

**Regular Meeting of County Commissioners**  
**Tuesday November 30, 2021 (Legislative Day)**

The regularly scheduled meeting of the County Commissioners was convened virtually at 9:02 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 Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to make today (November 30, 2021) a legislative day.

It was announced that the Public Hearing scheduled for December 1, 2021 for Bill 2021-11 Commercial Real Property Improvement and Rehabilitation Tax Credit is being rescheduled to be held virtually on December 15, 2021 at 6:00 p.m.

**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, Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, 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 and is now in the moderate to substantial range. She indicated there may be a rise after Thanksgiving like last year. The Delta Variant accounts for ninety nine percent (99%) of all COVID 19 cases. The Omicron is the newest variant. 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 spread of COVID-19 given the upcoming fall and winter holidays and reviewed the COVID-19 testing sites and vaccination sites. She provided information on

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the booster shots and the ability to mix and match Moderna, Pfizer and Johnson & Johnson. She indicated children ages five (5) to eleven (11) should be vaccinated with the Pfizer vaccine only.

Ms. Lilly reported on the COVID positive EMS Transports per month in 2021 and as of this date there were thirteen (13) transports in November which continues downward trend. 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 positive patients in the hospital with one (1) in the Intensive Care Unit (ICU). The hospital is in process of relaxing some of the visitation protocols for non-COVID patients.

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 and testing. She indicated that the communications efforts are focused on informing residents about misinformation that is being put out on social media and has created a podcast on this topic.

Mr. Wes Adams, County Attorney, reviewed the current Resolution 2021-20 Required Use of Face Coverings to Reduce the Spread of COVID-19 mask mandate under their authority as the Board of Health. He opined that the Commissioners should remove the mask mandate for businesses and keep in place the mask mandate in all Charles County Government operated buildings and public transportation since the COVID numbers are on the decline in Charles County.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to rescind the previous mask mandate for private businesses and only require masks in all Charles County Government operated buildings and public transportation. (*Resolution 2021-21 Required Use of Face Coverings to Reduce the Spread of COVID-19.*)

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to introduce legislation, under their authority as the County Board of Health, for a County Wide Mask Mandate and to set the public hearing for December 15, 2021 at 6:00 p.m. to be held virtually. (*Ordinance 2021-22 The Promulgation of a Local Health Regulation Requiring the Use of Face Coverings to Reduce the Spread of Covid-19.*)

**Approval of the Minutes of November 16 and 17, 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 November 16, 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 November 17, 2021.

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**Announcement: Next Commissioner Sessions will be held on December 7 and 8, 2021**

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled sessions will be held on December 7 and 8, 2021.

**Approval Items**

*Letter of Support to the Board of Education for Community Use of Space in Gyms*

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 to the Board of Education.

*Board of County Commissioners' Community Support Funds for the Sponsorship of Martin Luther King, Jr. Breakfast*

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve using each individual Commissioner funds from the Community Support Fund, two hundred dollars (\$200.00) each, for a total of a thousand-dollar (\$1000.00) sponsorship for the Martin Luther King, Jr. Breakfast.

*Change to Charles County Government December Holiday Schedule 2021*

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve adding December 23, 27, 30, 2021 and January 3, 2022 to the Charles County Government Holiday Schedule.

*Charles County Government Additional End of Year Employee Bonus*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve staff recommendations which will be effective in the January 28, 2022 paycheck.

**Staff Recommendations:**

1. Increase January COLA from one point four percent (1.4%) to two-point zero percent (2.0%) COLA for eligible full-time employees
2. Provide one-time bonus of five hundred dollars (\$500.00) to Sworn Deputies.

**Follow Up: Discussion on Maryland House Bill 670 Police Accountability Board Membership**

Ms. Danielle Mitchell, Associate County Attorney, II, provided a presentation on the draft resolution for the creation of the Charles County Police Accountability Board. Ms. Mitchell explained that pursuant to Maryland law passed in 2021, County Commissioners must establish a Police Accountability Board by July 1, 2022. Mr. Wes Adams, County Attorney, also weighed in that each applicant that applies for this board would need to provide a background check.

The Commissioners requested that County Attorney's Office staff research and provide additional membership qualifications for the County Commissioners to consider on December 7, 2021.

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**Discussion: Creating an Equity Emphasis Areas Work Group**

Mr. Mark Belton, County Administrator; Ms. Alexis Blackwell, Director, and Ms. Renesha Miles, Chief Equity Officer, Department of Human Resources, joined the Commissioners to discuss Commissioner Collins' request to create an Equity Emphasis Areas (EEA) Work Group. The work group would research the causes of the disparities in the County's EEA's and historical origins of how the EEAs began and then provide a report to the County Commissioners summarizing their findings. Proposed membership of the group would include designated County staff, Charles County residents, a College of Southern Maryland representative, a St. Mary's College of Maryland representative, a University of Maryland representative, a Charles County Historical Society representative, and a researcher with expertise in this type of analysis. The Metropolitan Washington Council of Governments (COG) passed a resolution in October 2021 that encourages local governments to adopt resolution to prioritize EEAs identified in their jurisdictions.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to move forward with the concept of establishing this work group.

**Briefing: Gilbert Run Watershed Dams**

Ms. Stephanie Lowery, Environmental Compliance Manager and Ms. Frances Sherman, Chief of Environmental Resources, Department of Public Works; Ms. Elizabeth Theobalds, Deputy County Attorney and Mr. Luis Dieguez, District Manager, Charles County Soil Conservation District, provided a presentation on the Gilbert Run Watershed Dams. There are three dams within the watershed: Jameson, Trinity, and Wheatley. They provided a history on the Gilbert Run Watershed Association and the Commissioners assuming responsibility for routine operations and maintenance of these dams. They reviewed the Stability Analysis Report, maintenance concerns, current issues and repair timeline.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to have staff pursue acquisitions of the two privately-owned dams, Jameson and Trinity.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to refer the question of funding options to support dam repairs to the Resilience Authority.

**Discussion: Commission for Veterans Affairs**

Mr. Kabir Tompkins, Sr., Mr. Matthew Perez, Jr., and Mr. George Hawley, Members of Commission for Veterans Affairs, and Ms. Julie Bryson, Assistant Chief of Staff, Commissioners' Office, provided a presentation prepared by the Commission for Veterans Affairs (CVA). They requested that:

- The Charitable Trust earmark some grant funds for nonprofit veteran services organization
- The County support to institute a veteran hiring preference for Charles County employment
- The Commissioners provide the CVA authority to fundraise, carry a budget and add treasurer position
- Permission for the CVA to Begin process for a Veteran's Memorial Garden

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The Commissioners agreed to further discuss additional funding for nonprofit veteran service organizations with the Charitable Trust and the CVA.

The Commissioners agreed to have staff review a process to support government-wide veteran hiring preference and to review the request to allow the Commission's fundraising capability and authority.

The Commissioners directed Ms. Bryson to share the Standard Operating Procedure with the CVA in order to start the process of looking into county-owned properties for the Veteran Memorial Garden/ Veteran Center Complex.

**Closed Session**

At 11:51 a.m., Commissioner Coates made a motion, seconded by Commissioner Rucci and passed, with all Commissioners 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)(1)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to review one (1) Litigation Proposed Settlement; to discuss appointments to two (2) Commissioner appointed Boards; 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.

**Summary Closed Session Items**

At 12:03 p.m. the Commissioners went into virtual closed session.

**3-305(b)(7)(8)Legal: Potential Litigation Settlement Update**

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

*\*At 12:04 p.m. Commissioner Bowling recused himself from this discussion.*

Mr. Wes Adams, County Attorney, outlined the County's legal position. He offered his legal opinion on how the Commissioners should proceed.

The majority of the Commissioners present, Coates, Rucci and Collins, agreed to have Mr. Adams continue the negotiations. Commissioner Stewart was not in agreement since the scope of the original agreement changed.

*\*At 12:28 p.m. Commissioner Bowling returned to Closed Session.*

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

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Jesse Bungcayao, Kenberly Stephens and Crystal Hunt.

Ms. Carol DeSoto, Clerk to the Commissioners, reviewed the nomination for the citizen member on the Tri-County Council Executive Committee.

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Ms. Jesse Bungcayao, Executive Assistant, reviewed applicants for the Area Council on Aging, and Ms. Kenberly Stephens, Commissioner Specialist, reviewed applications for the Interfaith Commission.

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

**3-305(b)(7):Legal Advice: Overview of Upcoming Legal Matter**

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

Ms. Jessica Andritz, Associate County Attorney, provided an overview of an upcoming legal matter, provided guidance on how it will be handled and next steps.

At 1:11 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to end this closed session.

The Commissioners returned to open session at 2:01 p.m.

**Roll Call**

A roll call was taken. All Commissioners were present.

**Actions 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 nominate Ellen Flowers-Fields for reappointment to the Tri-County Council Executive Committee.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to appoint Cynthia Vaughan, Kenneth Wayne-Thompson, and Rev. Jane Talbert to the Area Council on Aging.

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

**Discussion: Three Step Stormwater Process for Agricultural Clearing**

Ms. Deborah Carpenter, Director, Mr. Ray Shumaker, Chief of Codes, Permits and Inspection Services, and Mr. Jason Groth, Deputy Director, Department of Planning and Growth Management, reviewed the three-step stormwater process for agricultural clearing. This process works to prevent adverse impacts of stormwater runoff, which can damage streams and waterways.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to have staff to draft a proposal to alter the Stormwater Ordinance that would streamline stormwater management processes for deforestation prior to establishment of an agricultural use.

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**Update: Rural Broadband Task Force**

Ms. Deborah Hall, Deputy County Administrator, and Ms. Evelyn Jacobson, Chief of Information Technology, Department of Fiscal and Administrative Services, provided an update on the Rural Broadband Task Force. The presentation provided a status update of the County's two (2) existing projects: the Nanjemoy/Cobb Neck (NCN) Broadband Buildout and the Neighborhood Broadband Expansion (NBE-Cat2). Staff announced that the first Nanjemoy residents were connected to high-speed internet by ThinkBig Networks, LLC on November 15, 2021. Earlier this year, the County, partnering with Comcast, was awarded funding from the state to bring service to one hundred and fifty-one (151) homes in several Category 2 areas, which include residents who live in isolated pockets and roads that don't have broadband infrastructure that are located within otherwise-served areas; this project must be completed by December 2022. In addition to these existing projects, staff reviewed potential projects in multiple geographic areas that could qualify for grant funding in the near future.

**Update: Commissioners' Goals and Objectives- Goal 5: Quality of Life**

Ms. Michelle Lilly, Director, Mr. Tony Rose, Deputy Director, Department of Emergency Services; Ms. Kelly Beavers, Director, Mr. Sam Drury, Chief of Recreation, Mr. Tim Drummond, Chief of Parks, and Ms. Ashley Chenault, Chief of Tourism, Department of Recreation, Parks and Tourism; Ms. Kelli Robertson-Slagle, Director, and Mr. Martin Proulx, Agricultural manager, Department of Economic Development; Ms. Dina Barclay, Director, Department of Community Services,; and Ms. Deborah Carpenter, Director, Department of Planning and Growth Management, provided an update on Goal 5: Quality of Life, of the Commissioners Goals and Objectives. This included the County's collaborative efforts with fire, emergency medical services, and Charles County Sheriff's Office; Mobile Integrated Healthcare; opioid prevention, treatment, and enforcement in the county; recreational opportunities; parks and amenities; agritourism; and affordable/workforce housing.

**Commissioners' New Business**

Commissioner Bowling requested an update on creating a mental health crisis response unit and will put in an agenda request for this update in January 2022.

He also wanted to have the County consider the potential to plug into the grid that the Morgantown Plant operated since the plant is closing. He will follow up with an agenda request in January 2022.

Commissioner Rucci requested Media staff promote the details of the rescinded and new mask mandate approved earlier in session today.

At 3:52 p.m., a motion was made by Commissioner Rucci, seconded by Commissioner Coates 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: November 30, 2021

Time: 11:51 a.m.

Motion By: Commissioner Coates

Seconded By: Commissioner Rucci

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**

**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)(7)(8) Legal One (1) Potential Litigation Issue**

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

**3-305(b)(1) Personnel: Four (4) Commissioner Appointed Boards**

REASON FOR CLOSING: To keep personnel information confidential.

**3-305(b)(7) Legal Advice: Commissioners' Board of Health Authority**

REASON FOR CLOSING: To keep legal approaches confidential.



Reuben B. Collins, II, Esq., President