

Regular Meeting of County Commissioners
Tuesday September 28, 2021 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:08 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, was absent
Thomasina O. Coates, M.S., County Commissioner
Amanda M. Stewart, M.Ed., County Commissioner
Mark Belton, County Administrator
Wesley Adams, County Attorney
Jesse Bungcayao, Executive Assistant to the County Administrator
(for 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.

Comments

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to make today, September 28, 2021 and tomorrow, September 29, 2021 a Legislative Day.

Charles County Health Department Update: Coronavirus/COVID-19

Ms. Michelle Lilly, Director, Department of Emergency Services, Dr. Dianna Abney, Health Officer, Charles County Department of Health, Mr. William Grimes, Vice President, Ancillary Services & Incident Commander, UM Charles Regional Medical Center, and Mr. Jason Stoddard, Director of Safety for Charles County Public Schools provided an update on COVID-19 statistics and how they are responding to COVID-19.

Ms. Lilly reported on the COVID positive EMS Transports per month in 2021 and that as of this date there were seven (26) for September and corrected that there were forty-seven (47) in August. She informed the Commissioners that the Department of Emergency Services (DES) will continue to monitor COVID and provide support as needed.

Dr. Abney reviewed the continuation of indoor mask mandate as well as case rates and percentages of positivity and overview of COVID-19 cases, hospitalizations, and deaths for the county. She also reviewed the post vaccination infection data and provided information on the asymptomatic spread of COVID-19. She reiterated the information related to where the locations are to get COVID-19 testing and vaccinations. Dr. Abney also stressed the importance of using credible and reliable sources while researching the disease and vaccinations.

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Mr. Grimes noted that there were fifteen (15) COVID positive in-patients and seeing younger patients with more serious conditions. He mentioned that the pattern seems to indicate predominately unvaccinated and that many of the vaccinated come to the hospital for treatments for other issues. He mentioned that the hospital will mandate staff vaccinations as of October 1, 2021. Roughly 10 members of the workforce left the organization for refusal to be vaccinated. They continue to have staffing issues like much of the rest of the country.

Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, and her team will be conducting a podcast on how to find credible sources such as those Dr. Abney mentioned and will be supporting the Health Department efforts for notification of vaccines and boosters.

Mr. Jason Stoddard, Director of Safety, Charles County Public Schools, joined the discussion and provided an update on the school's cases of COVID -19 positive and contact tracing efforts. CCPS is seeing a decrease in cases – eighteen percent (18%). He stressed the importance of not sending students to school if they are sick.

Commissioner Ruecci asked that Dr. Abney coordinate with the county to put up digital signage to notify residents where to get vaccinations.

Dr. Abney notified the board that the Health Department will be updating their webpage with the credible sources she mentioned during her presentation.

Briefing: Update on CCG Workforce COVID statistics

Mark Belton, County Administrator updated the board on COVID-19 statistics for the Charles County Government workforce with a presentation describing the preventative measures the county has taken and informed the Commissioners on employee contact statistics:

- COVID+ employees 2-year total: 67 – 6% of total employees
- COVID+ employee to employee spread 2 year – 0.9% of total employees
- COVID+ & fully vaccinated in Aug: 1 employee and Sept: 2 employees
- All three required isolation as they were symptomatic

He summarized the findings including:

- CCG Workforce Data Is Not Reflective of Charles County Community Data
- Preventive Measures Remain In-Place with Messaging to Combat Complacency
- While 1) “New Normal” Task Force Recommended Actions Have Significantly Slowed the Spread of the Virus Without a Vaccine Mandate and, 2) Employee to Employee Transmissions Have Been Rare...Employees Can Still Contract the Virus While Away from Work and Quarantines Due to Contact Tracing Still Occur
- Preventive Measures Remain In-Place, the “New Normal Task Force Continues to Meet to Discuss the Latest Data and Trends, and Messaging to Combat Complacency
- Still Waiting for OSHA to Roll Out Details of National Testing Mandate
- A Vaccine Mandate by the Board of County Commissioners will not impact Sheriff's Department Employees
- The Mandate is a Very Divisive Issue, Even with Weekly Testing as an Alternative

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- Some Entities Have Instituted a Carrot and Stick Approach Instead

The Commissioners discussed the data while considering implementing a vaccination mandate for CCG employees. Commissioners

The board came to a consensus to have staff, Human Resources and the County Attorney, to draft a survey to collect vaccination status from all employees, along with questions to address preferences regarding vaccination versus testing.

Announcement: Next Commissioner Session(s) scheduled will be held October 5, 2021

Jesse Bungecayao announced that the next scheduled sessions will be held on September 21 and September 22, 2021.

Approval Items

FY2022 Budget Amendment Increase #9207 (GIS Planimetric Map)

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed with all Commissioners present, voting in favor to approve FY2022 Budget transfer Request #9207 GIS Planimetric Map for fifty thousand dollars (\$50,000.00).

Follow-up Information on Approved FY2023 Budget Calendars

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed with all Commissioners present, voting in favor to approve the FY2023 Budget Calendar.

Request to Schedule a Public Hearing: Heritage Green

Ms. Elizabeth Theobalds, Deputy County Attorney, joined the Commissioners, to review the request and the supporting documents, to schedule a public hearing for Heritage Green Development Rights and Responsibilities Agreement (DRRA) Amendment.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed with all Commissioners present, voting in favor to schedule a virtual public hearing for October 20, 2021, at 6pm for Heritage Green DRRA Amendment pursuant to land use article procedures.

Briefing: Extended Online Sales/Teleworking Grant Program

Ms. Lucretia Freeman-Buster, Chief of Business Development, Department of Economic Development and Deborah Hall, Deputy County Administrator/Acting Director of Economic Development, provided a presentation on the Extended Online Sales/Teleworking Grant Program. They reviewed the program and encouraged businesses to apply for this program.

Briefing: Update on Charles County Charitable Trust

Ms. Susan Petroff, Sr. Executive Director, Programs & Advocacy and Ms. Deborah Carrington, President, Charles County Charitable Trust presented an update on the Charitable Trust listing the number and amounts of grants distributed in FY21 and FY22. They noted their plans for the next fiscal year. They noted the continued increase in the need for these grants as well as increased challenges stretching the funds. They also provided suggestions to the Commissioners to fund critical service needs through county departments to free up grant funds to smaller businesses.

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Update: Commissioners' Goals and Objectives- Goal 3: Environment (Ms. Deborah Carpenter, Director, Department of Planning and Growth Management)

Ms. Deborah Carpenter, Director, Department of Planning and Growth Management, Ms. Deborah Hall, Acting Director, Department of Economic Development, Ms. Frances Sherman, Chief of Environmental Resources and Mr. Bernard Cochran, Deputy Director-Utilities, Department of Public Works, provided an update on the on the Commissioners' Goals and Objectives- Goal Three: Environment. They reviewed conservation programs, natural resource management, and environmental management.

Closed Session

At 9:56 a.m., Commissioner Rucci made a motion, seconded by Commissioner Coates 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)(8) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice and discuss/review pending or potential litigation on two matters.

Summary Closed Session Items

At 11:40am the Commissioners went into virtual closed session.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, and Mark Belton, Wes Adams, Elizabeth Theobalds, and Jesse Bungcayao.

The County Attorney outlined the potential litigation and recommendations. The consensus of the Commissioners was to accept the proposed recommendations as discussed.

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

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

The County Attorney outlined the potential litigation and recommendations. The consensus of the Commissioners was to accept the proposed recommendations as discussed.

At 12:03 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 close session.

The Commissioners returned to open session at 4:12 p.m.

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Follow-Up Work Session: State Legislative Proposals

Ms. Danielle Mitchell, Associate County Attorney II, Office of the County Attorney, lead the work session for the Commissioners review of potential legislative proposals for decision by the board to move forward to the legislation. The Commissioners were joined by two members of the Charles County Delegation and members of G.S. Proctor.

1. A proposal to amend §3.501 of the Education Article, Ann. Code MD, the composition of the Charles County Board of Education to "... protect and promote the public interest" by requiring that certain members be elected by Commissioner District.

Proposed by: Ms. Latina L. Wilson

No motion was made on this proposal.

2. A proposal to amend the qualifications required to run for Charles County Board of Education in Maryland Education [Article] Sec 3.501 from 21 years old and a registered voter for 3 years to years old and a registered voter for 1 year.

Proposed by: Mr. Desmond Rosier

No motion was made on this proposal.

3. A proposal to adopt legislation which ensures that the public has the opportunity to work as active partners with County Governments when an Amendment to the County's Comprehensive Plan is proposed.

Proposed by: Ms. Nancy Schertler

No motion was made on this proposal.

4. A proposal to modify the Charles County multiple licensing plan law to permit certain Charles County Class B License Types to increase the number of alcoholic beverage licenses held by a single individual within the Charles County limits from one license to two licenses.

Proposed by: David J. Martinez, Esq.

Commissioner Rucci made a motion, seconded by Commissioner Bowling and passed with four Commissioners voting to approve (Coates, Rucci, Bowling and Collins) and Commissioner Stewart voting to oppose. A majority of Commissioners voted in favor to move this proposal forward to the delegation.

5. A proposal to amend Ann. Cod MD, Alcoholic Beverages Article, to allow removal of an individual/corporate licensee and hold an alcoholic beverage license inactive or in abeyance for a certain amount of time, until a substitute licensee can qualify to hold the license.

(Reintroduced from 2021 Legislative Package).

Proposed by: Guy Black, Chairman Board of License Commissioners

Commissioner Rucci made a motion, seconded by Commissioner Coates and passed with four Commissioners voting to approve (Coates, Rucci, Bowling and Collins) and Commissioner Stewart voting to oppose. A majority of Commissioners voted in favor to move this proposal forward to the delegation.

6. A proposal for release/forgiveness of financial student loan education debt for persons over

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60 years old.

Proposed by: Catherine Taggart

No motion was made on this proposal.

7. A proposal to allow a person receiving Federal/State financial benefits the ability to work and receive additional financial compensation.

Proposed by: Catherine Taggart

No motion was made on this proposal.

8. A proposal for enhanced penalties and requirements for all dirt bike, all-terrain and ATV owners to register their bikes with the Department of Motor Vehicles.

Proposed by: Dr. Karla Kornegay

No motion was made on this proposal.

9. A proposal to create a Healthy Resources Bill requiring all law enforcement/mental health personnel to have info booklets on public/nonprofit resources for drugs, domestic violence, suicide prevention, AA, etc.

Proposed by: Carlos Childs

No motion was made on this proposal.

10. A proposal for a City Incorporation Bill changing the current process of becoming a municipality.

Proposed by: Carlos Childs

No motion was made on this proposal.

11. A proposal to implement a Healthy Food Act which will impose a tax on corporate owned grocery stores that are not located in low-income areas, to be used to build, maintain, and help offset prices at the public owned grocery stores and/or provide tax incentives to build co-op grocery stores in food deserts.

No motion was made on this proposal.

Proposed by: Carlos Childs County Commissioner 2022 Preliminary Legislative Proposals

12. A proposal to implement a Building Refurbishment Fund ... from monthly fines and fees put on the owners of certain vacant commercial property.

Proposed by: Carlos Childs

No motion was made on this proposal.

13. A proposal for a Tenant & Code Violation Bill which would require every commercial and/or residential landlord to provide each tenant a paper and virtual copy of Maryland's tenant's rights laws upon signing the contract and lease renewal.

Proposed by: Carlos Childs

No motion was made on this proposal.

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14. A proposal to authorize the establishment of a Kennedy Krieger satellite office for the Center for Autism and Related Disorders.

Proposed by: Jamila A Smith

No motion was made on this proposal.

15. A proposal for the Creation of a local Human Relations and Civil Rights Commission in Charles County.

Proposed by: Dyotha R. Sweat, President Charles County NAACP

No motion was made on this proposal.

16. A proposal for a Bond Authorization bill in the amount of \$250,000 for construction of an entrance and lobby from the Memorial Garden and Freedom Stage to the Maryland Veterans Museum at Patriot Park (MVM).

Proposed by: Lawrence Abell, President Maryland Veterans Museum

No motion was made on this proposal.

17. A proposal for a Development Fund for Workforce Housing.

Proposed by: Theresa Kuhns, Vice President, Government Affairs Southern Maryland Association of REALTORS®

No motion was made on this proposal.

18. A proposal for a Mortgage Forbearance Fund to be created by a portion of the proposed rental registration fees.

Proposed by: Theresa Kuhns, Vice President, Government Affairs Southern Maryland Association of REALTORS

No motion was made on this proposal.

19. A proposal for a first-time homeowners' tax credit. 32.

Proposed by: Theresa Kuhns, Vice President, Government Affairs Southern Maryland Association of REALTOR

No motion was made on this proposal.

20. A proposal to authorizes Charles County government to grant a property tax credit against the county or municipal property tax imposed on a dwelling house of certain disabled veterans.

Proposed by: Chairman Kabir Tompkins, Sr., Chairman Charles County Commission for Veterans Affairs

No motion was made on this proposal. However, the Commissioners would like to address this with further when more budget information is available.

21. A proposal to allow Sunday hunting in Charles County during the Maryland legal hunting

season and authorize the Department of Natural Resources to allow a person to hunt on each Sunday of the game bird and game mammal season in Charles County.

Proposed by: Robert A. Boarman

Commissioner Bowling made a motion, seconded by Commissioner Rucci and passed with all Commissioners present, voting in favor to move this proposal forward to the delegation.

22. A proposal to implement a County Compost Program.

Proposed by: Mathew W. Perez, Jr.

No motion was made on this proposal. However, the Commissioners were interested in this idea and would like to investigate the fiscal implications.

23. A proposal to re-introduce HB 335/SB432 - Charles County - Public Safety - Buildings

Used for Agritourism (from 2020 Legislative Session), which proposes to add Charles County to the list of counties where an existing agricultural building used for Agritourism is not considered a change of occupancy that requires a building permit under certain circumstances.

Proposed by: Commissioner Gilbert "B.J." Bowling, District 1

Commissioner Bowling made a motion, seconded by Commissioner Rucci and passed with four Commissioners voting to approve (Coates, Rucci, Bowling and Collins) and Commissioner Stewart voting to oppose. A majority of Commissioners voted in favor to move this proposal forward to the delegation.

24. A proposal to amend Section 9-310 of the Tax Property Article, Ann. Code MD, to allow

for implementation of a real property tax credit for volunteer fire & EMS, (current, retired, and surviving spouses of deceased volunteers receiving a benefit).

Proposed by: Commissioner Gilbert "B.J." Bowling, District 1

Commissioner Bowling made a motion, seconded by Commissioner Stewart with a friendly amendment to add the Auxiliary members. The friendly amendment was accepted and passed with all Commissioners present, voting in favor to move this proposal forward to the delegation.

25. A proposal to amend the definition of "agricultural land management practices" found in

COMAR 26.17.02.02, to expressly include the acts of clearing and grading land in preparation for agricultural land management practices, in order to ensure the activity is exempt from the Stormwater Water Management Plan requirements, described in COMAR 26.17.02.09.

Proposed by: Commissioner Vice President Bobby Rucci, District 2

Commissioner Rucci made a motion, seconded by Commissioner Bowling and passed with all Commissioners present, voting in favor to move this proposal forward to the delegation.

26. A proposal to provide housing relief for seniors in the form of mandated rent stabilization.

Proposed by: Commissioner President Reuben B. Collins, II, Esq.

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A motion was made by Commissioner Coates with no second on this proposal. Therefore, the motion died.

27. A proposal to implement a higher property tax rate on properties deemed blighted.

Proposed by: Commissioner President Reuben B. Collins, II. Esq.

Commissioner Rucci made a motion, seconded by Commissioner Bowling and passed with all Commissioners present, voting in favor to move this proposal forward to the delegation.

28. A proposal to enable the use of Public Private Partnership (PPP) process for school construction projects - Interagency Commission on School Construction (IAC).

Proposed by: Commissioner President Reuben B. Collins, II. Esq.

Commissioner Bowling made a motion, seconded by Commissioner Rucci and passed with all Commissioners present, voting in favor to move this proposal forward to the delegation.

29. A proposal to ensure posting notifications of newly introduced legislation and enacted legislation is sufficient when the bill is posted to an internet website ordinarily used by the public body to provide information to the public.

Proposed by: Associate County Attorney Danielle Mitchell

Commissioner Rucci made a motion, seconded by Commissioner Stewart and passed with all Commissioners present, voting in favor to move this proposal forward to the delegation.

30. A proposal to implement a dress code policy in Charles County stores and restaurants.

Proposed by: Dr. Karla Kornegay

No motion was made on this proposal.

31. A proposal to implement a noise ordinance, especially as it relates to music emanating from vehicles.

Proposed by: Dr. Karla Kornegay

No motion was made on this proposal.

32. A proposal to amend the 2016 Charles County Comprehensive Plan to redefine the "continued operations" of the Maryland Airport for educational purposes rather than commercial.

Proposed by: Jamila A Smith

No motion was made on this proposal.

Commissioners' New Business

Commissioner Coates received notice of a Melwood Recreation Center Vaccination Together and Movie night 6-10pm on October 1, 2021.

There being no further comments, Commissioner Bowling made a motion, second by Commissioner Coates with all Commissioners present voting in favor to close open session.

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Public Hearing: Bill 2021-08 Zoning Text Amendment (ZTA) 21-164 Business Park (BP) Zone

The Commissioners began this public hearing with a roll call.

A roll call was taken. Commissioners Collins, Rucci, Bowling, Coates, and Stewart were present.

Mr. Kirby Blass, Planner III, Mr. Jim Campbell, Planning Director, and Ms. Kelly Palmer, Planner III, Department of Planning and Growth Management, Taylor Yewell, Economic Development presented this zoning text amendment to the board.

There were no citizens who spoke at the public hearing to provide comments to the Commissioners.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to close the record.


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

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to adopt Bill 2021-08 Zoning Text Amendment (ZTA) 21-164 Business Park (BP) Zone.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to adjourn the public hearing.



Jesse Bungcayao, Executive Assistant



Reuben B. Collins, II, Esq., President