

**Regular Meeting of County Commissioners**  
**Tuesday March 15, 2022 (Legislative Day)**

The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, 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  
Deborah Hall, Deputy 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 Stewart informed the Commissioners about her request to have the lights at the courthouse changed to yellow and blue to show support and solidarity with Ukraine people and any residents who are Ukrainian during their conflict with Russia. Ms. Deborah Hall, Deputy County Administrator, explained that staff is ready to do this now and for any potential future request.

The Commissioners directed media staff to put out a statement about this action on the website and on social media.

**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; 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 reviewed the current COVID cases and stated that Charles County was in the LOW Community Transmission Level and that wearing a mask in public, indoor settings is based on personal preference. She explained how the Center for Disease Control (CDC) measures community transmission levels. She shared what you should do if you are consider at high risk for severe COVID. She reviewed the positivity rate which was one point seven six percent (1.76%). The case rate was now five-point eight six percent (5.86%). She reviewed death statistics, hospitalization trends, and post-vaccination infection data. Dr. Abney shared information on the Omicron variant, vaccination data, and Charles County booster percentages. She also reviewed the wait times between the first and second dose of Pfizer or Moderna vaccination as well as vaccination and testing site's locations and times. Dr.

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Abney shared that there was an increase in vaccinations given to homebound people. She also discussed the distribution of at home test kits and KN95 masks.

Ms. Lilly reviewed the COVID positive EMS Transports per month in 2021-22. The number of transports for March was six (6).

Mr. Grimes indicated that COVID there were currently no COVID positive cases in the hospital. The hospital is now considered in the recovery phase.

Ms. Harris indicated that the County's communication efforts is focused on the state's priority to increase vaccination booster shots for eligible individuals.

Mr. Stoddard shared that the number of COVID cases continue to decline. He reminded parents that if their child is sick that they should stay home.

**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 update on the following legislation in the 2022 Maryland General Assembly Session:

***HB1428 Code Counties - Legislative Procedure - Notice Requirements***

Since Ms. Jenifer Harris, Chief of Media Services, was unable to provide oral testimony at the March 11 hearing, she hopes to be able to answer questions in the subcommittee hearing.

***HB1416 Charles County - Property Tax - Credit for Volunteer Emergency Responders***

Hearing was today and a written letter of support was sent.

***HB1423/SB865 Charles County - Alcoholic Beverages - Multiple Class B Licenses***

Ms. Mitchell is scheduled to testify this afternoon in support of this Bill.

***HB739/SB916 Workgroup to Study the Fiscal and Operational Viability of Public-Private Partnerships for Charles County Public Schools***

Ms. Mitchell is scheduled to testify this afternoon in support of this Bill.

***HB1415 Grading and Sediment Control Plans - Agricultural Land Management Practices - Definition***

Hearing was held on March 11, 2022 and a written letter of support was sent.

***SB297 Gaming - Sports Wagering Facilities - Locations***

The amendment to not include Charles County in this Bill was drafted but not voted on. The vote will most likely pass in the Senate as it is written. An additional letter of opposition can be sent to the House.

Commissioner Bowling stressed the dramatic effect it will have on the Charles County shoreline and that it was not equitable to Cobb Neck. He expressed his frustration that Senator Ellis did not consult with the Charles County Commissioners for their input.

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The Commissioners requested Ms. Mitchell to reiterate the County's opposition to the delegation and request to remove Charles County from this Bill at this time and if possible to consider for summer study.

***SB1010/HB1486 Motor Fuel Taxes-Tax-free Period***

This would allow thirty (30) days for no Maryland tax on fuel.

***SB685 Economic Development - Maryland Stadium Authority - Charles County Multicultural Recreational and Amphitheatre Facilities***

The Maryland Stadium Authority would establish funding.

The Commissioners discussed potentially sending a letter of support.

The Commissioners reached a consensus to hold off sending a letter of support until next week. This would allow the Director for Charles County Recreation, Parks and Tourism to bring back the cost impact this Bill may have on the County.

**Approval of the Minutes of March 7, and March 8, 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 March 7, 2022 and March 8, 2022.

**Announcement: Next Commissioners' Session(s) are Scheduled for March 22 and 23, 2022**

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next Commissioners' sessions are scheduled for March 22 and March 23, 2022.

**Closed Session**

At 10:13 a.m., Commissioner Bowling 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)(3)(7) of the General Provisions Article of the Annotated Code of Maryland to review one (1) legal update on proposed legislation in the Maryland 2022 General Assembly; to discuss one (1) potential land acquisition; and to discuss one (1) lease agreement. The reason for going into closed is to keep legal negotiations and strategies confidential.

**Summary Closed Session Items**

At 10:20 a.m. the Commissioners went into virtual closed session.

**3-305 (b)(7) Legal Update Proposed legislation in Maryland 2022 General Assembly**

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Deborah Hall, Wes Adams, Carol DeSoto, Danielle Mitchell, Deborah Carpenter, and Ray Shumaker.

Staff reviewed HB1415 Grading and Sediment Control Plans - Agricultural Land Management Practices -- Definition and shared their recommendations.

The Consensus of the Commissioners was to request the withdrawal of this Bill.

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**3-305 (b)(7) Discuss Lease Agreement**

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Deborah Hall, Wes Adams, Carol DeSoto, Danielle Mitchell, Judy Michael, Marc Potter.

\*At 10:30 a.m. Commissioner Coates recused herself from this discussion.

Staff provided an overview of this potential lease renewal and issues that need to be addressed. They also discussed the request from the leasee related to this property.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Stewart, Rucci and Collins present voting in favor to send letter related to this lease *with specific directions discussed in closed session.* \*Commissioner Coates was not present for the vote.

A motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with Commissioners Stewart, Rucci, Bowling and Collins present, voting in favor to send a letter to respond to the leasee request related to this property *with specific directions discussed in closed session.* \*Commissioner Coates was not present for the vote.

\*Break 11:48 a.m.-12:02 p.m.

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

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Deborah Hall, Wes Adams, Carol DeSoto, Judy Michael, Marc Potter, Jenifer Harris.

\*At 12:02 p.m. Commissioner Coates rejoined closed session.

Staff provided an update on the proposed property acquisition.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to authorize staff to proceed with acquisition *as discussed in closed session up to specified dollar amount.*

At 12:25 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, to end this close session.

The Commissioners returned to open session at 2:02 p.m.

**Roll Call**

A roll call was taken. All Commissioners were present.

**Approval Items**

*FY2022 Budget Amendment Increase #9569 Solar Project Plan Review*

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 9569 for two hundred and eighty-five thousand dollars (\$285,000.00).

*FY2022 Board of Education Annual Budget Certification*

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve FY2022 Charles County Public School Approved Operating Budget.

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**Action on Boards, Commissions and Committees**

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to appoint Craig Renner to the Planning Commission.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to appoint Michelle Jones to the Board of License Commissioners (Liquor Board).

**Briefing and Request to Introduce: Bill 2022- (02) Code of Ethics**

Mr. Wes Adams, County Attorney, Office of County Attorney, Charles County explained that the requested updates to the state ethic laws were passed by the General Assembly in 2021, which the County must reflect in local code to remain in compliance.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to introduce Bill 2022-02 Code of Ethics.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to schedule the public hearing for Wednesday May 18, 2022 at 6:00 p.m. in person in the Government Building Conference Room and virtual.

**Briefing and Request to Approve: Modification to Rosewick Road Access Management Plan**

Mr. Joel Binkley, Planner III, and Ms. Cathy Thompson, Planning Supervisor, Department of Planning and Growth Management explained the request for the modification to Charles County Road Ordinance, including relocating access point N and removing parcel 376 from access point N and reassigning to access point J on Rosewick Road.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the modification to the Charles County Road ordinance Table f-10 as recommended by staff by relocating access point N and reassigning parcel 376 to access point. Staff will need to ensure that the Fraternal Order of Police (FOP) understands these changes and submit a signed permanent access agreement with the Fraternal Order of Police.

**Briefing: Equity in Department of Planning and Growth Management's Planning Processes**

Ms. Deborah Carpenter, Director, and Mr. Jim Campbell, Planning Director, Department of Planning and Growth Management, provided a presentation on equity in the Department of Planning and Growth Management's planning process. The department is proposing to incorporate equity in public engagement considerations by not only using traditional engagement methods such as community meetings, public hearings, charettes, and traditional advertising methods, but also intentional equity methods to include virtual, in-person, and hybrid formats; education on using various formats; going directly to residents with flexible times; providing amenities such as childcare and food; and providing translators. The department is currently incorporating equity through sub-area plans, Comprehensive Plan Update and Zoning Rewrite, public hearings, public outreach, and through other community issues.

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**\*\*WILL BE RESCHEDULED\*\* Briefing and Request to Introduce: Bill 2022-(03) Community Service and Pretrial Release Program**

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney, Charles County

**Commissioners' New Business**

There was no new business discussed.

**Closed Session**

At 2:45 p.m., Commissioner Bowling 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)(1)(7) of the General Provisions Article of the Annotated Code of Maryland to conduct interviews for one (1) Boards and Commissions vacancy. The reason for going into closed is to keep personnel information confidential.

**Summary Closed Session Items**

At 4:02 p.m. the Commissioners went into virtual closed session.

*\*Commissioner Stewart was not present.*

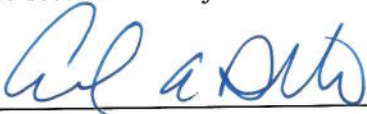
**3-305 (b)(1)Boards, Commissions, and Committees Interviews**

Present: Commissioners Collins, Rucci, Bowling, Coates, Wes Adams, Carol DeSoto, Deborah Hall.

The Commissioners conducted interviews with eleven (11) applicants for vacancies on the Police Accountability Review Board

The Commissioners provided direction on next steps.

At 6:38 p.m., a motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Rucci, and Collins present, voting in favor to end this close session and adjourn. *\*Commissioner Stewart was not present.*



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/Limited In-person

Date: March 15, 2022

Time: 10:13 a.m.

Motion By: Commissioner Bowling

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**

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**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)Legal Discission on One (1) Potential Land Acquisition**


REASON FOR CLOSING: Keep legal strategies and negotiations confidential.

**3-305(b)(7)Legal: One (1) Lease Agreement**

REASON FOR CLOSING: Keep legal strategies and negotiations confidential.

**3-305(b)(7) Legal Update on Proposed Legislation in Maryland 2022 General Assembly**

REASON FOR CLOSING: Keep legal strategies and negotiations confidential.

  
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Reuben B. Collins, II, Esq., President



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**#2 FORM OF STATEMENT FOR CLOSING A MEETING**

Location: Virtual- MS Teams/Limited In-person

Date: March 15, 2022

Time: 2:45 p.m.

Motion By: Commissioner Bowling

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.

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(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

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**FORM OF STATEMENT FOR CLOSING A MEETING**

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(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: Conduct Interviews for One (1) County Boards and Commissions Vacancies**

REASON FOR CLOSING: Keep personnel information confidential.

  
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Reuben B. Collins, II, Esq., President