

Regular Meeting of County Commissioners
Tuesday February 8, 2022 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened virtually at 11:17 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

At 9:17 a.m., prior to the regularly scheduled session convening, the Board of County Commissioners joined the Charles County Board of Education for a Joint Meeting on the Blueprint for Maryland's Future. This meeting was held at the Charles County Public School Administration Building in La Plata, Maryland and virtually. The Board of Education discussed three (3) of the five (5) policy areas, including early childhood education; high quality and diverse teachers and leaders; and college and career ready pathways. The full impact of funding shortage to implement the Blueprint in fiscal 2023 is more than four point six (\$4.6) million dollars. The County Commissioners and Board of Education will continue to meet twice a year to discuss funding and programmatic implications and future trends and implementation deadlines.

**Break 10:19 a.m. - 11:17 a.m.*

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 Bowling and passed, with all Commissioners present, voting in favor to make February 8 and 9, 2022 legislative days.

Legislative Update: 2022 Maryland General Assembly Session

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney; Ms. Deborah Hall, Deputy County Administrator; Mr. Joseph Green, and Ms. Sherri Simms, GS Proctor and Associates, Inc., provided updates on the 2022 Maryland General Assembly legislative session.

Ms. Mitchell provided an overview of legislative proposals submitted by Charles County Commissioners to the Charles County Delegation, seeking their consideration for state legislation. She indicated that two additional proposals have received draft Bill status.

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LR1734 Alcoholic Beverages-Abeyance of License
STATUS: Received draft Bill.

LR1738 Blighted Property-Special Property Tax Rate
STATUS: Received draft Bill

Additional updates of the 2022 Maryland General Assembly Session included:

HB739 Charles County - Workgroup to Study the Fiscal and Operational Viability of Public-Private
Bill Number was assigned

HB514/SB388 Charles County - Natural Resources - Sunday Hunting
Bill Number was assigned.

SB136 College of Southern Maryland - Charles County Campus - Transition to Charles County Community College
Hearing scheduled on February 9, 2022. The Board of Charles County Commissioners submitted a letter of opposition. St. Mary's County and Calvert County also submitted letters of opposition.

SB378/HB646 Tri-County Council for Southern Maryland-Funding for Southern Maryland Agricultural Development Commission.
Hearing scheduled for February 9, 2022. The Board of Charles County Commissioners submitted a letter of support.

Ms. Mitchell also mentioned tracking the following as Bills of interest:

HB797 County Boards of Education - Student Membership – Alterations
Similar to proposal requested for Charles County.

SB685 Economic Development - Maryland Stadium Authority - Charles County Multicultural Recreational and Amphitheatre Facilities
Bill submitted by Senator Ellis. Hearing scheduled for March 2, 2022.

Approval of the Minutes of February 1, 2022

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 February 1, 2022.

Announcement: Next Scheduled Commissioners Session(s) will be held on February 15/16, 2022

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next scheduled sessions will be held on February 15 and 16, 2022.

Closed Session

At 11:28 a.m., Commissioner Rucci 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)(1)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to discuss four (4) lease agreements; to seek legal advice and update on one (1) proposed agreement; to receive an update on three (3) litigation cases; and to review one (1) Board and Commission vacancy. The reason for going into closed is to keep legal approaches and negotiations and personnel information confidential.

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Summary Closed Session Items

At 11:30 a.m. the Commissioners went into virtual closed session.

3-305 (b)(7) Leases

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

Ms. Deborah Hall, Deputy County Administrator, reviewed the terms of three (3) leases.

The Commissioners reached a consensus on all three (3) leases. Official action on these leases took place later this day in open session under Approval items.

3-305 (b)(7) Update Lease/Agreement

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Elizabeth Theobalds, Judy Michaels, Deborah Carpenter, Jason Groth, and Kelli Beavers.

Ms. Deborah Hall, Deputy County Administrator, and staff reviewed the terms of this lease/agreement.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to authorize appropriate lease back agreement in the settlement agreement.

3-305 (b)(7) Proposed Agreement

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Deborah Carpenter, Jason Groth, Jenifer Ellin, John Stevens, Alicia Afroilan, Jacob Dyer, and Wilson Cochran.

Mr. Jason Groth, Deputy Director, Department of Planning and Groth Management reviewed a PowerPoint presentation of the history and steps taken working on the negotiations of this agreement.

The Commissioners reached a consensus on how to proceed with this issue.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Wes Adams, Carol DeSoto, Deborah Hall, Jenifer Ellin, Terrah Dews, Jacob Dyer.

Mr. Wes Adams, County Attorney, reviewed the terms of the settlement agreement and consent order.

The consensus of the Commissioners was to have Commissioner Collins sign resolve and consent agreement presented.

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

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

Mr. Wes Adams, County Attorney, provided an update on this potential litigation case and steps being taken. He expects to provide another update in thirty (30) to ninety (90) days.

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

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

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Mr. Wes Adams, County Attorney, and Ms. Elizabeth Theobalds, Deputy County Attorney, reviewed this litigation case and options on how the County should proceed.

The Commissioners reached a consensus to have the County Attorney consult with outside counsel on additional options for this case..

3-305 (b)(1)Boards, Commissions, and Committees

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

Ms. Kenberly Stephens, Commissioner Specialist reviewed the reappointment request for the Board of License Commissioners (Liquor Board).

The Commissioners reached a consensus and official action took place later this day under Actions on Boards, Commissions, and Committees.

The Commissioners also provided direction on how to proceed with scheduling review for other Boards, Commissions, and Committees.

At 1:30 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 close session.

At 3:33 p.m., the Commissioners returned to open session.

Roll Call

A roll call was taken. All Commissioners were present

Approval Items

FY2022 Budget Amendment Increase #9539 Groundwater Study

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2022 Budget Amendment Increase #9539 for one hundred and forty thousand dollars (\$140,000.00).

La Plata Library Ground Lease

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the La Plata Library Ground Lease.

The Melwood Center Lease

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Melwood Center Lease.

The Charles County Sheriff's Office Lease

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the Charles County Sheriff's Office Lease.

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Action on Boards, Commissions, and Committees

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to reappoint Kathleen Quade to the Board of License Commissioners (Liquor Board).

Briefing: FY2022 Second Quarter General Fund Review

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, provided a presentation on the Fiscal Year 2022 Second Quarter General Fund Review. They reviewed revenues and expenditures and compared the second quarter numbers to the September 2021 update. The County is expected to end this fiscal year with a surplus of almost fourteen (\$14) million dollars mainly due to receipt of one-time revenues. The recommended uses include Circuit Court Elevators, White Plains and Laurel Springs Turf projects, and Popes Creek Feasibility Study in the Capital Improvement Project (CIP) Pay Go Fund Balance.

Briefing: Update on American Rescue Plan Act (ARPA)

Ms. Jenifer Ellin, Director and Jacob Dyer, Chief of Budget, Department of Fiscal & Administrative Services, provided an update on the American Rescue Plan Act. The County received thirty-one million seven hundred and ten thousand seven hundred and fifty-eight dollars (\$31,710,758.00) for Coronavirus Local Recovery Funds which have been used to support local businesses and non-profits, public safety, infrastructure, administration, and public health.

Discussion: Town of La Plata Water Appropriation

Town of La Plata -Mayor Jeannine James; Town Council, Mr. James Goldsmith, Ms. Evalyne Bryant-Ward, Mr. Matthew Trollinger, Mr. David Jenkins; and Mr. Bobby Stahl, Director of Operations, Mr. Brent Manuel, Town Manager, Mr. Kevin Greenville, Town Treasurer and Ms. Michelle Miner, Assistant Town Manager, and Ms. Deborah Carpenter, Director, Mr. Jason Groth, Deputy Director, and Ms. Alicia Afroilan, Engineering Supervisor, Department of Planning and Growth Management; Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services; and Mr. Wilson Cochran, Acting Director, and Mr. John Stevens, Chief of Capital Projects, Department of Public Works, joined the Commissioners to discuss the Town of La Plata water appropriation request. Mr. Groth provided an overview and history of current and future water resources and possible framework for establishing a water-supply agreement with the Town.

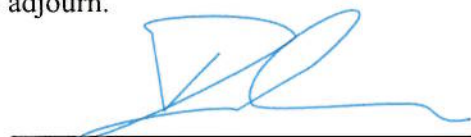
Commissioners' New Business

There was no new business discussed.

At 5:04 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Stewart 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: February 8, 2022

Time: 11:28 a.m.

Motion By: Commissioner Rucci

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)(1) Personnel: Discuss Appointments One (1) County Boards and Commissions

REASON FOR CLOSING: Keep personnel information confidential.

3-305(b)(7)(8)Legal: Update on Three (3) Litigation Cases


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

3-305(b)(7)Legal: Discuss Four (4) Lease Agreements

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

3-305(b)(7)Legal: Discuss One (1) Proposed Agreement

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



Reuben B. Collins, II, Esq., President