

Regular Meeting of County Commissioners
Tuesday October 5, 2021 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:00 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 October 2021

2021-48 National Breast Cancer Awareness Month; 2021-49 Global Diversity Awareness Month; 2021-50 Domestic Violence Awareness Month; 2021-51 National Cybersecurity Awareness Month.

Comments

There were no Commissioner 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; 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.

Dr. Abney reviewed the continuation of indoor mask mandate to help prevent the spread of respiratory illness and as a key strategy to prevent the spread of COVID-19. She indicated that the positive case rate in Charles County is starting to decrease. She reviewed the case rates and percentages of positivity and overview of COVID-19 cases. She shared the statistics on Charles County cases and hospitalizations by age. She provided an overview of COVID-19 deaths by gender and age. She also reviewed the post vaccination infection data. She reiterated the information related to where the locations are to get COVID-19 testing and vaccinations. Dr. Abney reviewed the importance of recognizing misinformation and how to combat it. She concluded her presentation with information related to pregnancy and COVID-19 vaccination which indicates no evidence of adverse maternal or fetal effects during pregnancy or breastfeeding.

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Ms. Lilly reported on the COVID positive EMS Transports per month in 2021 and that as of this date there were thirty-eight (38) for September and no transports at this time for October. She informed the Commissioners that the Department of Emergency Services (DES) will continue to monitor COVID and provide support as needed.

Mr. Grimes noted that there were five (5) COVID positive patients in the hospital in Intensive Care Unit (ICU). He mentioned that ninety-nine-point two percent (99.2%) of the hospital staff are vaccinated.

Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, reiterated media's support for the Health Department efforts and the ongoing media support related to the importance and availability of COVID-19 vaccinations. She indicated that the communications efforts are focused on informing residents about the importance and availability of COVID-19 vaccinations, as well as misinformation. She also reviewed the reasons for vaccine resistance.

Mr. Jason Stoddard, Director of Safety, Charles County Public Schools, joined the discussion and provided an update on the schools cases of COVID -19 positive and contact tracing efforts and case statistics.

Discussion: Charles County Mask Mandate

Mr. Wes Adams, County Attorney, Office of the County Attorney, reviewed the Resolution 2021-16 Declaration of a Local State of Emergency to extend the mask mandate until November 4, 2021.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with Commissioners present, voting in favor to approve newly numbered Resolution 2021-16.

Briefing: Update on American Rescue Plan Act (ARPA)

Ms. Jenifer Ellin, Director and Jacob Dyer, Chief of Budget, Department of Fiscal & Administrative Services and Dr. Dianna Abney, Health Officer, Charles County Department of Health, joined the Commissioners to discuss the American Rescue Plan Act outline of spending. The requests for the Department of Health include a variety of new positions, including a diversity, equity, and inclusion lead to address disparities associated with COVID-19 response and recovery, a program manager, nursing position, and epidemiologist; behavioral health crisis mobile unit; and mental health professionals.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to reduce monies allocated to Broadband and Stormwater Infrastructure each by five hundred thousand dollars (\$500,000.00) and to reallocate one million dollars (\$1,000,000.00) for non-profits with fifty percent (50%) being administered by the Department of Health for non-profits assisting with behavioral health issues and the other fifty percent (50%) to be administered by the Charitable Trust for distribution with stipulations.

The Commissioners directed staff to look into the ARPA funds for possible transportation infrastructure funding.

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**At 9:56 a.m. Commissioner Rucci left session.*

Announcement: Next Commissioner Session(s) scheduled will be held on October 19 and October 20, 2021.

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled sessions will be held on October 19 and October 20, 2021.

Approval Items

FY2022 Budget Transfer Request #9224 Piney Branch Sewer Phase II Project

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Coates, Bowling, Stewart and Collins present, voting in favor to approve FY2022 Budget Transfer Request #9224 Piney Branch Sewer Phase II Project for one hundred thousand dollars (\$100,000.00). *Commissioners Rucci was not present for the vote.*

Follow Up Work Session: 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, and Ms. Margaret Romero, Recycling and Litter Control Superintendent, Department of Public Works, provided a follow up review on the public hearing that was held on September 22, 2021.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Coates, Bowling, Stewart and Collins present, voting in favor to adopt Bill 2021-04 Zoning Text Amendment (ZTA) #20-160 Processing Facility Transfer Station-Solid Waste in the (IH) Zone. *Commissioners Rucci was not present for the vote.*

Follow Up Work Session: Zoning Map Amendment (ZMA) #20-03 Hungerford Property

Ms. Kelly Palmer, Planner III, Mr. Kirby Blass, Planner III, and Ms. Kelly Palmer, Planner, Department of Planning and Growth Management provided a follow up review on the public hearing that was held on September 22, 2021.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Coates, Bowling, Stewart and Collins present, voting in favor to approve the Zoning Map Amendment (ZMA) #20-03 Hungerford Property. *Commissioners Rucci was not present for the vote.*

Closed Session

At 10:06 a.m., Commissioner Coates made a motion, seconded by Commissioner Bowling and passed, with Commissioners Coates, Bowling, Stewart and Collins 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

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the General Provisions Article of the Annotated Code of Maryland to discuss one (1) agreement and potential litigation issue and to review two (2) Boards and Commissions' vacancies; The reason for going into closed is to keep legal approaches, strategies and negotiations confidential. *Commissioner Rucci was not present for the vote.*

Summary Closed Session Items

At 11:03 a.m. the Commissioners went into virtual closed session.

3-305(b)(7)(8) Legal: Agreement

Present: Commissioners Collins, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Wilson Cochran, Candis Stretcher, John Stevens, Brad Jeffries, Bill Morrow, Patrick Welch, and Bryan Short.

**Commissioner Bowling recused himself from this discussion.*

**At 11:45 a.m. Commissioner Rucci joined closed session.*

The Commissioners were provided an overview presentation on a current disputed agreement. Proposed next step options were outlined.

**At 12:16 p.m., Brad Jeffries, Bill Morrow, Patrick Welch and Bryan Short left session.*

The Commissioners discussed and provided Mr. Wes Adams, County Attorney, directions on how to proceed at this time.

3-305(b)(1): Personnel Boards and Commissions Appointments

Present: Commissioners Collins, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Crystal Hunt, and Maquita Irvin.

**At 12:44 p.m. Commissioner Bowling rejoined closed session.*

Ms. Maquita Irvin, Commissioner Specialist, reviewed applications for vacancies on the Redistricting Board and the Interfaith Commission.

The Commissioners present provided direction and consensus related to these boards. Official action was taken later this day under Action on Boards, Commissions, and Committees.

The Redistricting Board will be added to the October 19, 2021 agenda for further discussion.

At 12:56 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to end this closed session.

The Commissioners returned to open session at 3:30 p.m.

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Roll Call

A roll call was taken. Commissioners Bowling, Coates, Rucci and Collins were present.
**Commissioner Stewart had technical issues and joined at about 3:50 p.m.*

Action on Boards, Commissions and Committees

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to appoint Anthony Wilson and Suri Sarabjit to the Interfaith Commission.

Briefing: FY2021 Other Post-Employment Benefits (OPEB) Annual Investment Review

Ms. Alexis Blackwell, Director, and Ms. Megan Donnick, Assistant Director, Department of Human Resources; Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services; and Mr. Alton Fryer, Director of Client Services, Bolton USA provided an update on the Charles County Other Post Employment Benefits (OPEB) investment performance review as of June 30, 2021. Mr. Bolton reviewed Economic Commentary, Second Quarter Market Review, Drivers of Capital Markets Returns and Plan Highlights.

Briefing: FY2021 Sheriff's Office Retirement Plan (SORP) Annual Investment and Actuarial Review

Ms. Alexis Blackwell, Director, and Ms. Megan Donnick, Assistant Director, Department of Human Resources; Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services; and Mr. Alton Fryer, Director of Client Services, and Ms. Ann Sturner, Senior Consulting Actuary, Bolton USA, provided an update on the Sheriff's Office Retirement Plan (SORP) investment performance review as of June 30, 2021. Mr. Bolton reviewed Economic Commentary, Second Quarter Market Review, Drivers of Capital Markets Returns and Plan Highlights. Ms. Sturner provided an Actuarial Valuation Update for the SORP plan. She outlined the Actuarially Determined Contribution (ADC); Funded Status; Historical Funded Status; Asset Rates of Return; Actuarial Assumptions; FY2021 Governmental Accounting Standards Board (GASB) Accounting Results; and Key Assumptions.

Briefing: FY2021 Charles County Pension Plan (CCPP) Annual Investment and Actuarial Review

Ms. Alexis Blackwell, Director, and Ms. Megan Donnick, Assistant Director, Department of Human Resources; Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services; and Mr. Lazaro Guzman, Vice President, Full Service Investments, Mr. David Pappalardo, Vice President & Consulting Actuary, and Ms. Johanna Hunt, Director of Key Accounts, Prudential, provided an update on the Charles County Pension Plan (CCPP) investment performance review as of June 30, 2021. Mr. Guzman reviewed the June 30, 2021 Net Performance Results; Economic Review; Financial Market Returns; Standard and Poor's (S&P) 500 Sector Performance; International Index Returns; Fixed Income Returns and Plan Summary. Mr. Pappalardo reviewed the results of the July 1, 2020 Actuarial Valuation and Governmental Accounting Standards Board (GASB) disclosure for Fiscal Year ending July 30, 2021.

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Follow Up Briefing: Maryland State House Bill 670 Police Accountability Review Board

Ms. Danielle Mitchell, Associate County Attorney II, Office of the Charles County, County Attorney, reviewed proposed details for establishing a Charles County Government Police Accountability Board (PAB). She reviewed the composition, qualifications, terms, compensation, resignation and removal, budget, and record keeping procedures.

The Commissioners requested staff to provide a follow up at the next County Commissioners meeting with a proposed plan on how to garner public input, as well as input from Criminal Justice Coordinating Council.

Commissioners' New Business

There was no new business discussed.

**Break 5:35 p.m.-6:05 p.m.*

Roll Call

A roll call was taken. All Commissioners were present.

Public Hearing: Bond Issuance Resolution

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services and Ms. Cheryl O'Donnell Guth, Counsel, McGuire Woods LLP, joined the Commissioners to provide an overview of the proposed bond resolution. This resolution will authorize and empower the Commissioners to consolidate, issue and sell an aggregate principal amount not to exceed seventy million dollars (\$70,000,000.00) par value of bonds.

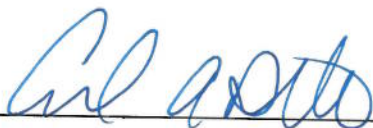
There were no citizens who spoke at the public hearing to provide comments to the Commissioners.

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 Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to close the public hearing.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the newly numbered 2021-17 Bond Issuance Resolution to authorize and empower Charles County to consolidate issue and sell an aggregate principal amount not to exceed seventy million dollars (\$70,000,000.00).

At 6:11 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: October 5, 2021

Time: 10:06 a.m.

Motion By: Commissioner Coates

Seconded By: Commissioner Bowling

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

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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)(8)Legal/Potential Litigation: One (1) Agreement

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

3-305(b)(1)(7)Personnel: Two (2) Boards, Commissions Vacancies

REASON FOR CLOSING: To keep personnel information confidential.



Reuben B. Collins, II, Esq., President