

Regular Meeting of County Commissioners
Tuesday July 26, 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
Thomasina O. Coates, M.S., County Commissioner was absent
Amanda M. Stewart, M.Ed., County Commissioner
Deborah Hall, Deputy County Administrator
Wes Adams, County Attorney
Carol A. DeSoto, Clerk to the Commissioners

**Bobby Rucci, Vice President, County Commissioner was absent*
**Gilbert O. Bowling, III, County Commissioner was absent*

Call to Order/Pledge

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

Roll Call

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

Announcement of Charles County Proclamations for August 2022

2022-50 National Immunization Month
2022-51 National Black Business Month

Comments

Commissioner Collins provided the Board on a special meeting that the Metropolitan Council of Governments (COG) Transportation Planning Board (TPB) officers held on Thursday, July 14, for a special joint meeting with the TPB Community Advisory Committee (CAC) designed to strengthen the relationship between the CAC and the TPB.

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 LOW 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 seven seven percent (13.77%). The case rate per one hundred thousand (100,000) was twenty-seven point three (27.3) 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

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and the timeline to receive them as well as the Charles County booster percentages. The CDC recommends that children aged six (6) months or older receive the COVID-19 vaccine. She discussed the new vaccine, Novavax, which is a two (2) dose protein based COVID-19 vaccine. This differs from the mRNA or viral-vector 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.

Ms. Lilly shared the statistics for the EMS COVID positive transports for the month of July, which were forty-four (44). She also explained the CDC COVID Quarantine/Isolation Tracker calculator.

Mr. Grimes explained that at this time that there were ten (10) cases in house. He mentioned that supply chain delays and staff shortages remain a challenge for many hospitals throughout the country. Masks are still required in the hospital.

Ms. Harris indicated that the County's communication efforts is focused on supporting the Health Department. She mentioned a new commercial that will be coming out about booster shots and to encourage seniors to stay up to date on their vaccines.

Mr. Stoddard shared that the number of COVID cases. He reviewed the schools' COVID-19 contact tracing process, weekly screening program, and case statistics. School will begin on August 29, 2022 for students. Administration will return on August 8, 2022 and teachers will return on August 15, 2022.

Recognition: Employee Length of Service, April-June 2022; Top Performer, First Quarter January-March 2022 and Second Quarter April-June 2022

The Commissioners recognized employees' years of service for April through June 2022. The Top Performers for the first quarter, Tri-County Animal Shelter staff, Chelce Peterson, Dasia Edwards, Kassidy Garner, Candace Rowe, Ross Wrabley, Michelle Bowels and Sarah Weikel and for the second quarter, John McConnell and David Hill, Contact Tracing Team members, were announced and recognized.

Approval of the Minutes of July 12, 2022

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart, and Collins present, voting in favor to approve the minutes of July 12, 2022. **Commissioners Rucci and Bowling were not present for the vote.*

Announcement: Next Commissioner Session(s) are Scheduled for September 13 and 14, 2022.

Reminder: July 27, 2022 Public Hearing

Ms. Carol DeSoto, Clerk to the Commissioners, announced that the next Commissioners' sessions are scheduled for September 13 and 14, 2022 and provided a reminder that on Wednesday July 27 there will be a Public Hearing on Bill 2022-04 Zoning Text Amendment 21-165 Independent Senior Housing Complex; Bill 2022-07 Zoning Text Amendment 22-171 Transit Oriented Development Zone Parking Facilities; Bill 2022-05 Community Service and Pretrial Release Program.

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A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to reschedule the public hearing on Bill 2022-05 Community Service and Pretrial Release Program to Wednesday October 5, 2022 at 6:00 p.m. in the Government Building using a hybrid format-virtual and in-person, keeping the public comment period open. **Commissioners Rucci and Bowling were not present for the vote.*

Approval Items

Resolution 2022-12 Deacon Road

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

FY2023 Budget Amendment Increase #10141 Deacon Road

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve FY2023 Budget Amendment Increase #10141 for one hundred thousand and five hundred dollars (\$100,500.00). **Commissioners Rucci and Bowling were not present for the vote.*

FY2023 Budget Transfer Request #10174 Hughesville Water and Sewer

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve FY2023 Budget Transfer Request #10174 for two million eight hundred thousand dollars (\$2,800,000.00). **Commissioners Rucci and Bowling were not present for the vote.*

FY2023 Budget Transfer Request #10175 Stoddert Project

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve FY2023 Budget Amendment Increase #10141 for one hundred and thirty-seven thousand and nine hundred and fifty dollars (\$137,950.00). **Commissioners Rucci and Bowling were not present for the vote.*

FY2023 Title Corrections on the Fees and Charges for the Planning and Growth Management

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

Letter of Support Maryland Department of Commerce Rural Economic Development Fund-Grant Projects

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

Bylaws and Rules of Procedures for the Police Accountability Board

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve the bylaws and rules of procedures with Commissioner Stewart's amendment to add that all the Boards comply with Resolution 2012-70 Code of Civility . **Commissioners Rucci and Bowling were not present for the vote.*

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Establish Health Officer Nomination Process (Requirement-Maryland Health-General Code § 3- 302)

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve the recommendations outlined and to have Department of Human Resources bring back suggested process for approval.

**Commissioners Rucci and Bowling were not present for the vote.*

The Commissioners' directed staff to follow up with the other counties that did not respond.

Action on Boards, Commissions, and Committees

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve appoint Warren Legget, Jr. and Donald Poole to the Charles County Administrative Charging Committee. **Commissioners Rucci and Bowling were not present for the vote.*

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve reappoint Teresa Ball Deborah Carpenter and Ryan Hicks to the Resilience Authority. **Commissioners Rucci and Bowling were not present for the vote.*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve appoint Lisa Drew and Sheri Walder to the Nuisance Abatement Hearing Board. **Commissioners Rucci and Bowling were not present for the vote.*

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve reappoint Tim Wells to the Southern Maryland Resource Conservation and Development Board. **Commissioners Rucci and Bowling were not present for the vote.*

Briefing and Request to Approve: Charles County Water Conservation Plan

Ms. Alicia Afroilan, Engineering Supervisor, and Mr. Fahad Hassan, Engineer, Department of Planning and Growth Management; and Mr. Ian Gallogly, Associate Water/Sewer, Johnson, Mimiran and Thompson, Inc., provided a presentation on the Water Conservation Plan for the Waldorf System. The draft plan has been reviewed by the Maryland Department of the Environment and there will be an ongoing analysis of selected measures. The plan will be a living document that will be reviewed and updated every three years.

The Commissioners' directed staff to establish a policy and procedure for all presentations to include using a Diversity, Equity, and Inclusion (DEI) lenses and review with the help of the Chief Equity Officer.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve Resolution 2022-13

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Adoption of the Charles County Water Conservation Plan. **Commissioners Rucci and Bowling were not present for the vote.*

Briefing: Update on Melwood Buildings and Programs in Charles County

Ms. Larysa Kautz, President and CEO, Ms. Rebecca Cheraquit, Chief Program Officer, M. Julian Cosgrove, and Ms. Marchesa Whittington, Melwood, provided an update on Melwood Buildings and Programs in Charles County. Melwood is relocating the garden center from its main campus to the center in Nanjemoy; partnered with an organization to assume the leadership of equestrian programming; launched its Building Paths program in partnership with College of Southern Maryland; and shared its vision for the future recreation center.

The Commissioners directed staff to look into opportunities to partner with Melwood.

Update: Commissioners' Goals and Objectives- Goal 2: Institutional Governance and Policy

Ms. Jenifer Ellin, Director, Ms. Evelyn Jacobson, Chief of Information Technology, Department of Fiscal and Administrative Services; Ms. Deborah Carpenter, Director, Department of Planning and Growth Management; Ms. Alexis Blackwell, Director, Department of Human Resources; Ms. Jennifer Harris, Chief of Media Services; Mr. Wes Adams, County Attorney; Ms. Kelly Robertson-Slagle, Director, Department of Economic Development; and Ms. Deborah Hall, Deputy County Administrator, provided an update on Goal 2: Institutional Governance and Policy of the County Commissioners' Goals and Objectives. Highlights include implementation of software solutions for Financial, Human Resources information, and Information Technology Help Desk; cyber protection efforts; website updates; a rewrite of the Comprehensive Zoning Code; Planning and Growth Management organization changes; diversity/cultural competence and wellness opportunities for county employees; diversity in recruitment efforts; earned, owned, and shared media coverage through the county e-newsletter, YouTube channel, podcasts and social media; citizen engagement metrics; legislative updates; Executive Leadership Team efforts; and SLBE and MBE awards.

Bi-Monthly Update: Western Parkway Roadway Improvements

Mr. John Stevens, Chief of Capital Services, Department of Public Works; Mr. Jason Groth, Deputy Director, Department of Planning Growth Management, provided a verbal update on the Western Parkway Roadway Improvements.

The Commissioners direct Mr. Stevens to provide a clear project management visual presentation for the next scheduled update.

Discussion: Charles County 2022 Holiday Schedule

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to add Wednesday November 23, 2022 as a day off to the Charles County 2022 Holiday Schedule. **Commissioners Rucci and Bowling were not present for the vote.*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to add Friday December 23, 2022

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as a day off to the Charles County 2022 Holiday Schedule. **Commissioners Rucci and Bowling were not present for the vote.*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to add Friday December 30, 2022 as a day off to the Charles County 2022 Holiday Schedule. **Commissioners Rucci and Bowling were not present for the vote.*

Closed Session

At 12:19 p.m., Commissioner Coates made a motion, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart, 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) (3)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to receive an update on one (1) litigation issue; and one (1) potential land acquisition property. The reason for going into closed is to keep negotiations, strategies, and personnel information confidential. **Commissioners Rucci and Bowling were not present for the vote.*

Summary Closed Session Items

At 12: 31 p.m. the Commissioners went into virtual closed session.

3-305(b)(7)(8) Discuss Pending MS4 Litigation with Court of Special Appeals

Present Commissioners Collins, Coates, Stewart, Deborah Hall, Wes Adams, Carol DeSoto, Terrah Dews, Lisa Ochsenhirt, Charles Rice, and Karen Wiggins

Ms. Lisa Ochsenhirt provided an overview of a pending litigation case.

The Consensus of the Commissioners present was to follow the recommendations as presented and withdraw the appeal.

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

Present Commissioners Collins, Coates, Stewart, Deborah Hall, Wes Adams, Carol DeSoto, Judy Michaels, and Gina Markovich.

Staff provided background information and an update on a potential land acquisition.

The Commissioners provided direct to staff on items to follow up on related to this property.

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At 1:11 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to end this close session. **Commissioners Rucci and Bowling were not present for the vote.*

At 2:15 p.m., the Commissioners returned to open session.

Roll Call

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

Briefing and Request for Approval: Implementation of Body Worn Camera Program in Charles County

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services; Sheriff Troy Berry, Charles County Sheriff's Office and Mr. Tony Covington, States Attorney, Charles County State's Attorney Office, joined the Commissioners to discuss the implementation of the Body Worn Camera Program in Charles County. Ms. Ellin and Mr. Dyer provided the fiscal impact of implementing this program in fiscal year 2023. Fiscal impacts on the Charles County Sheriff's Office includes equipment, software, and additional personnel; fiscal impacts on the State's Attorney's Office includes software, additional personnel, and additional workspace for new staff.

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart and Collins present, voting in favor to approve the presented breakout of the Body Worn Camera program which includes the creation of seven (7) new full-time positions. **Commissioners Rucci and Bowling were not present for the vote.*

Commissioner's New Business

Commissioner Stewart, with the agreement of the Commissioners present, requested the County Administrator's Office and Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services, to look into the option of providing full time staff with an additional one (1) percent increase.

At 2:46 p.m., Commissioner Stewart made a motion, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart, and Collins present, voting in favor to adjourn. **Commissioners Rucci and Bowling were not present for the vote.*

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President