



Commission Meeting  
Open Session Minutes  
September 15, 2021

The Maryland-National Capital Park and Planning Commission met via videoconference with the Chair initiating the meeting at the County Administration Building in Upper Marlboro, Maryland. The meeting was broadcast by the Montgomery Planning Department.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Chair  
William Doerner  
Manuel Geraldo

Montgomery County Commissioners

Casey Anderson, Vice-Chair (joined 9:30)  
Gerald Cichy  
Tina Patterson  
Partap Verma

NOT PRESENT

Dorothy Bailey  
A. Shuanise Washington

Chair Hewlett called meeting to order at 9:08 a.m.

ITEM 1

APPROVAL OF COMMISSION AGENDA

Chair Hewlett modified Item 5d and removed item 5g from the agenda.

ACTION: Motion of Commissioner Geraldo to approve the amended agenda  
Seconded by Doerner  
6 approved the motion

ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – July 21, 2021

Closed Session – July 21, 2021

ACTION: Motion of Commissioner Geraldo to approve the minutes  
Seconded by Commissioner Doerner  
6 approved the motion

ITEM 3

GENERAL ANNOUNCEMENTS

- a) Hispanic Heritage Month (September 15-October 15)
- b) HIV/AIDS and Aging Awareness Day (September 18)
- c) 9/11 20<sup>th</sup> Anniversary
- d) National Prostate Cancer Awareness Month

ITEM 4

COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Executive Committee Meeting – Open Session, September 1, 2021
- b) Executive Committee Meeting – Closed Session, September 1, 2021
- c) Employees' Retirement System Board of Trustees Regular Meeting, June 1, 2021

ITEM 5

ACTION AND PRESENTATION ITEMS (taken out of order)

- j) Regional COVID Outlook Presentation, speaker Prince George’s County Health Officer Dr. Ernest L. Carter, MD, PhD

Dr. Carter provided a snapshot of the regional COVID outlook for awareness and planning. He also shared his medical opinion on stopping the spread of the virus and some of the obstacles the region must navigate in order to do so.

Highlights included:

- Ongoing COVID cases among unvaccinated adults and children are not allowing the virus to die out.
- Vaccination is the best way to keep the spread down and to keep mutations to a minimum.
- Delta is two times as contagious as the original variant.
- 70% of the region’s population who are 12 years and older are vaccinated. Need 88-90% vaccinated.
- It is clear the vaccine is safe and effective. It saves lives, it saves lives of family members.

Chair Hewlett noted the differences in COVID statistics between Montgomery and Prince George’s County. Dr. Carter discussed the increase in positivity cases and hospital capacity. Commissioner Doerner noted from the M-NCPPC employee survey on COVID, that those employees who were not vaccinated but intended eventually to get it said they preferred to wait to see their primary physician to get the shots. He asked if there was a reason they shouldn’t go wherever they need? Dr. Carter replied it will be the same shot wherever they can get it, and they should get it from wherever they can. He added there is hesitance to distribute the shot to smaller private practices, because of the limited shelf life of the vaccine. Larger practices will more likely have a supply.

Commissioner Cichy asked about the vaccination status for hospital workers, and Dr. Carter confirmed, it is required in Prince George’s County. Commissioner Geraldo asked who should be getting a booster and Dr. Carter replied they are approved for immune-compromised people adding studies are continuing to determine need/efficacy of boosters for others. Chair Hewlett asked if a person has had COVID, they sometimes say they are now immune. She asked if they should get the vaccine regardless. Dr. Carter replied they should, adding the immune system will have a better response than someone who has never had it, but a shot will help protect more effectively.

Chair Hewlett thanked Dr. Carter on behalf of the Commission for sharing his knowledge and information.

- a) Resolution 21-21 Prince George’s County Bond Resolution (Zimmerman)

No discussion.

ACTION: Motion of Commissioner Geraldo to adopt Resolution 21-21

Seconded by Commissioner Doerner

7 approved the motion

b) Resolution 21-22 Designation of Juneteenth as an Authorized Commission Holiday (Chiang-Smith)

Chair Hewlett state the M-NCPPC has celebrated and honored Juneteenth for decades and is thankful that the agency is adopting this Resolution today.

ACTION: Motion of Commissioner Geraldo to adopt Resolution 21-22

Seconded by Commissioner Patterson

7 approved the motion

c) Resolution 21-23 Amendment to the Fund Balance Policy (Zimmerman)

No discussion.

ACTION: Motion of Commissioner Geraldo to adopt Resolution 21-23

Seconded by Commissioner Doerner

7 approved the motion

d) CAS Cost Allocation (Kroll)

Corporate Budget Manager Kroll mentioned this year's allocation to fund the Central Administrative Services will shift \$135,000 from Montgomery to Prince George's County.

ACTION: Motion of Commissioner Geraldo to approve the item

Seconded by Commissioner Doerner

7 approved the motion

e) Addition to Benefit Plan (Hearing Aids) (modified item) (Spencer/McDonald)

Chair Hewlett stated this topic has been forwarded to the Commission after discussion during Executive Committee. Executive Director Chiang-Smith requested approval to add a health benefit for hearing aids. She said the cost to the agency would be \$60,000 for a 50% cost split between the M-NCPPC and the employee; while covering at 80% would cost \$62,000. Due to the minimal increase, she noted the Executive Committee recommended adding the benefit with the M-NCPPC taking 80% of the benefit premium. The benefit itself would make a major difference for employees and their families and improve their quality of life.

Chair Hewlett asked if the benefit was extended to retirees. Corporate Human Resources Director Spencer confirmed. Commissioner Geraldo said recently there has been the introduction of less expensive hearing aids and asked if there would be any requirement to go to those if they would work. Spencer replied that would be a decision between the employee and their doctor.

ACTION: Motion of Commissioner Geraldo to approve the benefit addition.

Seconded by Commissioner Doerner

7 approved the motion

f) Sick Leave Bank Program Amendments (Chiang-Smith/Spencer/Beckham)

Executive Director Chiang-Smith said this proposal came from Montgomery Planning staff, who worked with the agency's Corporate Policy and Human Resources staff to provide an extended family medical leave benefit. She clarified the amendment is currently just for non-represented employees, noting the program amendments are still being negotiated with the unions. Acting Corporate Budget and Management Operations Manager Coburn described the changes to the policy, stating the surplus balance of the existing sick leave bank program

will fund the changes in the short-term, before moving to having a dedicated fund for the long-term. He noted both Department Heads and Executive Committee supported the amendments.

Commissioner Doerner thanked staff who worked on the amendments, adding how important a benefit this is for families.

ACTION: Motion of Commissioner Geraldo to approve the program amendment.  
Seconded by Commissioner Doerner  
7 approved the motion

- g) Life Insurance Program Amendment (Chiang-Smith/Spencer/McDonald)

*Item removed*

- h) 115 Trust Annual Report (Zimmerman)

No discussion.

- i) Audit Committee Report (Verma)

Commissioner Verma provided an overview of the Audit Committee Annual Report, distributed as a late delivery item.

Chair Hewlett congratulated Inspector General Kenny, on her re-appointment to the position. She thanked the Audit Committee members and shared her appreciation for the work they do.

- k) Vaccination Policy/Return to Work Policy/M-NCPPC COVID Trends (Chiang-Smith/Spencer/Beckham)

Executive Director Chiang-Smith prefaced the item by re-iterating some of the statistics that Dr. Carter had referenced earlier in the meeting on positivity rates in the counties, adding in the winter, the rates are expected to get higher. She said Risk Management staff continue to track cases and analyze trends. She discussed findings from the employee vaccination survey and shared the main reasons cited by employees for not getting vaccinated related to questions regarding the efficacy and safety of the vaccine.

An agency-wide work group has been meeting regularly to discuss policy and guidance on how the M-NCPPC should address the question of requiring vaccines for all employees who are returning to the worksite while evaluating the incoming data of local state and national trends. The group consists of senior leadership from all departments across the agency, plus Policy, HR, Safety, and Legal staff. The team has developed a policy mandating the vaccine for all non-represented employees, with exemptions for bona fide religious or medical reasons. The Fraternal Order of Police Collective bargaining unit has agreed to the proposed policy. The policy is still under negotiation with the Municipal and County Government Employees' Organization (MCGEO) bargaining unit.

Mr. Beckham provided background on the proposed policy and noted it was supported by Department Heads and Executive Committee. He also reviewed a flowchart that laid out the process with results for different variables regarding an employee's vaccination status. The flowchart also laid out the process for accommodation decisions. Non-represented

employees and park police will be required to be vaccinated by October 31. The draft policy provides the relevant information, including a timeline to assist employees to know by when to start and follow through with the vaccination process. He also noted all information submitted will be kept in a secure file, accessible by limited staff.

Commissioner Doerner thanked the team, saying the set-up and process for submitting vaccination confirmation was easy. He suggested providing a word version of the form, as opposed to PDF, for employees who may not have a scanner or the appropriate software. He also suggested an amendment to the flowchart, noting he did not want Department Heads solely to make an accommodation decision and suggested amending the language to reflect “Department Heads will work with HR to make a decision”. Commissioner Geraldo agreed.

Executive Director Chiang-Smith said the IT group was developing an app to allow employees to submit the information online. The information would go to a secure server, and allow employees to sidestep filling out the form. She agreed to examine the text to reflect Commissioner Doerner’s suggestion and reiterated the desire to work with people while keeping our workplace safe. General Counsel Gardner noted any disciplinary measure has to be coordinated with HR. He added any disciplinary decisions will be made on a case-by-case basis and will be transparent, per the Merit Rules.

Commissioner Geraldo asked if the mandate would apply to contractors. General Counsel Gardner replied that the Legal department is prioritizing and examining that. Vice-Chair Anderson noted the policy also needed to sort out directives for members of the public who may want to attend a public meeting. They should be required to show evidence they’ve been vaccinated. Commissioner Doerner agreed. Vice-Chair Anderson also said the two sides of the Commission will need some flexibility separately, although he supported taking a hard line.

Chair Hewlett called this a bold, but necessary step, for the greater good. The intent is to make sure everyone is safe.

ACTION: Motion of Commissioner Geraldo to approve the Policy with amended language as discussed  
Seconded by Commissioner Doerner  
7 approved the motion

*Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (7) and (9), a closed session is proposed to consult with counsel to discuss personnel matters, to consult with counsel for legal advice, consider matters that relate to negotiation.*

Chair Hewlett asked for a motion to move to closed session. Commissioner Geraldo moved, Commissioner Patterson seconded. All 7 Commissioners in attendance voted for the measure and the meeting moved to closed session at 10:19 a.m.

Open Session resumed at 11:04 a.m.

ITEM 7 Action and Presentation Items – Wage Resolutions

- a) Resolution 21-12-A, Amended Fiscal Year 2022 Wage Adjustments for Park Police Officers at the Command Ranks of Lieutenant, Captain and Commander (Chiang-Smith)
- b) Resolution 21-14-A, Amended Fiscal Year 2022 Merit Increase/Anniversary Pay Increments and Other Adjustments for Certain non-Represented Merit System and Term Contract Employees (Excluding Park Police Officers and Park Police Candidates (Chiang-Smith)
- c) Resolution 21-16, Ratification of MCGEO Collective Bargaining Agreement 4-Year contract (2021-2024) and Fiscal Year 2022 Wage Adjustments (Chiang-Smith)

ACTION: Combined Motion of Commissioner Geraldo to adopt Resolutions 21-12-A, 12-14-A and 21-16, subject to the budget vote.  
Seconded by Commissioner Doerner  
7 approved the motion

- d) Ratification of actions in closed session:
  - i. Administrative and Park Fund Transfers for Salary Markers. In accordance with the Montgomery County and Prince George’s County budget adoption resolutions for FY22, the Commission hereby approves a budget transfer to transfer the necessary salary marker amounts from the Non-Departmental accounts of the Montgomery Administration Fund, the Montgomery Park Fund, the Prince George’s Administration Fund, the Prince George’s Park Fund, and the Prince George’s Recreation Fund to the appropriate departmental budgets.

ACTION: Motion of Commissioner Geraldo to ratify the action  
Seconded by Commissioner Doerner  
7 approved the motion

- ii. Early Minimum Wage Increase.

ACTION: Motion of Commissioner Geraldo to advance the timeline to raise the minimum wage for all M-NCPPC staff to \$15, effective January 1, 2022. Motion also authorizes the Executive Director to implement the minimum wage.  
Seconded by Commission Doerner  
7 approved the motion

ITEM 8 OFFICERS’ REPORTS

Executive Director’s Report


- a) Late Evaluation Report (August 2021) (For information only)

Secretary-Treasurer Report


- b) 4<sup>th</sup> Quarter MFD Report (For information only)
- c) 4<sup>th</sup> Quarter Investment Report (For information only)

General Counsel Report  
d) Litigation Report (For information only)

There being no further business to discuss, Chair Hewlett adjourned the meeting at 11:15 a.m.



James F. Adams, Senior Technical Writer



Asuntha Chiang-Smith, Executive Director