

Regular Meeting of County Commissioners
Tuesday March 22, 2022

The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, at 9:01 a.m. with the following persons in attendance:

Reuben B. Collins II, Esq., 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

**Bobby Rucci, Vice President, County Commissioner, was absent*

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. Commissioners Bowling, Coates, Stewart and Collins were present.
**Commissioner Rucci was absent.*

Comments

Commissioners Bowling and Stewart discussed an agenda request made by Commissioner Bowling and supported by Commissioners Bowling, Stewart and Rucci that was not added to the agenda. Commissioner Collins indicated that he felt this item was addressed. Commissioner Stewart formally requested that this topic be added to the agenda for discussion. Commissioner Collins was open to review this request again.

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 indicated that all Charles County submitted legislative proposals/Bills have crossed over to the other chamber. She provided an update on the following legislation in the 2022 Maryland General Assembly Session:

HB1187/SB726 Transportation-Highway User Revenues-Revenue and Distribution
Sent Letter of Support.

SB1010/HB1486 Motor Fuel Taxes-Tax-free Period
This would allow thirty (30) days for no Maryland tax on fuel. Bill passed General Assembly and signed.

HB35/SB158 Election Law-Voting Systems Costs, Polling Places, and Primary Election
Passed General Assembly.

Ms. Mitchell read a letter of concern sent by the Charles County Board of Supervisors about the required number of polling places and reduced number of election workers.

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Commissioner Bowling made a motion to request Governor Hogan veto this Bill but later withdrew his motion.

Commissioner Stewart requested staff get information on how other counties were handling this issue.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Stewart, Bowling, Coates and Collins present, voting in favor to send a letter to the State and Governor requesting accommodations for Charles County related to the number of polling places. **Commissioner Rucci was not present for the vote*

It was also requested that Charles County Board of Supervisors and Board of Election come in next week to discuss their concerns with this Bill.

**Break due to technical issues related to broadcast on MS Teams virtual platform 9:37a.m.-9:59 a.m.*

Roll Call

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

**Commissioner Rucci was absent.*

Ms. Mitchell continued her update:

SB31 Public Information Act-Inspection of Records from Body-Worn Digital Recording Devices
Maryland Association of Counties (MACo) requesting support.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Collins present, voting in favor to send a letter of support. **Commissioner Rucci was not present for the vote.*

SB297 Gaming - Sports Wagering Facilities – Locations

Passed in the Senate. Hearing in the House on March 30, 2022. The Commissioners are opposed to having Charles County included in this Bill.

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

Ms. Kelli Beavers, Director, Recreation, Parks, and Tourism, shared questions related to this bill. She believes this Bill could be an asset to the County but other questions this Bill does not answer related to the impact to Charles County Government need to be answered before support of this Bill:

- Who is responsible for the feasibility study and what/who does it include?
- What role would Charles County Government (CCG) play since there is currently not an approved Capital Improvement Projects (CIP) project with no CIP or operating funds, no identified revenue streams and no identified land or site currently to my knowledge?
- Who would operate the facility?
- Is it a private venture, public endeavor or a public private partnership/P3?
- What is needed from CCG, if anything? This includes the impacts on Departments of Recreation, Parks and tourism; Public Works; Planning and Growth Management and the Sheriff's Office.
- How will it work in conjunction with existing facilities like the Blue Crab stadium and future recreation and parks amenities and facilities?

Commissioner Collins suggested supporting this Bill in principal but with stipulations related to cost feasibility and answer questions raised by staff.

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Commissioner Coates made a motion to send a letter of support with stipulations and questions as presented. There was no second. The motion died.

Approval of the Minutes of March 15, and March 16, 2022

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve the minutes of March 15, 2022 **Commissioner Rucci was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve the minutes of March 16, 2022 **Commissioner Rucci was not present for the vote.*

Announcement: Next Commissioners' Session(s) are Scheduled for March 28, 29, and 30, 2022

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next Commissioners' sessions are scheduled for March 28,29, and 30, 2022.

Approval Items

FY2022 Budget Transfer Request #9687 Installation of Fiber and Cameras at Blue Crab Stadium

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve FY2022 Budget Transfer Request 9687 for ninety-eight thousand dollars (\$98,000.00). **Commissioner Rucci was not present for the vote.*

FY2022 Budget Contingency Request #9590 Inspection Overrun

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve FY2022 Budget Contingency Request 9590 for twenty-eight thousand dollars (\$28,000.00). **Commissioner Rucci was not present for the vote.*

Letter of Support for Maryland Veterans Museum Education Project Grant Application

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve this letter of support. **Commissioner Rucci was not present for the vote.*

Discussion: Proposed Public Hearing Format

Ms. Jennifer Harris, Chief of Media Services, and Mr. Brent Huber, Lead Video Producer, Office of the County Administrator, provided the Commissioners with a proposed public hearing format for the upcoming budget public hearing. Ms. Harris discussed the public hearing survey being conducted by the Media Services Division, which has had more than half of the respondents preferring written testimony to provide feedback. The rest of respondents were split among options to provide input at an in-person public hearing, participating virtually, or contacting the Commissioners by phone.

In order to be cost efficient and provide the great opportunities for community engagement in the upcoming budget hearing process, staff recommended that the Commissioners consider a two-pronged

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approach, which would include having one portion of the budget public hearing in person and then holding a second portion of the hearing virtually. The Media Services Division will continue collecting data on what options residents prefer for public hearings.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve the two-pronged approach for the budget public hearing. **Commissioner Rucci was not present for the vote.*

Briefing and Request for Approval: Plan Amendments to the Charles County Pension Plan

Ms. Megan Donnick, Deputy Director, and Ms. Alexis Blackwell, Director, Department of Human Resources, reviewed the proposed amendments to the Charles County Pension Plan, which clarifies that acting pay is considered earnings and retirees on disability will have a cost-of-living adjustment.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve the amendments to the Charles County Pension Plan as presented. **Commissioner Rucci was not present for the vote.*

Briefing and Request for Approval: Plan Amendments to the Sheriff's Office Retirement Plan (SORP)

Ms. Megan Donnick, Deputy Director, and Ms. Alexis Blackwell, Director, Department of Human Resources reviewed the proposed amendments to the Sheriff's Office Retirement Plan (SORP), which clarifies that acting pay is considered earnings and retirees on disability will have a cost-of-living adjustment.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve the amendments to the Sheriff's Office Retirement Plan as presented. **Commissioner Rucci was not present for the vote.*

Closed Session

At 10:41 a.m., Commissioner Bowling made a motion, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart, 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)(1)(7) of the General Provisions Article of the Annotated Code of Maryland to conduct interviews and discuss vacancies for one (1) Boards and Commissions vacancy. The reason for going into closed is to keep personnel information confidential. **Commissioner Rucci was not present for the vote.*

Summary Closed Session Items

At 11:05 a.m. the Commissioners went into virtual closed session.

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

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

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The Commissioners discussed procedures they will use for selecting applicants for appointment to the Police Accountability Board.

The Commissioners provided Ms. Stephens with directions on how to present final results for consideration.

**Break 11:22 a.m.- 11:36 a.m.*

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

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

The Commissioners returned to conducted interviews with two (2) applicants for vacancies on the Police Accountability Review Board.

At 12:02 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to end this close session. **Commissioners Rucci and Stewart were not present for the vote.*

The Commissioners returned to open session at 1:00 p.m.

Roll Call

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

Briefing: Revenue Authority

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services; Mr. Joe Mason and Ms. Jennifer Dickerson, First Vice President Public Finance, Davenport & Company, LLC, provided a presentation on an overview of a Revenue Authority. A Revenue Authority is a public corporation created in accordance with State law to construct and operate a variety of self-supporting revenue projects. Ms. Diereksen reminded the Commissioners that establishing a Revenue Authority can be helpful, but counties do need to consider their current debt profile and credit rating overall before starting an Authority. The presentation provided examples of other counties use of Revenue Authorities, and benefits and considerations of establishing a Revenue Authority.

Briefing: University Systems of Maryland at Southern Maryland (USMSM)

Ms. Kelly Robertson- Slagle, Director, Department of Economic Development Dr. Eileen Abel, Executive Director, Mr. Matt Scassero, Director of Research, Innovation and Outreach, and Mr. Joe Anderson, Chair Board of Advisors, USMSM, provided a presentation on USMSM, a regional higher education center. USMSM will be meeting with the U.S. Bomb Tech Association and College of Southern Maryland's Velocity Center for coordinated efforts to offer additional education opportunities in the County. They also shared a video overview of some of the programs and students in the program.

FY2023 Budget Work Session: Enterprise Funds

Ms. Jenifer Ellin, Director, Mr. Jacob Dyer, Chief of Budget, and Ms. TaTanya Bowman, Senior Budget Analyst, Department of Fiscal and Administrative Services, provided an overview of the Enterprise Funds for FY2023. Enterprise funds have a defined customer base and are funded through a customer fee. The review included the Water and Sewer Operating Fund proposed FY2023 budget of forty eight million two hundred and sixty thousand four hundred dollars (\$48,260, 400.00); the Water and Sewer Capital Improvement Program proposed five (5) year plan starting in FY2023; the

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Recreation Fund proposed FY2023 budget of one million nine hundred and seventy six thousand six hundred dollars (\$1,976,600.00); and Cable Fund proposed FY2023 budget of three million four hundred thousand four hundred dollars (\$3,418,400.00). At the conclusion of the review, Ms, Ellin mentioned the upcoming public work sessions and that the first budget public hearing will be held on Wednesday, April 27, 2022.

Commissioners' New Business

There was no new business discussed.

Closed Session

At 2:45 p.m., Commissioner Bowling made a motion, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Collins 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 discuss vacancies and conduct interviews and for two (2) Boards and Commissions. The reason for going into closed is to keep personnel information confidential. **Commissioners Rucci and Stewart were not present for the vote.*

Summary Closed Session Items

At 3:02 p.m. the Commissioners went into virtual closed session.

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

Present: Commissioners Collins, Bowling, Coates, Stewart, Wes Adams, Carol DeSoto, Deborah Hall, Jesse Buncgayao, and Kenberly Stephens

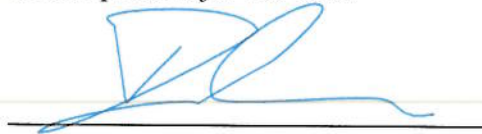
Ms. Jesse Buncgayao, Executive Assistant, Office of the County Administrator, reviewed applicants for the Adult Public Guardianship Review Board vacancies.

The Commissioners present reached a consensus on the vacancies. Official action will be taken on March 29, 2022 under Actions on Boards, Commissions, and Committees.

At 3:06 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to end this close session and adjourn. **Commissioners Rucci and Stewart were not present for the vote.*



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 22, 2022

Time: 10:41 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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)(1) Personnel: Conduct Interviews for One (1) County Boards and Commissions Vacancies
REASON FOR CLOSING: Keep personnel information confidential.



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 22, 2022

Time: 2:45 p.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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bobby Rucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.
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- (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.

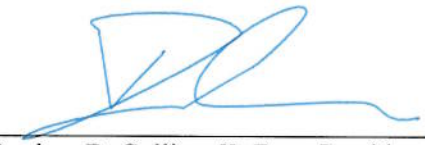
TOPICS TO BE DISCUSSED:

3-305(b)(1) Personnel: Conduct Interviews for One (1) County Boards and Commissions Vacancies

REASON FOR CLOSING: Keep personnel information confidential.

3-305(b)(1) Personnel: Discuss Vacancies on Two (2) County Boards and Commissions

REASON FOR CLOSING: Keep personnel information confidential.



Reuben B. Collins, II, Esq., President