Bill 475 Talbot County – Deer and Turkey Hunting – Sundays

Senate hearing scheduled for March 10, 2021. Will update once amendment information is received.

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Closed Session

At 11:05 a.m. Commissioner Bowling made a motion, seconded by Commissioner Rucci 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 review issues related to potential litigation; and to discuss appointments to Commissioner appointed Boards. And to address an item pertaining to the administrative function of the County Commissioners in their executive role. The reason for going into closed is to keep negotiations and strategies confidential and to keep personnel information confidential.

Summary Closed Session Items

At 11:08 a.m. the Commissioners went into virtual closed session.

3-305(b)(7)(8) Legal: Potential Litigation

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

Ms. Suzanne Sangree and Mr. Kyle McGee, Grant & Eisenhofer reviewed options related to potential litigation.

The Commissioners reached a consensus to have Mr. Wes Adams, County Attorney, proceed with negotiations with the Grant & Eisenhofer firm as discussed.

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

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

Ms. Jesse Bungcayao, Executive Assistant, Office of the County Administrator, provided an update on applications for the vacancy on the Board of License Commissioners.

The Commissioners provided Ms. Bungcayao and Ms. Irvin with directions on how to proceed.

**Commissioner Collins left closed session at 12:04 p.m.*

Administrative

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

Ms. Carol DeSoto, Clerk to the County Commissioners, reviewed using the potential GoToWebinar virtual platform for the upcoming Board of County Commissioners' Quarterly Town Hall Meeting on March 23, 2021.

The Commissioners provided input and direction for this upcoming meeting.

At 12:08 p.m., a motion was made by Commissioner Stewart seconded by Commissioner Coates and passed, with Commissioners Stewart, Coates, Bowling and Rucci present, voting in favor to end this Closed Session. **Commissioner Collins was not present for the vote.*

At 2:20 p.m. the Commissioners returned to open session.

Roll Call

A roll call was taken. All Commissioners were present.

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Briefing: Diversity, Equity, and Inclusion Strategic Plan

Ms. Alexis Blackwell, Director and Ms. Renesha Miles, Chief Equity Officer, Department of Human Resources, provided a presentation on the Diversity, Equity, and Inclusion Strategic Plan. Ms. Miles reviewed Charles County demographic changes since the year 2000; County Government workforce by race and ethnicity; and the newly approved Diversity, Equity and Inclusion (DEI) Statement. She went on to review the three (3) year strategic plan. Actions for 2021 and 2022 include visibility for DEI; expanded training for Government Alliance on Race and Equity (GARE) cohorts; quarterly DEI learning for County employees; and succession planning to include departmental action plans and pipeline development.

Briefing: Update on Charles County Disparity Study

Ms. Lucretia Freeman-Buster, Chief of Business Development, Department of Economic Development; and Ms. Ana Paula Pohl and Mr. Imani Strong, Griffin & Strong, provided an update on the Charles County Disparity Study. Ms. Pohl reviewed the process for the study and the completed work plan items. The current tasks underway include an online survey of business owners, which closed March 1, 2021; collecting and analyzing anecdotal evidence; and preparing databases to analyze results. She also reviewed the tasks that have not yet begun but indicated that these tasks will be completed over the next several months with a final report expected by the Sumer of 2021.

Briefing on Western Parkway Road Projects Infrastructure

Mr. John Stevens, Chief of Capital Projects, Department of Public Works, provide an update on Western Parkway Roadway Infrastructure Projects. He outlines the three (3) phases of this project and the status of each phase. Phase One (1) A and B (*Phase 1A and 1B*) was completed in 2008 and 2009; Phase Two (2) (*Phase 2*) was completed in August of 2018; Phase Three (3)A1 (*Phase 3A1*) was completed in May of 2017; Phase Three (3)A Two (2) (*Phase 3A2*) was substantially completed in January 2021; Phase Three (3) A Three (3) (*Phase 3A3*) has an estimated construction start date of August 2021 and estimated completion date of August 2022. Phase Three (3) B (*Phase 3B*) is expected to have the design completion by August 2021, construction start date of November 2021 and estimated completion date of August 2023. Mr. Stevens explained the issues faced with each phase.

Commissioners' New Business

There was no new business discussed.

At 3:33 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, 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: March 2, 2021

Time: 11:05 a.m.

Motion By: Commissioner Bowling

Seconded By: Commissioner Rucci

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) [] 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) [X] 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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- (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 Advice: Issues related to Potential Litigation

REASON FOR CLOSING: To keep legal negotiations confidential.

3-305 (b)(1)Discuss Appointments to Commissioner Appointed Boards

REASON FOR CLOSING: To keep legal Personnel information confidential.



Reuben B. Collins, II, Esq., President