

**Regular Meeting of County Commissioners**  
**Tuesday June 28, 2022 (Legislative Day)**

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 (Joined session in the afternoon)*  
Bobby Rucci, Vice President, County Commissioner  
Gilbert O. Bowling, III, County Commissioner  
Thomasina O. Coates, M.S., County Commissioner was absent  
Amanda M. Stewart, M.Ed., County Commissioner  
Deborah Hall, Deputy County Administrator  
Danielle Mitchell, Associate County Attorney  
Carol A. DeSoto, Clerk to the Commissioners

**Call to Order/Pledge**

Commissioner Rucci called the meeting to order and began with the Pledge of Allegiance.

**Roll Call**

A roll call was taken. Commissioners Bowling, Coates, Stewart and Rucci were present.  
*\*Commissioner Collins was not present*

**Comments**

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to make June 28 and June 29, 2022 Legislative Days. *\*Commissioner Collins was not present for the vote.*

**Monthly 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; and Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator; and Mr. Jason Stoddard, Director of Safety, Charles County Public Schools provided a monthly update on COVID statistics.

Dr. Abney reviewed the current COVID cases and stated that Charles County was in the MEDIUM Community Transmission Level and that masks should be worn if you are at high risk for severe illness, have symptoms, test positive, or were exposed to COVID-19. You should also wear mask on public transportation. Wearing a mask in public, indoor settings is based on personal choice. She reviewed the positivity rate which was thirteen-point one five percent (13.15%). The case rate per one hundred thousand (100,000) was twenty-four point eight five (24.85). She reviewed death statistics, hospitalization trends, and post-vaccination infection data. Dr. Abney shared information on the Omicron variant. She shared vaccination data and reviewed information on COVID-19 booster doses and the timeline to receive them as well as the Charles County booster percentages. Children aged six (6) months or older are now eligible for COVID-19 vaccines. She also reviewed vaccination and testing site's locations and times. She also discussed the distribution of at home test kits and KN95 masks. Dr. Abney also provided information on Monkeypox symptoms, cases and who is at risk.

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Ms. Lilly shared the statistics for the EMS COVID positive transports for the month of June, which were twenty-four (24). She also explained the CDC COVID Quarantine/Isolation Tracker calculator.

Mr. Grimes explained that at this time that there were seven (7) cases in house.

Ms. Harris indicated that the County's communication efforts is focused on supporting the Health Department.

Mr. Stoddard shared that the number of COVID cases. He reviewed the schools' COVID-19 contact tracing process, weekly screening program, and case statistics. He indicated that there was still low positivity numbers. Since school ended on June 15, 2022, the school system was offering summer screening and take-home tests. The public schools are still waiting for guidance from the State about next school year policies.

**Approval of the Minutes of June 7 and June 8, 2022**

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve the minutes of June 7, 2022. *\*Commissioner Collins was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve the minutes of June 8, 2022. *\*Commissioner Collins was not present for the vote.*

**Announcement: Next Commissioner Session(s) are Scheduled for July 12 and 13, 2022.**  
**Reminder: June 29, 2022 Joint Meeting on Youth; Public Hearing and BOCC Town Hall Meeting**

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next Commissioners' sessions are scheduled for July 12 and 13, 2022 and provided a reminder that on Wednesday June 29 there will be a Joint Meeting on Youth; a Public Hearing on Bill 2022-06 Adequate Public Facilities Manual Update to Traffic Section; and the Board of County Commissioners second quarter Town Hall Meeting.

**Approval Items**

*FY2022 Budget Amendment Increase #9951 Inspections-Plan Review*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve FY2022 Budget Amendment #9951 for one hundred and sixty-two thousand dollars (\$162,000.00).

*\*Commissioner Collins was not present for the vote.*

*FY2022 Contingency Transfer Request #10004 Building Inspections*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve FY2022 Contingency Transfer Request #10004 for one hundred and sixty-eight thousand nine hundred dollars (\$168,900.00). *\*Commissioner Collins was not present for the vote.*

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*FY2022 Budget Transfer Request #10034 Mill Hill Waterline*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve FY2022 Budget transfer Request #10034 for one hundred and seventy-six thousand dollars (\$176,000.00). \*Commissioner Collins was not present for the vote.

*FY2022 Budget Transfer Request #10037 White Plains Golf Course Erosion*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve FY2022 Budget Transfer Request #10037 for eighty-seven thousand seven hundred and sixty dollars (\$87,760.00). \*Commissioner Collins was not present for the vote.

The Commissioners directed staff to review what needs to be done to avoid this issue in the future and bring back findings as to the cause of these issues.

*FY2022 Budget Transfer Request #10091 Rich Hill*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve FY2022 Budget Transfer Request #10091 for thirty-three thousand dollars (\$33,000.00). \*Commissioner Collins was not present for the vote.

*FY2022 Budget Transfer Request #10095 Rich Hill (2)*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve FY2022 Budget Transfer Request #10095 for two hundred and forty-four thousand three hundred and ten dollars (\$244,310.00). \*Commissioner Collins was not present for the vote.

*FY2023 Budget Amendment Increase #10102 Criminal Justice Coordinating Committee (CJCC) Pretrial Services*

A motion was made by Commissioner Coates but there was not a second. The motion failed.

The Commissioners indicated that there was money in the budget for this program and if additional funds were needed, they could come back with their request.

*Change Order #2 Final and Secondary Clarifier Upgrades Project (UN-1211-C)*

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve Change Order #2 Final and Secondary Clarifier Upgrades Project (UN-1211-C). \*Commissioner Collins was not present for the vote.

*Change Order #8 Mattawoman Wastewater Treatment Plant Equalization Basin (ITB 20-35)*

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve Change Order #8 Mattawoman Wastewater Treatment Plant Equalization Basin (ITB 20-35). \*Commissioner Collins was not present for the vote.

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*Change Order #14 Mattawoman Wastewater Treatment Plant Flow Equalization Basin (ITB 18-25)*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve Change Order #14 Mattawoman Wastewater Treatment Plant Flow Equalization Basin (ITB 18-25)

*\*Commissioner Collins was not present for the vote.*

*Change Order #3 Landfill Cell 4A Construction*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve Change Order #3 Landfill Cell 4A Construction. *\*Commissioner Collins was not present for the vote.*

*Letter of Support Rural Maryland Prosperity Investment Fund Grant Application-Magnolia Gardens*

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve the Letter of Support Rural Maryland Prosperity Investment Fund Grant Application-Magnolia Gardens.

*\*Commissioner Collins was not present for the vote.*

*Letter of Support-Town of La Plata Acquiring Property from the State of Maryland on Box Elder Drive*

The consensus of the Commissioners present was to not approve this request at this time and for staff to bring back more information related to this property to discuss options in closed session. Ms. Deborah Hall, Deputy County Administrator and Ms. Danielle Mitchell, Associate County Attorney, were to follow up with the Town of La Plata on the next steps.

*Board of Education FY2023 Operating Budget*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve the Board of Education FY2023 Operating Budget. *\*Commissioner Collins was not present for the vote.*

*\*Break 10:45 a.m.-10:56 a.m.*

**Roll Call**

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

*\*Commissioner Collins was not present for the vote.*

*Continuation of VanGO Fare Free Program*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve the continuation of the VanGO Fare Free Program through FY2023. *\*Commissioner Collins was not present for the vote.*

*Budget Policy and Delegated Authorities Standard Operating Procedures (SOP)*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Rucci present, voting in favor to approve the Budget Policy and Delegated Authorities Standard Operating Procedures (SOP). *\*Commissioner Collins was not present for the vote.*

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*\*Break 11:17 a.m.-11:21 a.m.*

**Roll Call**

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

*\*Commissioner Collins was not present*

**Update: Rural Broadband Task Force**

Ms. Deborah Hall, Deputy County Administrator, and Ms. Evelyn Jacobson, Chief of Information Technology, and Mr. Matt Jacobson, network Specialist III, Department of Fiscal and Administrative Services provided a PowerPoint update on the Rural Broadband Task Force overall progress to date on the number of underserved properties in all three (3) categories. One significant highlight includes the fiscal 2022 Network Infrastructure Grant Program awards, which will address Category one (1) and Category Two (2) areas in the County, including the Dentsville/Charlotte Hall area and North Nanjemoy area. The State of Maryland plans to release a grant program in late summer to provide funding for residents with long driveways, which are those in Category Three (3). The County has a program in process to identify Category Three (3) properties and the funding amount needed. The County continues to encourage residents to grant ThinkBig an easement where needed so that they may bury the fiber underground. To date ThinkBig has received one hundred and nineteen (119) easements in Nanjemoy and forty-eight (48) in Cobb Neck.

**Update: Commissioners' Goals and Objectives- Goal 1: Economic Development and Supportive Services**

Ms. Kelly Robertson Slagle, Director, Department of Economic Development; Ms. Ashley Chenault, Chief of Tourism, Department of Recreation, Parks and Planning; Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator; Mr. Bernard Cochran, Acting Director, Department of Public Works; and Ms. Deborah Carpenter, Director, Department of Planning and Growth Management, provided the Commissioners with an update on Goal 1: Economic Development and Supportive Services of the Commissioners' Goals and Objectives. Highlights include the Business Growth Advantage Program, Disparity Study, workforce development with local partners, major business attraction projects, business enhancements, Indian Head redevelopment, agriculture business development, tourism updates including product development and special events, broadband access, water and sewer infrastructure, transportation network, and VanGO transportation.

**\*\*Will Be Rescheduled\*\* Briefing: Update on Charles County Disparity Study**

**Closed Session**

At 12:36 p.m., Commissioner Coates made a motion, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart and Rucci 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) (4)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to review three (3) agreements/contracts; to discuss two (2) potential litigation issues; and to discuss a potential business locating to the County. The administrative portion of this session will be used to review/train on the new format for the govMeeting platform. The reason for going into closed is to keep negotiations, strategies, confidential. *\*Commissioner Collins was not present for the vote.*

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**Summary Closed Session Items**

At 1:19 p.m. the Commissioners went into virtual closed session.

*\*At 1:19 p.m. Commissioner Collins joined session.*

**3-305(b)(7) Review Two (2) Agreements**

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Deborah Hall, Danielle Mitchell, Wes Adams, Carol DeSoto, Alexis Blackwell, and Eric Paltell.

Mr. Eric Paltell, Outside Counsel, reviewed contract negotiation agreements with two (2) labor groups.

The Commissioners reached a consensus on these agreements. Official action took place in open session later this day under Additional Approval Items.

**3-305(b)(4)(7) Business Relocating to Charles County**

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Deborah Hall, Wes Adams, Danielle Mitchell, Carol DeSoto, Kelly Robertson-Slagle, Deborah Carpenter, Jason Groth, Taylor Yewell, Brian Jenifer Ellin, Peter Rosen, Collen Kokas, Randell Jostes, and Megan Williams.

Staff and the potential developer provided a project overview and discussed the potential purchase and use of a property in the County.

**3-305(b)(7)(8) Potential Litigation Issue**

This item will be rescheduled for discussion June 29, 2022.

**3-305(b)(7)(8) Potential Litigation Issue**

Present: Commissioners Collins, Rucci, Bowling, Coates, Stewart, Deborah Hall, Wes Adams, Danielle Mitchell, Carol DeSoto, Elizabeth Theobalds, Judy Michaels, Gina Markovitch, and Jenifer Ellin.

Ms. Elizabeth Theobalds, Deputy County Attorney, provide an overview related to a property in the County and the proposed next steps.

The consensus of the Commissioners was to bring the proposed resolution into open session on July 26, 2022 for official action.

**3-305(b)(7) Review of a Contract**

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

Ms. Danielle Mitchell, Associate County Attorney, reviewed the lobbyist contract for renewal.

The Commissioners reached a consensus on this contract. Official action will take place in open session later this day under Additional Approval Items.

**Administrative: Review and Training on govMeeting Platform**

This item will be rescheduled for discussion June 29, 2022

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At 3:31 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to end this close session.

At 3:40 p.m., the Commissioners returned to open session.

**Roll Call**

A roll call was taken. All the Commissioners were present.

**Additional Approval Item(s)**

*HAND Affordable Housing Training*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the HAND Affordable housing Training Program.

\*Note that this will be covered under the Department of Planning and Growth Management.

*Memorandum of Understanding Charles County Sheriff's Office and Fraternal Order of Police Lodge No. 24*

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the Memorandum of Understanding Charles County Sheriff's Office and Fraternal Order of Police Lodge No. 24.

*Side Letter Local 4658, International Association of Fire Fighters, AFL-CIO*

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the Side Letter Local 4658, International Association of Fire Fighters, AFL-CIO.

*Lobbyist FY2023 Contract*

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the G.S. Proctor, Lobbyist, contract for FY2023.

**Briefing and Request to Introduce Bill 2022-(07) Zoning Text Amendment 22-171 Transit Oriented Development (TOD) Zone: ISR and Parking**

Mr. Kirby Blass, Planner III, Ms. Cynthia Bilbra, Planning Supervisor, Mr. Jim Campbell, Planning Director, and Ms. Jessica Andritz, Assistant Chief and Legal Counsel Zoning & Enforcement, Department of Planning and Growth Management joined the Commissioners to the requested amendment. The amendment proposal specifically involves the Transit Oriented Development (TOD) Zone and seeks to alter the applicable impervious surface ratio for mid-rise and high-rise multi-family projects within Article VII, Planned Development Zone Regulations, §297-110 Transit Oriented Development (TOD) Zone, Figure VII-5A, Schedule of Zone Regulations Transit Oriented Development (TOD) Zone, of the Zoning Ordinance. It also proposes to modify the garage parking requirement for multi-family units, found within § 297-338 D. of the Zoning Ordinance, in order to enable attached and detached garage spaces to each be calculated as one (1) full parking space towards satisfaction of the minimum off-street parking requirements of Article XX, Parking Facilities, Figure XX-1, of the Zoning Ordinance.

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A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to introduce Bill 2022-(07) Zoning Text Amendment 22-171 Transit Oriented Development (TOD) Zone: ISR and Parking.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to schedule the public hearing on Wednesday July 27, 2022 at 6:00 p.m. to be held in a hybrid format in the Government Building Conference room.

**Briefing: Update on Solar Farm Projects in Charles County**

Mr. Charles Rice, Assistant Planning Director and Ms. Catherine Reisinger, Chief of Administration, and Mr. Ray Shumaker, Chief of Codes, Permits and Inspections, Department of Planning and Growth Management, provided an update on solar farm projects in Charles County. This included an update to the approved solar project located on Ripley Road and the denied project proposed for Shugart Valley.

**Follow-Up Work Session: Land Preservation, Parks, Recreation Plan (LPPRP)**

Ms. Kelli Beavers, Director, Mr. Sam Drury, Chief of Recreation, and Mr. Tim Drummond, Chief of Parks, Department of Recreation, Parks, and Tourism; Ms. Lisa Wolff, Mr. Art Thatcher and Mr. Tom Diehl, Berry Dunn, joined the Commissioners to review the Land Preservation, Parks, Recreation Plan Master plan.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to adopt Resolution 2022-09 The 2022 Land Preservation, Parks and Recreation Plan for Charles County.

**Follow-Up Work Session: Local Legislative Proposals**

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney, reviewed each of the proposed 2022 Spring Local Legislative proposals.

Commissioner Stewart requested that her assistant, Kenberly Stephens, submit an agenda request for staff to provide a briefing on notice requirements, specifically size of signs for zoning text amendments and zoning map amendments.

The Commissioners provided additional follow up action for Ms. Mitchell to prepare the proposals for potential future legislation.

**Commissioner's New Business**

There was no new business discussed.

At 5:25 p.m., Commissioner Bowling made a motion, 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



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**FORM OF STATEMENT FOR CLOSING A MEETING**

Location: Hybrid- In Person/Virtual- MS Teams

Date: June 28, 2022

Time: 12:36 p.m.

Motion By: Commissioner Coates

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)  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)(4)(7) Discuss Potential Business Relocating to the County**

REASON FOR CLOSING: Keep negotiations and strategies confidential.

**3-305(b)(7) Review Three (3) Agreements/Contracts**

REASON FOR CLOSING: Keep negotiations confidential.

**3-305(b)(7)(8) Discuss Two (2) Potential Litigation Issues**

REASON FOR CLOSING: Keep negotiations and strategies confidential.

**Administrative: Review/Train on the New govMeeting Platform**



Reuben B. Collins, II, Esq., President