

Regular Meeting of County Commissioners
Tuesday April 20, 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.

Roll Call

A roll call was taken. All Commissioners were present.

Announcement of Additional Charles County Board of County Commissioners' Proclamations Issued for April 2021

2021-20 Crime Victims' Rights Week; 2021-21 National Volunteer Week

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, 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 and slightly lower. 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 COVID vaccination doses given to Charles County residents and average age of COVID cases. She indicated that everyone is eligible to get the vaccination and that they can make your own appointment without preregistration or invitation. She discussed Asymptomatic spread of COVID-19 and reminded of the importance of wearing your mask, watching your distance, and washing your hands. She

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mentioned that the State mobile testing van will be in Charles County during the week of May 10, 2021. She also discussed recommendations for fully vaccinated people.

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 in Spanish, the Vaccine Rumor Control on social media, and frequently asked questions.

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 plan for in-person graduation ceremonies in the spring.

Mr. Wes Adams requested an emergency agenda item be added to close session to discuss the Maryland Department of Health and Sagepoint Nursing Home.

Approval of the Minutes of April 13 and April 14, 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 April 13, 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 April 14, 2021.

Announcement: Next Commissioner Session will be held April 27, 2021

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled sessions are on April 27, 2021.

Approval Items

FY2021 Budget Transfer Request #8656 Marsh Maintenance Monitoring

A motion was made by Commissioner Rucci, seconded by Commissioner Coates, and passed with all Commissioners present, voting in favor to FY2021 Budget Transfer Request #8656 Marsh Maintenance Monitoring for forty-five thousand seven hundred dollars (\$45,700.00).

FY2021 Contingency Transfer Request #8648 Cable Franchise Fund

A motion was made by Commissioner Coates, seconded by Commissioner Rucci, and passed with all Commissioners present, voting in favor to FY2021 Contingency Transfer Request #8648 Cable Franchise Fund for eighteen thousand five hundred and ten dollars (\$18,510.00).

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CPV Maryland, LLC Second Amendment to Amended and Restated Development Agreement

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the CPV Maryland, LLC Second Amendment to Amended and Restated Development Agreement.

College of Southern Maryland Velocity Center Funding Delay

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to delay funding for the College of Southern Maryland Velocity Center from Fiscal Year 2021 to Fiscal Year 2022 and Fiscal Year 2023.

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. Steve Proctor, Mr. Joe Green and Ms. Michelle Goodwin, Lobbyist, GS Proctor and Associates, Inc. provided a final review of the 2021 legislative bills considered by the Maryland General Assembly, including a variety of bills on hunting, law enforcement/ police reform, Maryland Electricians Act, cannabis legalization, education, eviction and tenant rights, and transition from fossil fuels.

FY2022 Budget Work Session: General Fund

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, and Ms. TaTanya Bowman, Senior Budget Analyst, Department of Fiscal and Administrative Services, reviewed the proposed FY2022 General Fund Budget. During the review of each of the partnering agencies proposed budgets, the Commissioners received a video or written comment on each agency's proposed budgets. These videos and written comments were from the Board of Education, Charles County Sheriff's Office, College of Southern Maryland, Charles County Public Library, Charles County State's Attorney's Office, Charles County Health Department, Circuit Court, Charles County Department of Social Services, and the Charles County Charitable Trust.

Ms. Ellin concluded the work session reminding the Commissioners that the add/delete form for their proposed budget changes were due by April 28, 2021 and that the Public Hearing on the Budgets will be held on April 27, 2021.

Closed Session

At 11:13 a.m. Commissioner Coates 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)(3)(7) of the General Provisions Article of the Annotated Code of Maryland to consider the acquisition of real property for a public purpose and matters directly related to the acquisition and to discuss and seek legal advice on an emergency legal issue related to Sagepoint. The reason for going into closed is to keep negotiations and strategies confidential.

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Summary Closed Session Items

At 11:33 a.m. the Commissioners went into virtual closed session.

3-305(b)(3)(7) Legal: Consider Acquisition of Real Property for Public Purpose

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

The Commissioners reviewed a request related to a potential acquisition.

The Commissioners took no action.

3-305(b)(7) Legal: Update on Sagepoint

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

Mr. Wes Adams, County Attorney, reviewed the independent Administrative Law Judge's opinion which found that Sagepoint had followed all guidance and were not in violation of any standards. He further discussed the actions of the Maryland Office of Health Care Quality.

The Commissioners requested that Mr. Wes Adams provide follow up information.

At 12:35 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to end this Closed Session.

At 2:31 p.m. the Commissioners returned to open session.

Roll Call

A roll call was taken. All Commissioners were present.

Briefing: Waterman's Association

Mr. Bill Killinski, President, Mr. Kevin Waring, Secretary, Charles County Watermen's Association, provided the Commissioners with an update on their industry related to Blue Crabs, Stripe Bass (Rock fish), Catfish, Eel and Oysters. He discussed the decline in dockside value of each due to COVID-19 pandemic. They discussed continued opportunities to partner with Charles County Government to enhance fisheries and ensure clean waterways such as continuing the oyster planting partnerships, improving fish habitat with discarded material from the Nice-Middleton Bridge project, and considering waterman industry for economic development, education and tourism.

Briefing: Keep Charles County Beautiful Update

Ms. Frances Sherman, Chief of Environmental Resources, and Ms. Margaret Romero, Recycling and Litter Control Superintendent, Department of Public Works, provided an update on the Clean Charles initiative. As a part of this initiative, there will be a Keep Charles County Beautiful community cleanup event, which promotes community involvement in litter cleanup throughout the county. This is scheduled for May 22, 2021.

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Follow-Up Work Session: Local Legislative Proposals

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney, reviewed the three (3) proposed local legislation:

Amending the Zoning Ordinance 1.05.200 Commercial Greenhouse Operation with Marijuana.
The Commissioners directed Ms. Mitchell to inform the resident on the zoning amendment process and to bring his request to the Planning Commission.

Banning American Pit Bull Terriers in the County
The Commissioners directed Ms. Mitchell to inform the resident of the County's process related to vicious and dangerous breeds and refer her to the Animal Matters Hearing Board.

Adjusting the Charles County Traffic Calming program
Commissioner Bowling would be willing to sponsor this proposal and requested Mr. Mark Belton, County Administrator, to assign the appropriate staff to provide a subsequent briefing of this proposal.

****RESCHEDULING** Briefing: Review of Ethics Procedures**

Commissioners' New Business

There was no new business discussed.

At 3:35 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Bowling 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 20, 2021

Time: 11:13 a.m.

Motion By: Commissioner Coates

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) 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: Potential Agreement

REASON FOR CLOSING: To keep legal negotiations confidential.



Reuben B. Collins, II, Esq., President