

**Regular Meeting of County Commissioners**  
**Tuesday April 13, 2021 (Legislative Day)**

The regularly scheduled meeting of the County Commissioners was convened virtually at 1:02 p.m. 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 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 April 2021**

2021-13 Autism Awareness Month; 2021-14 Child Abuse Prevention Month; 2021-15 Fair Housing Month; 2021-16 Archaeology Month; 2021-17 Plant a Tree in Charles County Month; 2021-18 National Animal Control Officer Appreciation Week; 2021-19 National Public Safety Telecommunicators Week.

**Comments**

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to make today April 13, 2021, 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, and Mr. William Grimes, Vice President, Ancillary Services & Incident Commander, UM Charles Regional Medical Center provided an update on COVID-19 statistics and how they are responding to COVID-19.

Ms. Lilly indicated that COVID positive numbers and COVID deaths, remain steady. 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. She also indicated her department was coordinating to deliver the vaccine through local churches.

Dr. Abney shared information on the vaccinations and the multiple vaccination clinics, mobile vaccines, Vaccine Equity Task Force Sites and other vaccine partners. She reported the statistics on

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COVID vaccination doses given to Charles County residents and average age of COVID cases. She discussed Asymptomatic spread of COVID-19 and reminded of the importance of wearing your mask, watching your distance, and washing your hands. She reviewed current statistics on deaths, cases and hospitalizations by race on the three (3) COVID-19 variants and location of reported cases in the United States. She also discussed interim recommendations for fully vaccinated people.

Mr. Grimes indicated that the hospital admissions for COVID patients was down then went up slightly. He indicated that the vaccine clinic continues to vaccinate about one hundred and forty (140) people daily, five (5) days a week. He also discussed the mobile clinic being offered and providing pharmacy support to Federal Emergency Management Agency (FEMA).

Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, reviewed the County's communication efforts related to COVID 19. She discussed COVID-19 Vaccine Priority list, the latest Maryland GoVAX Commercial, featuring Dr. Abney, an upcoming commercial being made in Spanish, the Vaccine Rumor Control on social media, and frequently asked questions. She also spoke on the pause of the use of the Johnson and Johnson Vaccine due to some serious side effects.

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, the decrease in COVID positive cases and low numbers and no community spread; He also provided an update on social distancing in classrooms and in-person instruction and the tracking of student athletes.

**Approval of the Minutes of March 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 March 23, 2021.

**Announcement: Next Commissioner Session will be held April 14 and April 20, 2021**

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled sessions are on April 14 and April 20, 2021.

**Approval Items**

*FY2021 Budget Amendment Increase #8541 Development Plan Review*

A motion was made by Commissioner Rucci, seconded by Commissioner Coates, and passed with all Commissioners present, voting in favor to FY2021 Budget Amendment Increase #8541 Development Plan Review for eighty-six thousand seven hundred dollars (\$86,700.00).

*FY2021 Budget Transfer Request #8609 Contract Inspections*

A motion was made by Commissioner Coates, seconded by Commissioner Rucci, and passed with all Commissioners present, voting in favor to FY2021 Budget Transfer Request #8609 Contract inspections for eighty-three thousand dollars (\$83,000.00).

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*FY2021 Budget Transfer Request #8612 Waldorf Well #17*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates, and passed with all Commissioners present, voting in favor to FY2021 Budget Transfer Request #8612 Waldorf Well #17 for one hundred and twenty thousand dollars (\$120,000.00).

*FY2021 Budget Transfer Request #8619 Buses-Repowers*

A motion was made by Commissioner Coates, seconded by Commissioner Rucci, and passed with all Commissioners present, voting in favor to FY2021 Budget Transfer Request #8619 Buses-Repowers for one hundred and eighty-one thousand dollars (\$181,000.00).

*Memorandum of Understanding with the Charles County Sheriff and Fraternal Order of Police Lodge Twenty-Four (24)*

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

*Letter of Support: Friends of Maxwell Hall Maryland Heritage Areas Authority Grant*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Letter of Support Friends of Maxwell Hall Maryland Heritage Areas Authority Grant

*Letter of Support: Local farm Enterprise Food Aggregation Grant Fund Pilot*

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci, and passed, with all Commissioners present, voting in favor to approve the Letter of Support: Local farm Enterprise Food Aggregation Grant Fund Pilot.

**Briefing and Request to Schedule a Public Hearing: Water/Sewer Service Category Amendments-Spring 2021 Cycle**

Ms. Alicia Afroilan, Engineer IV, Mr. Jim Campbell, Planning Director, Department of Planning and Growth Management, reviewed the proposed category amendments for the Water/Sewer Service and requested to schedule a public hearing.

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to schedule a public hearing on May 4, 2021 at 6:00 p.m. to be held virtually.

**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.

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Mr. Green explained the final wrap up review would be done in two (2) sessions. Today he reviewed the Charles County Legislative Agenda. Next week would be the Statewide wrap up review.

***House Bill 1018/Senate Bill 833 Charles County – Alcoholic Beverages – Class 4 Limited Winery License***

*Passed.*

***House Bill 1024 Charles County - Citizens Complaint Oversight Board***

*Was withdrawn since conflicted with House Bill 670- Police Reform and Accountability Act of 2021, which passed with a veto override. The effective date is July 2022.*

***House Bill 1060/Senate Bill 749 Charles County - Board of Education - Membership Alterations***

*Passed with amendments.*

***House Bill 1061/ Senate Bill 832 Southern Maryland – Multifamily Dwelling Registration – Fees and Fines***

*Passed with amendments.*

***House Bill 1072/Senate Bill 750 Charles County – Community Service and Pretrial Release Programs – Authorization***

*Passed with amendments.*

***House Bill 1081/Senate Bill 751 Southern Maryland – Human Relations Commission***

*Was withdrawn.*

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

*Passed House; not acted on in Senate.*

***House Bill 414/Senate Bill 81 Southern Maryland Rapid Transit Project – Funding***

*Passed with amendments.*

**Briefing: Charles County Charitable Trust Fiscal Year 2021 Annual Report**

Ms. Vivian Mills, Executive Director, and Ms. Deborah Carrington, President, Charles County Charitable Trust, provided the annual update on the Charitable Trust for Fiscal Year 2020. Ms. Mills reviewed the progress report, grant award program, key data, return on investment, Coronavirus impact, additional emergency relief program, notable actions in Fiscal Year 2020 and plans for looking ahead. The Charitable Trust approved twenty-eight (28) grants and served thirty-eight thousand eight hundred and ninety-eight (38,898) people during this year.

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Follow-Up Work Session: 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, reviewed the public comments and proposed amendment to Bill 2021-01 Zoning Text Amendment #20-156, Agricultural Related Uses from the Charles County Rural Planning and Zoning Task Force to strike the one hundred and fifty (150) foot set back requirement.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to adopt Bill 2021-01 Zoning Text Amendment #20-156, Agricultural Related Uses with the recommended amendment from the Charles County Rural Planning and Zoning Task Force.

Fiscal Year 2022 Budget Work Session: General Fund Revenue Outlook and Fiscal Year 2022-2026 Governmental Capital Improvement Project Review

Ms. Jenifer Ellin, Director, Mr. Jacob Dyer, Chief of Budget, and Ms. TaTanya Bowman, Senior Budget Analyst, Department of Fiscal and Administrative Services, reviewed the Fiscal Year 2022-2026 Governmental Capital Improvement Program (CIP) with a total requested budget of five hundred three point one million dollars (\$503.1) and the Fiscal Year 2022 General Fund Revenues and Financing Sources of a total proposed budget of four hundred and forty nine million five hundred and twelve thousand eight hundred dollars (\$449, 512,800.00). Staff also reviewed the Governmental CIP Project Status Report. Ms. Ellin informed the Commissioners that they would receive an add/delete form for any of their proposed changes and requested that it be returned by April 28, 2021. She stressed that the current proposed budget is balanced so that if any projects are added, something needs to be deleted to cover the costs.

Commissioners' New Business

Commissioner Bowling requested that a briefing from staff on the Newburg Tier Map be added to the agenda.

There was a consensus to add this request to a future agenda.

Closed Session

At 3:27 p.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)(7) of the General Provisions Article of the Annotated Code of Maryland to review negotiation agreements. The reason for going into closed is to keep negotiations and strategies confidential.

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**Summary Closed Session Items**

At 3:48 p.m. the Commissioners went into virtual closed session.

**3-305(b)(7) Legal: Negotiations**

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Alexis Blackwell, Megan Donnack, Jacob Dyer, and Eric Paltell.

Ms. Deborah Hall, Deputy County Administrator, and Mr. Eric Paltell, Outside Counsel provided an update on Fiscal Year 2022 Union Negotiations.

Mr. Wes Adams, County Attorney, reviewed a letter requesting collective bargaining.

The Commissioners provided staff with directions for a response to the request.

At 4:55 p.m., a motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to end this Closed Session.

At 6:01 p.m. the Commissioners returned to open session.

**Roll Call**

A roll call was taken. All Commissioners were present.

**Public Hearing: Local Legislative Proposals**

Ms. Danielle Mitchell, Associate County Attorney II, Office the County Attorney, reviewed the Legislative process for proposed local legislation. She noted that the follow up work session would be held on April 20, 2021.

The Commissioners heard two (2) legislative proposals. The first was to amend Zoning Ordinance Code 1.05.200 a to establish an alternative in Charles County to allow minority-owned businesses to gain access to the marijuana industry and a proposal to ban American Pit Bull Terriers in Charles County.

Commissioner Stewart requested current code regulations and practice related to vicious dogs and any Animal Matter Hearing Board nuisance complaints related to this topic for the follow up work session on April 20, 2021.

A motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to keep the public record open until April 16, 2021.

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

At 6:15 p.m., a motion was made by Commissioner Rucci, 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: Virtual- MS Teams

Date: April 13, 2021

Time: 3:27 p.m.

Motion By: Commissioner Bowling

Seconded By: Commissioner Rucci

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) Legal: Negotiation Agreements**

REASON FOR CLOSING: To keep legal negotiations confidential.



Reuben B. Collins, II, Esq., President

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