

Regular Meeting of County Commissioners
Tuesday October 26, 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.

Comments

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to make today, October 26, 2021, a Legislative Day.

Charles County Health Department Update: Coronavirus/COVID-19

Dr. Dianna Abney, Health Officer, Charles County Department of Health; and 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 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 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, asymptomatic spread of COVID-19, and testing and vaccination information. She provided information on the booster shots by Moderna, Pfizer and Johnson & Johnson.

Ms. Lilly reported on the COVID positive EMS Transports per month in 2021. and as of this date there were twenty (20) 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.

Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, provided an update

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on the county's communications efforts, which are focused on informing residents about the importance and availability of COVID-19 vaccinations, as well as misinformation.

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.

Announcement: Next Commissioner Session(s) scheduled will be held on November 2, 2021

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled sessions will be held on November 2, 2021.

Approval Items

FY2022 Budget Transfer Request #9215 Water & Sewer MD5 Pump Station FM

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 #9215 for one hundred and eighty thousand dollars (\$180,000.00).

FY2022 Budget Transfer Request #9267 Business Development- United States bomb Technicians Association (USBTA)

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2022 Budget Transfer Request #9267 for fifty thousand dollars (\$50,000.00).

FY2022 Budget Transfer Request #9269 Eva turner School Construction

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve Budget Transfer Request # 9269 for two hundred and forty thousand dollars (\$240,000.00).

Mr. Wes Adams, County Attorney, requested to move into closed session to provide legal advice.

Closed Session

At 10:26 a.m., Commissioner Bowling 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) of the General Provisions Article of the Annotated Code of Maryland to provide legal advice. The reason for going into closed is to keep legal approaches, confidential.

Summary Closed Session Items

At 10:28 a.m. the Commissioners went into virtual closed session.

3-305(b)(7)Legal Advice

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Dr. Dianna Abney, Amber Starn.

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Mr. Wes Adams, County Attorney, reviewed legal advice related to the mask mandate.

At 10:32 a.m., a motion was made by Commissioner Rucci, 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 10:35 a.m.

Roll Call

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

**Commissioner Stewart was absent.*

Bi-Annual Update: Charles County Health Department

Dr. Dianna Abney, Health Officer, Charles County Department of Health, provided a bi-annual update on the Department of Health, including environmental health services, local mask mandate response, behavioral health services, cancer program, nursing, community initiatives, and child activities.

Briefing: Update Introduction United Way of Southern Maryland

Mr. Melvin Brennan, CEO, Mr. Russell Yates, Ms. Christine Michelson and Ms. Susan Llyod, United Way of Southern Maryland, provided a presentation on the United Way of Southern Maryland. The mission of the new combined organization is to impact lives in Calvert, Charles, and St. Mary's Counties by mobilizing the caring power of our community to advance the common good.

Briefing: Update on Charles County Disparity Study

Ms. Lucretia Freeman-Buster, Chief of Business Development, Department of Economic Development; and Mr. Rodney Strong, Ms. Michele Clark Jenkins, and Ms. Ana Paula Pohl, Griffin & Strong, provided an update on the final report of the Charles County Disparity Study. Recommendations included enhancing race-neutral small local business enterprise set aside program, creating Minority- and Women-owned Business Enterprise Program annual and contract-by-contract subcontractor goals with robust good faith effort, creating annual aspirational goals, strengthening contract compliance, eliminating or limiting the use of on-call contractors, improving outreach, forecasting, and data reform.

Closed Session

At 12:18 p.m., Commissioner Rucci made a motion, seconded by Commissioner Bowling and passed, with all Commissioners Rucci, Bowling, Coates 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)(3)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to review one (1) land acquisition; two (2) Potential Litigation Issues and one (1) lease agreement. The reason for going into closed is to keep legal approaches, strategies, and negotiations confidential. **Commissioner Stewart was not present for the vote.*

Summary Closed Session Items

At 11:10 a.m. the Commissioners went into virtual closed session.

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Roll Call

A roll call was taken. All Commissioners were present.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Jesse Bungcayao, Deborah Hall, Sam Drury, Jenifer Ellin, Tim Drummond, Jennifer Harris.

The Commissioners discussed the next steps since the Charles Delegation would not be attending this virtual discussion today.

The Commissioners agreed to move forward with the land acquisition process by a vote of four (4) to one (1).

3-305(b)(8): Litigation Issue

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Jesse Bungcayao, Deborah Hall

Mr. Wes Adams, County Attorney, provided an update on a litigation and proposed settlement.

The Commissioners reached a consensus that Mr. Adams consult with outside counsel.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Jesse Bungcayao, Deborah Hall, Danielle Mitchell

The Commissioners came to a consensus to proceed with the lease as presented and add it as an open session approval item.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Jesse Bungcayao, Deborah Hall, Wilson Cochran, Candis Stretcher, John Stevens, Elizabeth Theobalds, Jenifer Ellin, Shanna Reese.

**Commissioner Bowling recused himself from this discussion*

Staff provided an update related to this agreement.

The Commissioners reached a consensus that if this matter was not resolved by Friday a letter would be sent outlining the County's position.

At 1:25 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 closed session.

The Commissioners returned to open session at 3:00 p.m.

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Roll Call

A roll call was taken. All Commissioners were present.

Request to Introduce and Schedule a Public Hearing: Bill 2021(11) Commercial Real Property Improvement and Rehabilitation Tax Credit

Ms. Deborah Hall, Deputy County Administrator; Mr. Taylor Yewell, Redevelopment Manager, Department of Economic Development; Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services; and Ms. Elizabeth Theobalds, Deputy County Attorney, reviewed the proposed legislation to help spur development and incentivize rehabilitation of blighted properties.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all the Commissioners present, voting in favor to introduce Bill 2021-11 Commercial Real Property Improvement and Rehabilitation Tax Credit.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all the Commissioners present, voting in favor to set the public hearing for Wednesday December 1, 2021 at 6:00 p.m. virtually.

Update: Commissioners' Goals and Objectives- Goal 4: Education

Ms. Deborah Hall, Deputy County Administrator; Ms. Alexis Blackwell, Director, Ms. Megan Donnick, Assistant Director, Ms. Kristin Baucom, Human Resource Coordinator, Department of Human Resources; and Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services, provided an update on Goal 4: Education of the Commissioners' Goals and Objectives. This included the County Commissioners' collaboration with and funding for the Board of Education and the College of Southern Maryland; and internal workforce development for county employees. Highlighted workforce development for Charles County Government included modernizing registration for the training program; developing a leadership training for skilled workers; creating an employee succession planning program; connecting employees with benefits; diversity, equity, and inclusion training; and National Association of Counties' High Performance Leadership Academy.

Commissioners' New Business

Commissioner Bowling wanted to acknowledge Breast cancer Awareness Month.

At 3:52 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor adjourn.



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 26, 2021

Time: 10:26 a.m.

Motion By: Commissioner Bowling Seconded By: Commissioner Coates

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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)Legal Advice Recommended by County Attorney

REASON FOR CLOSING: To keep legal approaches, negotiations and strategies 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 26, 2021

Time: 12:18 p.m..

Motion By: Commissioner Rucci

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bobby Rucci	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.

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(7) To consult with counsel to obtain legal advice on a legal matter.

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TOPICS TO BE DISCUSSED:

3-305(b)(7)(8)Legal Two (2) Potential Litigation Issues


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

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

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

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

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



Reuben B. Collins, II, Esq., President