

Regular Meeting of County Commissioners
Tuesday October 19, 2021 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:06 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 October 2021

2021-52 Economic Development Week

Comments

Requested a moment to remember Colin Powell who passed away. Commissioner Collins also informed the Commissioners that a letter of support was sent to support Howard County's Economic Development Authority's proposal for the Maryland Cyber Workforce Solutions being sent for the U.S. Economic Development Administration's Build Back Better competitive grant.

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 on a downward trend, which she believes is due to the mask mandate. 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 provided information on the booster shots by Moderna, Pfizer and Johnson & Johnson. She indicated that a

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vaccine for children should be released soon. She concluded her presentation with safety tips for Halloween 2021.

Ms. Lilly reported on the COVID positive EMS Transports per month in 2021 and as of this date there were twelve (12) 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 eight (8) COVID deaths in the hospital. He also indicated that staffing is tight as in all areas.

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 that is being put out on social media and discussions media specialists have been having to combat this issue. She informed the Commissioners of the newest podcast featuring Dr. Navarro, Superintendent, Charles County Public Schools.

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. He indicated that there has been a decrease over the last three (3) weeks. He talked about the expansion of the schools extra screening process being used.

Approval of the minutes of September 21, 22, 28, 29 and October 5, 2021

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Minutes of September 21, 2021.

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

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the Minutes of September 28, 2021.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the Minutes of September 29, 2021.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the Minutes of October 5, 2021.

Announcement: Next Commissioner Session(s) scheduled will be held on October 26, 2021.

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled sessions will be held on October 26, 2021. She also announced the meeting on October 20, 2021 for the State Consolidated Transportation Program (CTP) Tour.

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Briefing and Request to Introduce Bill 2021-(09) Multiple-Line Telephone Systems

Mr. Tony Rose, Deputy Director, Department of Emergency Services, Mr. Jason Groth, Deputy Director, Mr. Ray Shumaker, Chief of Codes, Permits and Inspections, Department of Planning and Growth Management, and Ms. Danielle Mitcheil, Associate County Attorney II, Charles County Attorney, reviewed the proposed Bill 2021-09 on Multiple Line Telephone Systems which would match the State Code for commercial lines to be able to dial (nine one one) 9-1-1 directly without dialing nine (9) first. This was established as Kari's Law in the State of Maryland in 2015.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all the Commissioners present, voting in favor to introduce Bill 2021-09 Multiple Line Telephone Systems.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all the Commissioners present, voting in favor to set the public hearing for Wednesday November 17, 2021 at 6:00 p.m. virtually.

Briefing and Request to Introduce: Bill 2021-(10) Zoning Text Amendment 21-162 Veterinarians and Veterinary Hospitals in the Central Business Zone

Ms. Kelly Palmer, Planner, Department of Planning and Growth Management, reviewed the staff analysis for the proposed Zoning Text Amendment to permit Veterinarians and Veterinary Hospitals in the Central Business Zone (CB). It would be consistent with the 2016 Comprehensive Plan because it has the potential to expand the number of high paying jobs within the County.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all the Commissioners present, voting in favor to introduce Bill 2021-10 Zoning Text Amendment 21-162 Veterinarians and Veterinary Hospitals in the Central Business Zone.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all the Commissioners present, voting in favor to set the public hearing for Wednesday November 17, 2021 at 6:00 p.m. virtually.

Closed Session

At 10:14 a.m., Commissioner Coates 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 one (1) land acquisition and to review two (2) Boards and Commissions' vacancies. The reason for going into closed is to keep legal approaches, strategies, and negotiations confidential and to keep personnel information confidential. A portion of this session will also concern the administrative function of the County Commissioners in their executive role.

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Summary Closed Session Items

At 10:35 a.m. the Commissioners went into virtual closed session.

Administrative

Present: Commissioners Collins, Rucci, Bowling, Coates, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Alexis Blackwell, Megan Donnicks, Kelli Beavers, and Kelly Shlagel.

Mr. Mark Belton, County Administrator, introduced the new directors Kelli Beavers for the Department of Recreation, Parks and Tourism and Kelly Shlagel for the Department of Economic Development to the Commissioners.

**Commissioner Stewart joined closed session at 10:41 a.m.*

3-305(b)(3)(7) Land Acquisition

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Sam Drury, Jenifer Ellin, Tim Drummond.

Mr. Mark Belton, County Administrator, the letter sent by the Charles Delegation, related to a land acquisition under the Local Program Open Space and suggested options.

The Commissioners reached a consensus to have Commissioner Collins send a letter to the Delegation and invite them to join the Commissioners at their virtual October 26, 2021 meeting.

3-305(b)(1)(7): Boards, Commissions and Committees – Ethics Commission on Redistricting Board

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

Mr. Wes Adams, County Attorney, reviewed the Ethics Commission ruling related to the Redistricting Board.

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

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

Ms. Maquita Irvin, Commissioner Specialist, reviewed applications for vacancies on the Redistricting Board and the Library Board of Trustees.

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

At 11:47 a.m., a motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to end this closed session.

The Commissioners returned to open session at 2:05 p.m.

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Roll Call

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

Approval Items

Memorandum of Understanding Emergency Medical Services

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Rucci and Collins present, voting in favor to approve the Memorandum of Understanding Emergency Medical Services. **Commissioner Stewart was not present for the vote.*

Mattawoman Wastewater Treatment Plant Flow Equalization Basin, Engineering Services, ITB 19-09 Contract Modification

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Rucci and Collins present, voting in favor to approve the Mattawoman Wastewater Treatment Plant Flow Equalization Basin, Engineering Services, ITB 19-09 Contract Modification. **Commissioner Stewart was not present for the vote.*

Mattawoman Wastewater Treatment Plant Flow Equalization Basin, Engineering Services, ITB 20-35 Change Order 1

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Rucci and Collins present, voting in favor to approve the Mattawoman Wastewater Treatment Plant Flow Equalization Basin, ITB 20-35, , Change Order 1. **Commissioner Stewart was not present for the vote.*

Board of County Commissioners' Community Support Fund – Community Resource Day Funding Request

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Rucci and Collins present, voting in favor to approve to use five hundred dollars (\$500.00) from each Commissioners portion of the Board of County Commissioners' Community Support Fund for the Community Resource Day. **Commissioner Stewart was not present for the vote.*

Actions on Boards, Commissions, and Committees

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Rucci and Collins present, voting in favor to approve to appoint Patricia Vaira to the Library Board of Trustees **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Rucci and Collins present, voting in favor to approve to appoint Dan Creighton and Sowande Brown Lawson as the Republican Central Committee members; Monica Kim

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Temoney and Nikia Smith as the Democratic Central Committee members; and Jessica Jennings and Jamila Smith as citizen members to the Charles County Redistricting Board. *Commissioner Stewart was not present for the vote.

Mr. Wes Adams, County Attorney, stated that the Commissioners Coates and Stewart abided by the Ethics Commission's ruling related to member selection to the Redistricting Board.

Annual Update: Docket 90

Mr. Matt Wineman, Vice President of Operations, and Mr. Rick Barnas, Barnas Engineering, provided an annual report on Docket 90. The presentation covered development highlights in the St. Charles area, including Stonehaven, Highlands, and Parkland's neighborhoods.

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

Ms. Danielle Mitchell, Associate County Attorney II, Office of the Charles County, County Attorney, reviewed her first meeting with the Criminal Justice Coordinating Council (CJCC) related to the establishment of a Police Accountability Board. She reviewed proposed details for membership to this board.

The Commissioners present reached a consensus to schedule a public meeting related to the membership of this board for Wednesday November 3, 2021 at 6:00 p.m. virtually.

Follow Up Work Session: 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, provide a presentation on the proposed amendment, which would change the land use designation of lands around the Maryland Airport to employment and industrial land use category.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with Commissioners Rucci, Coates, Bowling and Collins present, voting in favor to adopt the Amendment to the 2016 Comprehensive Plan-Land Surrounding Maryland Airport. *Commissioner Stewart was not present for the vote.

A roll call of the vote was taken Commissioner Rucci-yes; Commissioner Coates-yes; Commissioner Stewart- absent; Commissioner Bowling-yes. The motion passed four (4) to zero (0).

Commissioners' New Business

Commissioner Collins to have staff prepare for future discussions on rental housing:

- o Assess the county's rental housing market to better understand the factors that impact rental housing affordability.

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- Determine average rent increases year over year for existing tenants.
- Develop a method of collecting information on actual rental costs by housing type.
- Identify barriers and opportunities for affordable rental housing, as well as the current state of supply/demand in the County.
- Develop recommendations for new or modified housing policies that are consistent with established goals and objectives concerning rental housing.

The result of this research will be a briefing to the Board on the topic of rental housing so we can make informed decisions to address public concerns.

The Commissioners present reached a consensus to have staff provide this future update.

Closed Session

At 3:16 p.m., Commissioner Coates made a motion, seconded by Commissioner Rucci and passed, with Commissioners Coates, Rucci, Bowling and Collins present, voting in favor to move into Closed 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 review two (2) Potential Litigation Issues. The reason for going into closed is to keep legal approaches, strategies, and negotiations confidential. A portion of this session will also concern the administrative function of the County Commissioners in their executive role. **Commissioner Stewart was not present for the vote.*

Summary Closed Session Items

At 3:31 p.m. the Commissioners went into virtual closed session.

Administrative

Present: Commissioners Collins, Rucci, Bowling, Coates, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Lucretia Freeman-Buster, Lucinia Mundy, Renesha Miles, Alexis Blackwell and Marcia Keeth.

Staff provided a general overview of the completed study. A full report and recommendations will be provided during open session on October 26, 2021

3-305(b)(7)(8) Potential Litigation

Present: Commissioners Collins, Rucci, Bowling, Coates, Mark Belton, Wes Adams, Carol DeSoto, Ray Shumaker, Jessica Andritz and Deborah Hall.

Ms. Jessica Andritz, Associate County Attorney, reviewed the issues and how it effects the County.

3-305(b)(7)(8) Potential Litigation Related to an Agreement

Present: Commissioners Collins, Rucci, Bowling, Coates, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Wilson Cochran, Candis Stretcher, John Stevens, Elizabeth Theobalds, Jennifer Ellin, Shanna Reese.

**At 4:40 p.m. Commissioner Bowling recused himself and left closed session.*

Mr. Wes Adams, County Attorney, reviewed options related to this agreement and potential litigation issue.

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The Commissioners present provided direction to staff.

**At 4:53 p.m. Commissioner Bowling rejoined closed session.*

At 4:54 p.m., a motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with Commissioners Rucci, Bowling, Coates and Collins present, voting in favor to end this closed session and adjourn. **Commissioner Stewart was not present for the vote.*



Carol A. DeSoto, Clerk to the Commissioners



Reuben B. Collins, II, Esq., President

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#1 FORM OF STATEMENT FOR CLOSING A MEETING

Location: Virtual- MS Teams Date: October 19, 2021

Time: 10:14 a.m.

Motion By: Commissioner Coates

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) [X] 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)(3)Legal/One (1) Land Acquisition

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

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#2 FORM OF STATEMENT FOR CLOSING A MEETING

Location: Virtual- MS Teams Date: October 19, 2021

Time: 3:16 p.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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(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)(3)Legal Two (2) Potential Litigation Issues

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



Reuben B. Collins, II, Esq., President

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