

Regular Meeting of County Commissioners
Tuesday December 14, 2021

The regularly scheduled meeting of the County Commissioners was convened virtually at 1:04 p.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

Commissioner Collins mentioned the letter sent from the National Association for Black Veterans (NABVETS) to support their Bond Bill request for the Maryland Veterans Museum at Patriot Park. Commissioners directed the Chief of Staff to respond to this letter and get more information.

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, and Mr. Jason Stoddard, Director of Safety, Charles County Public Schools, provided an update on COVID-19 statistics and how they are responding to COVID-19.

Dr. Abney explained that the Maryland State Department of Health had a network security incident, and that the website is up but with limited data. All programs are functional and client services are being provided. She indicated that all COVID activities were continuing, vaccinations, education and outbreak monitoring. She reviewed past statistics.

Ms. Lilly reported on the COVID positive EMS Transports per month in 2021 and as of this date there were twenty-one (21) transports in December. 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 twelve (12) COVID positive patients in the hospital. He indicated that the COVID positive cases were both vaccinated and unvaccinated people. He said that all

Regular Meeting of County Commissioners
Tuesday December 14, 2021

hospitals in Maryland have had a twenty percent (20%) increase over the last week. The cases they have been seeing at the hospital are the Delta variant and not Omicron.

Ms. Harris 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 still focused on informing residents about misinformation.

Mr. Stoddard indicated an increase in COVID positive cases but not through community spread. He discussed Davis Middle School sixth (6th) grade class being virtual this week due to high numbers of COVID positive cases. There were no COVID positive cases among staff. He believes the surge will continue until mid-January.

Mr. Wes Adams, County Attorney, requested that the Commissioners move into closed session to provide legal advice related to scheduled public hearing on December 15, 2021 for Ordinance 2021-22.

Closed Session One (1)

At 1:29 p.m., Commissioner Coates made a motion, seconded by Commissioner Rucci 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 seek legal advice on COVID 19. The reason for going into closed is to keep legal approaches confidential.

Summary Closed Session Items

At 1:36 p.m. the Commissioners went into virtual closed session.

3-305(b)(7) Legal: Advice Related to COVID 19

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

Mr. Wes Adams, County Attorney, provided recommended action the Commissioners should follow related to the scheduled public hearing on December 15, 2021.

At 1:55 p.m., a motion was made by Commissioner Coates, 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 2:02 p.m.

Roll Call

A roll call was taken. All Commissioners were present.

Regular Meeting of County Commissioners
Tuesday December 14, 2021

Charles County Health Department Update: Coronavirus/COVID-19 (continued)

Mr. Wes Adams, County Attorney, recommended rescheduling the public hearing on proposed Ordinance 2021-22 Required County Wide Face Coverings until January 12, 2022 due to not having access to actual numbers and data related to COVID-19 from the Maryland Health Department.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to reschedule the public hearing to January 12, 2022 at 6:00 p.m.

Recognition: Employee Length of Service, August-October 2021; Top Performer, Third Quarter, July-September, 2021

The Commissioners recognized employees' years of service for August through October 2021. The Top Performer for the third quarter was recognized during this virtual session.

Approval of the Minutes of December 7, 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 December 7, 2021.

Announcement: Virtual Public Hearings on December 15, 2021 at 6:00 p.m. Next Commissioner Sessions will be held on January 11 and 12, 2022

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the virtual public hearings on Wednesday December 15, 2021 is rescheduled for January 12, 2022 and the next scheduled sessions will be held on January 11 and 12, 2022.

Approval Items

FY2022 Budget Amendment Increase #9443 Capital Improvement Project for Popes Creek and

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2022 Budget Amendment Increase #9443 for one million three hundred and thirty-six thousand five hundred dollars (\$1,336,500.00).

FY2022 Budget Amendment Increase #9448 Local Match Popes Creek Land Purchase

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve and FY2022 Budget Amendment Increase #9448 for five hundred and forty-four thousand six hundred and twenty dollars (\$544,620.00).

Resolution- Commitment to Diversity, Equity, and Inclusion

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Resolution 2021-24 Commitment to Diversity, Equity, and Inclusion.

Regular Meeting of County Commissioners
Tuesday December 14, 2021

Resolution Permit Issuance for Adult Entertainment Establishment

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Resolution 2021-25 Permit Issuance for Adult Entertainment Establishment.

St. Charles Water Line Reimbursement Proposed Agreement

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the St. Charles Water Line Reimbursement Agreement for Commissioner Collins to sign.

Discussion: Grant Opportunity with the Economic Development Administration for Malloys Bay Design Plans

Mr. Mark Belton, County Administrator, Ms. Kelli Beavers, Director, Mr. Sam Drury, Chief of recreation, and Mr. Tim Drummond, Chief of Parks & Grounds, Department of Recreation, Parks, and Tourism, participated in a discussion on a grant opportunity with the Economic Development Administration for Malloys Bay design plans. The Economic Development Administration (EDA) has a rolling grant opportunity, Fiscal 2021 American Rescue Plan Act Travel, Tourism, and Outdoor Recreation designed to help communities and regions devise and implement sustainable economic recovery strategies through a variety of non-construction and construction projects to respond to damage to the travel, tourism, and outdoor recreation sectors from the coronavirus pandemic and to promote the economic resilience of regions dependent on those industries. The County's Department of Recreation, Parks, and Tourism is seeking funding to support a restroom facility, kayak launch, and outdoor classroom at Malloys Bay

The Commissioners directed staff to research a welcoming booth with cooling and warming capabilities for employees.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to move forward with the grant request.

Briefing: VanGo Zero Fare Pilot

Mr. Jeffrey Barnett, Chief of Transit, and Ms. Deborah Carpenter, Director, Department of Planning and Growth Management, provided a presentation on the new six (6) month VanGO pilot program, which will offer all riders fare-free rides from Monday, Jan. 3 to Thursday, June 30, 2022. The pilot program is to help those impacted by the pandemic and for older adults and people with disabilities and to increase ridership while offering a free fare as a post-pandemic relief

Briefing: Bryans Road Sub Area Plan Project

Ms. Amy Blessinger, Planner III, Ms. Cathy Thompson, Planning Supervisor, and Mr. Jim Campbell, Planning Director, Department of Planning and Growth Management; and Mr. Jamie Kendrick, Project Manager, Mead & Hunt, provided a presentation on the Bryans Road Sub Area Plan project. The plan analyzes land use, transportation, and the environment to create a shared vision for this area.

Regular Meeting of County Commissioners
Tuesday December 14, 2021

Update: Resilience Authority

Mr. Mark Belton, County Administrator, and Ms. Deborah Carpenter, Director, Department of Planning and Growth Management, provided an update on the Resilience Authority. Some of the 'lines of effort' the Authority is working on include the Private Stormwater Improvement Prioritization Project, Chesapeake Conservancy – Carbon Sequestration Action Plan, Morgantown Power Plant Redevelopment, and Intergovernmental Agreement for Executive Director. Ms. Carpenter also reviewed an annual progress letter required by statute from the Authority to the County Commissioners and several committees of the state legislature.

Commissioners' New Business

There was no new business discussed.

Closed Session (2)

At 3:44 p.m., Commissioner Rucci 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)(5)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to review one (1) Litigation Proposed Settlement; to review one agreement to invest public funds and to discuss appointments to one (1) Commissioner appointed Board; The reason for going into closed is to keep legal approaches, strategies, and negotiations confidential and to keep personnel information confidential.

Summary Closed Session Items

At 3:56 p.m. the Commissioners went into virtual closed session.

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

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

Mr. Matthew McCarly, Outside Counsel, reviewed the negotiation process related to this litigation. He also reviewed the proposed settlement options.

The consensus of the Commissioners was to have Mr. McCarly to opt into this settlement agreement.

3-305(b)(5)(7) Legal: Investment of Public Funds

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

Ms. Deborah Hall, County Administrator, Ms. Evelyn Jacobson, Chief of Information Technology, and Mr. Matthew Jacobson, Network Specialist II, discussed infrastructure needs and outlined potential matching grants.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed with all Commissioners present, voting in favor to have staff move forward as outlined.

Regular Meeting of County Commissioners
Tuesday December 14, 2021

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

Ms. Jesse Bungcayao, Executive Assistant, reviewed requested appointments to the Ethics Commission and the Historic Preservation Commission,

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

At 4:33 p.m., a motion was made by Commissioner Coates, 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 6:02 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 Bowling and passed, with all Commissioners present, voting in favor to reappoint Natalie Cotton and appoint Christopher Nickerson and Cecilia Miller to the Ethics Commission.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to reappoint Franklin Robinson, Jr. and Ben Schultz to the Historic Preservation Commission.

Board of County Commissioners Fourth Quarter Town Hall Meeting

The Commissioners conducted their Quarterly Town Hall Meeting virtually. Commissioners Collins, Rucci, Bowling, Coates, and Stewart, were present to address community questions, as well as Mr. Mark Belton, County Administrator and the following Directors and designees:

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services
Ms. Deborah Carpenter, Director, Department of Planning and Growth Management
Mr. Bernard Cochran, Acting Director, Department of Public Works
Ms. Michelle Lilly, Director, Department of Emergency Services
Ms. Kelli Beavers, Director, Department of Recreation, Parks and Tourism
Ms. Rita Wood, Chief of Housing Authority, Department of Community Services
Ms. Alexis Blackwell, Director, Department of Human Resources
Mr. Kelly Robertson-Slagle, Director, Department of Economic Development
Mr. Wes Adams, County Attorney, Office of the County Attorney
Mr. Jason Groth, Deputy Director, Department of Planning and Growth Management
Ms. Renesha Miles, Chief Equity Officer, Department of Human Resources

Regular Meeting of County Commissioners
Tuesday December 14, 2021

Commissioner Collins provided a welcoming remarks. Ms. Carol DeSoto, Clerk to the Commissioners, reviewed the format for the town hall meeting. Ms. Julie Bryson, Assistant Chief of Staff, read the questions and comments submitted. Questions were answered by the Commissioners or by the appropriate director in attendance.

At 6:28 p.m., a motion was made by Commissioner Bowling, 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

Regular Meeting of County Commissioners
Tuesday December 14, 2021

#1 FORM OF STATEMENT FOR CLOSING A MEETING

Location: Virtual- MS Teams Date: December 14, 2021

Time: 1:29 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

Regular Meeting of County Commissioners
Tuesday December 14, 2021

(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 from County Attorney

REASON FOR CLOSING: To keep legal approaches confidential.



Reuben B. Collins, II, Esq., President

Regular Meeting of County Commissioners
Tuesday December 14, 2021

#2 FORM OF STATEMENT FOR CLOSING A MEETING

Location: Virtual- MS Teams Date: December 14, 2021

Time: 3:44 p.m.

Motion By: Commissioner Rucci

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) [] 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) [X] 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) [X] 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.

Regular Meeting of County Commissioners

Tuesday December 14, 2021

FORM OF STATEMENT FOR CLOSING A MEETING

Appendix C C-2

(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 Settlement

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

3-305(b)(5)(7) Legal: Investment of Public Funds

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

3-305(b)(1) Personnel: One (1) Commissioner Appointed Boards

REASON FOR CLOSING: To keep personnel information confidential.



Reuben B. Collins, II, Esq., President