

Regular Meeting of County Commissioners
Tuesday July 13, 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
Deborah Hall, Deputy 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 the Commissioners were present.

Comments

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to make today (July 13, 2021) a legislative day.

Commissioner Collins acknowledged the service of the Senior Center Board that dissolved and thanked them for their service.

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.

Dr. Abney reviewed the multiple vaccination clinics, pop-up clinics, and the mobile vaccines within the community that are being held indoors and drive through. She stated that they are downsizing the vaccination schedule since less people are getting vaccinated at this time. She reviewed the concerns related to the Delta variant and explained that the vaccination for COVID-19 will work against the Delta variant if fully vaccinated. She also reviewed COVID cases by age, Charles County COVID deaths by month from March 2020-July 2021. She indicated that all COVID numbers are down.

Ms. Lilly informed the Commissioners that the Department of Emergency Services (DES) ended SitReps on July 1, 2021. She mentioned that the Governor's reinstatement of the state of Emergency on July 12, 2021, was only administrative in nature to ensure certain funding. DES will continue to monitor COVID and provide support as needed.

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Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, reviewed the latest GoVax commercial featuring Mayor Brandon Paulin which promotes vaccines for young adults. Media will also promote school vaccinations at all summer meals site to help increase the vaccination rate for students ages twelve (12) to seventeen (17). She also discussed the NBC4 segment for the GoVax campaign.

Mr. Jason Stoddard, Director of Safety, Charles County Public Schools, joined the discussion to update the Commissioners. He discussed summer school and COVID-19 testing and staff will continue updating their COVID-19 protocols this summer and for the 2021-22 school year which begins on August 30, 2021.

Approval of the Minutes of June 17 and June 22, 2021

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the minutes of June 17, 2021.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the minutes of June 22, 2021.

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

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled session was on July 27, 2021.

Approval Items

FY2021 Budget Transfer Request #8946 VanGo Buses

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2021 Budget Transfer Request #8946 VanGo Buses, for one hundred and fifty-four thousand one hundred and seventy dollars (\$154,170.00).

FY2022 Budget Amendment Increase #8947 govMeetings

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci, and passed with all Commissioners present, voting in favor to approve FY2022 Budget Amendment Increase #8947 govMeetings, for thirty-two thousand six hundred and twenty dollars (\$32,620.00).

Letter of Support for Preservation of the Historic African American Carroll Family Farm

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the letter of support for the Preservation of the Historic African American Carroll Family Farm.

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Letter of Support for the Rural Maryland Council Grant Application-Renovation of the Maryland Technology Center (MTC)

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor of the letter of support for the grant for the Maryland Technology Center.

Letter of Support-Tri-County Council for Southern Maryland-Healthcare Grant for Wheels to Wellness Program

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the letter of support for the grant for the Wheels to Wellness Program.

The Commissioners reached a consensus to approve the Charles County Area Council on Aging sending a letter of support as well.

Letter of Support for the National Park Service National Underground Railroad Network to Freedom to Include the Port Tobacco Jail Site.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the letter to include the Port Tobacco Jail in the National Park Service Underground Railroad Network to Freedom.

Letter of Support for Friends of Maxwell Grant Application from the Maryland Commission on African American History to Create Museum Space and Owner Consent Letter

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 and Consent Letter for the Friends of Maxwell Hall Grant Application.

Articles of Incorporation of the Resilience Authority of Charles County

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the Articles of Incorporation for the Resilience Authority.

2022 Board of County Commissioner Session Schedule

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the 2022 Board of County Commissioner Session Schedule.

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Briefing and Request to Set the Public Hearing: Amendment to the 2016 Comprehensive Plan-Land Surrounding Maryland Airport

Ms. Amy Blessinger, Planner III, Mr. Jim Campbell, Planning Director, and Mr. Charles Rice, Assistant Chief of Planning, Department of Planning and Growth Management, reviewed the Planning Commission's recommendations for the Comprehensive Plan amendment and request to schedule a public hearing.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to schedule the public hearing on Wednesday September 22, 2021, at 6:00 p.m.

Briefing and Request to Set the Public Hearing: Zoning Map Amendment (ZMA) #20-03 Hungerford Property

Ms. Kelly Palmer, Planner III, Mr. Kirby Blass, Planner III, and Ms. Cynthia Bilbra, Planning Supervisor, Department of Planning and Growth Management, reviewed the zoning map amendment request for the Hungerford property.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to schedule the public hearing on Wednesday September 22, 2021, at 6:00 p.m.

Briefing and Request to Introduce and Set the Public Hearing: Bill 2021-04 Zoning Text Amendment (ZTA) #20-160 Processing Facility Transfer Station-Solid Waste in the (IH) Zone

Mr. Kirby Blass, Planner III, Department of Planning and Growth Management, and Ms. Frances Sherman, Chief of Environmental Resources, Department of Public Works, reviewed the proposed Zoning Text Amendment for the processing facility transfer station-solid waste in the heavy industrial zone.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to introduce Bill 2021-04 Zoning text Amendment #20-160 Processing Facility Transfer Station-Solid Waste in the (IH) Zone.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to schedule the public hearing on Wednesday September 22, 2021, at 6:00 p.m.

Update and Request to Approve: Community Stormwater Management Priorities

Ms. Deborah Hall, Deputy County Administrator, Ms. Deborah Carpenter, Director, Department of Planning and Growth Management, and Ms. Jenifer Ellin, Director, Department of Fiscal and

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Administrative Services, provided an update and outline of the proposed approach to address community stormwater management priorities. Staff and the Charles County Resilience Authority are working to resolve issues with private stormwater systems which would ordinarily be the responsibility of the landowner. To initiate the concept and get an idea of the scale of the problem, staff identified about one hundred (100) neighborhoods that pre-date the stormwater ordinance, with private stormwater systems that had known problems as determined by consistent complaints of flooding and had no county-owned easements or maintenance agreements.

The Commissioners agreed to the prioritization method presented.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to allow the Resilience Authority to act as project lead and procurement entity.

Briefing: Neighborhood Traffic Calming Program - Emergency Response Routes

Ms. Donna Daugherty, Engineer III, Ms. Cathy Thompson, Planning Supervisor, Department of Planning and Growth Management; Mr. Stephen Staples, Chief of County Roads, Department of Public Works; and Sgt. Juan Morales, Traffic Operations Supervisor, Charles County Sheriff's Office, provided a presentation on the Neighborhood Traffic Calming Program. The Traffic Safety Committee recommended to make no changes to the Neighborhood Traffic Calming Program eligibility criteria regarding emergency response routes at this time.

Follow Up Work Session: Bill 2021-02 Zoning Text Amendment (ZTA) 19-154 Single-Family Attached Residential & Multi-Family

Mr. Kirby Blass, Planner III, and Mr. Jim Campbell, Planning Director, and Mr. Charles Rice, Assistant Planning Director, Department of Planning and Growth Management, reviewed the staff report. Based upon comments and feedback received during the Public Hearing, and the subsequent open record period, staff has weighed the merits of those collective recommendations in the context of the intended purpose of these amendments and has endeavored to refine the proposed text accordingly for the County Commissioners' consideration. Notable refinements discussed involve - transitional provisions, color schemes and material selections, garage doors, end wall and rear wall detailing specifications, rooflines, and setbacks between buildings.

The Commissioners directed staff to come back on July 27, 2021, for another work session to address concerns related to reducing the existing masonry percentage, the fire retardancy of proposed alternate materials, environmental ratings, the future maintenance/ durability of proposed alternate materials, and any impacts on property values. They also requested pictures of the proposed materials.

Commissioners' New Business

There was no new business discussed.

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Closed Session

At 10:47 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)(3)(7) of the General Provisions Article of the Annotated Code of Maryland to discuss legal advice on three (3) agreements; to discuss one (1) County Board; and to review one (1) personnel appointment and conduct one (1) personnel evaluation. The reason for going into closed is to keep legal approaches and negotiations and personnel information confidential.

Summary Closed Session Items

At 11:02 a.m. the Commissioners went into virtual closed session.

3-305(b)(7) Legal: Agreement

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Wes Adams, Carol DeSoto, Deborah Hall, and Jenifer Ellin.

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services, reviewed a funded program and the need to draft an agreement.

The Commissioners directed staff to draft an agreement with provisions discussed.

3-305(b)(1)(7) Personnel: Appointments to Boards, Commissions and Committees

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Wes Adams, Carol DeSoto, Deborah Hall, and Deborah Carpenter.

Mr. Wes Adams, County Attorney, and Ms. Deborah Carpenter, Director, Department of Planning and Growth Management reviewed County Code related to the Agricultural Reconciliation Committee and options on the membership formation.

The Commissioners reached a consensus to have Mr. Adams draft an amendment related to the membership of this committee.

3-305(b)(7) Legal: Contract/Agreement

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Wes Adams, Carol DeSoto, Deborah Hall, and Shanee Major-Kelley.

Ms. Shanee Major-Kelley, Associate County Attorney, reviewed the current agreement and potential options.

The Commissioners directed staff to proceed with the dispute resolution option discussed.

3-305(b)(7) Legal: Court Cases

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Wes Adams, Carol DeSoto, Deborah Hall, Elizabeth Theobalds, and Eric Jackson.

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Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney, reviewed current court cases and potential options.

The Commissioners reached a consensus to have Ms. Theobalds proceed with the negotiations as presented .

3-305(b)(1) Personnel

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Wes Adams, Carol DeSoto, Deborah Hall, and Alexis Blackwell.

Ms. Alexis Blackwell, Director, Department of Human Resources, provided an update on a personnel change.

3-305(b)(1) Personnel

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Wes Adams, Carol DeSoto, Deborah Hall, and Alexis Blackwell.

**At 12:18 p.m. Ms. Deborah Hall, Deputy County Administrator left closed session.*

Ms. Alexis Blackwell, Director, Department of Human Resources, discussed an upcoming employee evaluation and the process.

**At 12:22 p.m. Commissioner Coates left closed session.*

The Commissioners present directed Mr. Wes Adams, County Attorney, to send Commissioner Coates a follow up email with discussion points.

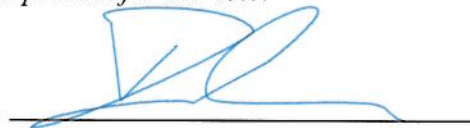
**At 12:29 p.m. Mr. Wes Adams, County Attorney, and Ms. Carol DeSoto, Clerk to the Board of County Commissioners left closed session.*

**At 1:23 p.m. Ms. DeSoto returned to closed session.*

At 1:25 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with Commissioners Stewart, Rucci, Bowling and Collins present, voting in favor to end this closed session and adjourn. **Commissioner Coates was not present for the vote.*



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: July 13, 2021

Time: 10:47 a.m.

Motion By: Commissioner Rucci

Seconded By: Commissioner Bowling

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) [] 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)(1)(7) Personnel: One (1) County Board; One (1) Personnel Appointment; Conduct One (1) Evaluation

REASON FOR CLOSING: Keep personnel information confidential.

3-305(b)(7) Legal: Three (3) Agreements

REASON FOR CLOSING: To keep legal approaches, negotiations and strategies confidential.



Reuben B. Collins, II, Esq., President