

**Regular Meeting of County Commissioners**  
**Tuesday May 3, 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  
Amanda M. Stewart, M.Ed., County Commissioner  
Mark Belton, County Administrator  
Deborah Hall, Deputy County Administrator  
Wesley Adams, County Attorney  
Carol A. DeSoto, Clerk to the Commissioners

*\*Thomasina O. Coates, M.S., 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, Stewart, Rucci, and Collins were present.

*\*Commissioner Coates was absent.*

**Announcement of Charles County Board of County Commissioners' Issued Proclamations for May 2022**

May Charles County Proclamations: 2022-28 International Parental Alienation Awareness Day; 2022-29 National Drug Court Month; 2022-30 National Mental Health Awareness Month; 2022-31 Older Americans Month; 2022-32 National Asian Pacific Heritage Month; 2022-33 Jewish American Heritage Month; 2022-34 National Small Business Week; 2022-35 National Travel and Tourism Week; 2022-36 National Correctional Officer Appreciation; 2022-37 Foster Care Awareness Month; 2022-38 National Police Week; 2022-39 Emergency Medical Services Appreciation Week; 2022-40 Emergency Medical Services for Children Day; 2022-41 National Bike to Work Day; 2022-42 Resource Parent's Celebration Day

**Comments**

Commissioner Stewart Requested that the County change the lights at the Charles County Courthouse during the week of June 19, 2022 in celebration of Juneteenth. After celebrating this week with red and green, the colors would return to blue and yellow for the support of the Ukraine people.

The Commissioners agreed to having staff change the light colors as requested.

Commissioner Stewart also requested that a draft letter of support be prepared for HR2116 Creating a Respectful and Open World for Natural Hair Act of 2022 and S3167 Crown Act of 2022.

The Commissioners agreed to have staff prepare this letter for approval on May 10, 2022.

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**Approval of the Minutes of April 26 and April 27, 2022**

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 approve the minutes of April 26, 2022. *\*Commissioner Coates was not present for the vote.*

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 approve the minutes of April 27, 2022. *\*Commissioner Coates was not present for the vote.*

**Announcement: Next Commissioners' Session(s) are Scheduled for May 10 and May 11, 2022**

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next Commissioners' sessions are scheduled for May 10 and May 11, 2022.

**Approval Items**

*FY2022 Contingency Transfer Request #9809 Landfill*

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 approve Contingency Transfer Request #9809 for forty-six thousand six hundred dollars (\$46,600.00). *\*Commissioner Coates was not present for the vote.*

*FY2022 Budget Transfer Request #9853 FY2022 Holiday Pay EMS*

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Stewart, Rucci and Collins present, voting in favor to approve Budget Transfer Request #9853 for one hundred and eleven thousand four hundred and forty dollars (\$111,440.00). *\*Commissioner Coates was not present for the vote.*

*FY2022 Budget Transfer Request #9874 Master Plan Pope's Creek Waterfront Property*

A motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Stewart, Rucci and Collins present, voting in favor to approve Budget Transfer Request #9874 for ninety-five thousand nine hundred and ninety dollars (\$95,990.00). *\*Commissioner Coates was not present for the vote.*

*FY2022 Budget Amendment Increase #9861 Clinton Ambulance*

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Stewart, Rucci and Collins present, voting in favor to approve Budget Amendment Increase #9861 for two hundred and ninety-nine thousand eight hundred and thirty dollars (\$299,830.00). *\*Commissioner Coates was not present for the vote.*

*Change Order #5 Charles County Landfill Cell No. 4 Design*

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Stewart, Rucci and Collins present, voting in favor to approve Change Order #5 Charles County Landfill Cell No. 4. *\*Commissioner Coates was not present for the vote.*

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*Change Order #2 Multiple Water Tower Rehabilitation Project*

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Stewart, Rucci and Collins present, voting in favor to approve Change Order #2 Multiple Water Tower Rehabilitation. *\*Commissioner Coates was not present for the vote.*

*Support for Addition Funding for Malloys Bay Virtual 3D Paddle Experience*

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Stewart, Rucci and Collins present, voting in favor of supporting additional funding from Senator Cardin for this project. *\*Commissioner Coates was not present for the vote.*

**Quarterly Update: Chief Equity Officer**

Ms. Alexis Blackwell, Director, Department of Human Resources, provided an update on the County's Diversity, Equity, and Inclusion (DEI) efforts. Some of these updates included the DEI incorporation in the Annual Report, the African American video series; Charles County Unscripted podcast series; open space school enclosures; the Low Income Household Water Assistance Program; increasing accessibility through Public Work Facilities; expanding curbside recycling in Nanjemoy; multicultural offerings at senior centers; Housing Choice Voucher program; Disparity Study; Emergency Services test preparation and recruitment videos; Human Resources internal and external efforts; planning efforts; VanGO Fare Free Pilot Program; synthetic multipurpose athletic fields; Land Preservation, Parks, and Recreation Plan; and the new African American Heritage Guide.

The Commissioners requested staff to look at budget differences between schools in each district compared to each other district.

**Update: Commissioners' Goals and Objectives- Goal 4: Education**

Ms. Deborah Hall, Deputy County Administrator; Ms. Alexis Blackwell, Director, Department of Human Resources, and Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services, Provided an update on Goal 4: Education of the Commissioners' Goals and Objectives. Updates included the Board of Education's Blueprint for Maryland's Future, collaboration with the Board of Education, NeoGov Learn, training for skilled workers, succession planning, wellness, employee health benefits, mental health first aid, and systemwide training.

**Briefing: Review of County Food Truck Program**

Ms. Kelly Robertson Slagle, Director, Department of Economic Development and Ms. Cyndi Bilbra, Zoning Planner Supervisor, Department of Planning and Growth Management, provided a presentation that reviewed of the County's Food Truck Program. Ms. Lisa Laschalt, Charles County Department of Health, also provided information on the regulations and additional information about the Health Department's procedures related to regulations.

**Briefing: Homeowner Association Dispute Review Board Overview**

Ms. Deborah Carpenter, Director, and Mr. Reed Faasen, PGM Citizen Response Coordinator, Department of Planning and Growth Management and Ms. Terrah Dews, Associate County Attorney, Charles County Attorney's Office, provided a presentation that reviewed the Homeowner Association Dispute Review Board (HOADR). The HOADR is an appointed board that was established to create an alternate forum for dispute resolution between homeowners and their respective homeowner

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associations. HOADR is not authorized to hear complaints for condominium associations. At this time complaints related to condominium associations can be filed in the District Court, Attorney General's Office, or through third party mediation services.

The Commissioners' present reached a consensus to have the County Attorney's Office review the current legislation and determine how to address this loophole with a fall legislative proposal. The Commissioners' also requested staff to talk to the Delegation now about this upcoming proposed legislation.

**Discussion: Water Supply Fire Department Cobb Island**

Mr. Jonathan Mattingly, Cobb Island VFD and Mr. Mark Kauffman, Charles County Fire Chief; Ms. Michelle Lilly, Director, Mr. Tony Rose, Deputy Director, Department of Emergency Services; Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services; Mr. Bernard Cochran, Acting Director, and Mr. Samuel Walter, Program Manager, Department of Public Works joined the Commissioners to discuss the fire suppression water supply for the Cobb Island Fire Department and future water supply needs.

The Commissioners discussed bringing this discussion back on a future agenda.

**FY2023 Budget Work Session: General Fund, Special Revenue Fund and Enterprise Fund and FY2023-FY2027 Capital Improvement Projects**

Ms. Jenifer Ellin, Director, Mr. Jacob Dyer, Chief of Budget, Ms. TaTanya Bowman, Assistant Chief of Budget, and Ms. Debra Posey, Senior Budget Analyst Department of Fiscal and Administrative Services, provided a recap of the FY2023 General Fund, Special Revenue Fund, Enterprise Fund and the FY2023-FY2027 Capital Improvement Projects.

The Commissioners discussed replacing specific County vehicles with electric vehicles, an online dashboard for funding sources, and the request regarding structures to address homelessness submitted by Commissioner Collins.

Mr. Mark Belton, County Administrator, suggested a briefing from the Planning Commission's work group on housing options.

Commissioner Collins mentioned that he will request enabling legislation to establish a Housing Trust Fund.

Ms. Ellin concluded the work session reminding the Commissioners that the add/delete form for their proposed budget changes are due by May 4, 2022.

**Commissioner's New Business**

Commissioner Collins requested the County Commissioners consider tax relief or incentives for green initiatives.

The Commissioners asked staff to research additional information on this request. This discussion will continue at a later session.

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Commissioner Stewart requested that House Bill 739 to be scheduled for an upcoming Commissioner meeting, which requires two Commissioner appointees for the workgroup.

The Commissioners agreed to have it added to the agenda.

**Closed Session**

At 12:33 p.m., Commissioner Rucci made a motion, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Rucci, 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)(10) of the General Provisions Article of the Annotated Code of Maryland to receive an update on one (1) lease agreement; to review Boards and Commissions' vacancies; to receive legal advice on legislative matters and procedures related to a HOA; and to discuss/review the development and implementation of emergency plans for the County. The reason for going into closed is to keep legal approaches and negotiations and personnel information confidential. \*Commissioner Coates was not present for the vote.

**Summary Closed Session Items**

At 12:56 p.m. the Commissioners went into virtual closed session.

*At 1:03 p.m. Commissioner Stewart joined closed session.*

**3-305 (b)(7) Legal Advice Related to a HOA**

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

Mr. Wes Adams, County Attorney, Charles County Office of the County Attorney, reviewed the legal responses provided to the HOA.

The Commissioners present reached a consensus to send a letter to the HOA outlining the County's responses.

**3-305 (b)(7) Legal Advice on Legislative Matters**

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

Ms. Danielle Mitchell, Associate County Attorney, Charles County Office of the County Attorney, and Ms. Deborah Hall, Deputy County Administrator, reviewed recently passed legislation that has funds that are for restrictive uses for the County.

The Commissioners present reached a consensus to send a letter to the Charles County Delegation requesting an explanation to understand and possibly correct if a mistake was made.

**3-305 (b)(7) Legal Update on a Lease**

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

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Ms. Danielle Mitchell, Associate County Attorney, Charles County Office of the County Attorney, and Ms. Deborah Hall, Deputy County Administrator, and Ms. Kelly Robertson-Slagle, Director, Department of Economic Development reviewed the issues related to current lease agreement and steps that were taken.

The Commissioners present reached a consensus to send a letter of default and follow staff's recommendations related to the current tenant issue.

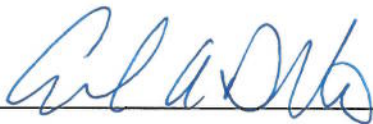
**\*\*Rescheduled\*\*3-305(b)(1) BCC Appointments**

**3-305(b)(10) Development and Implementation of Emergency Plans**

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

Ms. Michelle Lilly, Director, Department of Emergency Services, led the Commissioners in tabletop exercises related to the implementation of emergency plans related to heat emergencies.

At 2:28 p.m., a motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Stewart, Rucci and Collins present, voting in favor to end this close session and adjourn. *\*Commissioner Coates was not present for the vote.*



Carol A. DeSoto, Clerk to the Commissioners



Reuben B. Collins, II, Esq., President

**FORM OF STATEMENT FOR CLOSING A MEETING**

Location: Hybrid- In Person/Virtual- MS Teams

Date: May 3, 2022

Time: 12:33 p.m.

Motion By: Commissioner Rucci

Seconded By: Commissioner Bowling

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

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

REASON FOR CLOSING: Keep personnel information confidential.

**3-305(b)(7)Legal Advice: On Legislative Matters and Procedures Related to HOA**

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

**3-305(b)(7)Legal Advice: Update on a Lease Agreement**

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

**3-305(b)(7)(10)Legal: To discuss/review the development and implementation of emergency plans for the County.**

REASON FOR CLOSING: To keep strategies confidential.



Reuben B. Collins, II, Esq., President