

Regular Meeting of County Commissioners
Tuesday July 9, 2024 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, at 9:02 a.m. with the following persons in attendance:

Reuben B. Collins II, Esq., President, County Commissioner
Ralph Patterson, II, M.A., Vice 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, Acting County Administrator
Jenifer Ellin, Acting Deputy County Administrator
Wes Adams, County Attorney
Carol A. DeSoto, Clerk to the Commissioners

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. All Commissioners were present in person.

Charles County Proclamations for July and August 2024

2024-60 National Parks and Recreation Month
2024-61 Maryland Buy Local Week
2024-62 National Immunization Month
2024-63 National Black Business Month

The Commissioners were joined by members from the Department of Recreation, Parks, and Tourism to receive 2024-60 National Parks and Recreation Month; Staff from Department of Economic Development, Southern Maryland Agricultural Development Commission, and local farmers to receive proclamation 2024-61 Maryland Buy Local Week; Staff from the Charles County Health Department to receive 2024-62 National Immunization Month; and members of the Department of Economic Development to receive proclamation 2024-63 National Black Business Month.

Recognition- NAACP ACT-SO Initiative Participants

**Break 9:24 a.m.-9:29 a.m.*

Roll Call

A roll call was taken. Commissioners Bowling, Coates, Patterson, and Collins were present in person.

**Commissioner Stewart was absent.*

Commissioners' Comments

Commissioner Collins:

- Offered condolences and a moment of silence for three (3) young men who died tragically in a car accident, Khyree Jackson, a Minnesota Vikings rookie; Isaiah Hazel and Anthony "A.J." Lytton Jr.

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Commissioner Patterson:

- The July 4th holiday was uneventful in the Stonehaven Community., after special meeting to address concerns from the community.
- Spoke on the Community Days in Stonehaven and Worthington Community as positive events in the County.

Commissioner Bowling:

- The July 4th Holiday was safe and thanked Charles County Sheriff's Office (CCSO) for their work related to the arrest made in the Stonehaven Community
- Addressed Public Comments from June 25, 2024- work session on Docket 250 Swan Point moved to September 17, 2024, for more time to address concerns; issue related to signs on business windows policy will be reviewed.

Approval of the Minutes of June 25 and June 26, 2024

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Commissioners Bowling, Coates, Patterson, and Collins present, voting in favor to approve the minutes of June 25, 2024. **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Commissioners Bowling, Coates, Patterson, and Collins present, voting in favor to approve the minutes of June 26, 2024. **Commissioner Stewart was not present for the vote.*

Announcement

Next Scheduled Session(s): July 23-24, 2024

Approval Items

Budget Amendments and Budget Transfers

There were no budget amendments/transfer approval items.

Request for Letters of Support Grant Applications- Hospice of Chesapeake

(Ms. Tarra Nystrom, grants Manager, Hospice of Chesapeake)

1. Addressing Dementia in Rural Communities: Dignity, Care, and Support for Patients and Caregivers
2. Ladders: Growing a Sustainable Workforce to Reach New Heights

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

Resolution 2024-10 Extend Temporary Suspension Enforcement for Thirty (30)-Day Maximum

Limitation for Public Events

(Mr. Reed Faasen, Zoning Administrator and Mr. Charles Rice, Planning Director, Department of Planning and Growth Management)

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Commissioners Bowling, Coates, Patterson, and Collins present, voting in favor to approve Resolution 2024-10. **Commissioner Stewart was not present for the vote.*

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**At about 9:52 a.m. Commissioner Stewart joined session in person.*

Briefing: Request to Create a Rental Registry in Charles County

Mr. Don Litten, Building Code Official, Department of Planning and Growth Management; and Ms. Danielle Mitchell, Assistant Deputy County Attorney, Office of the County Attorney for Charles County, briefed the Commissioners on the request to create a rental registry in Charles County. The request originated from a recommendation by the 2008 Rural Housing Improvement Initiative Task Force, which presented multiple recommendations, including a registration program. The initiative was also discussed in 2011 and 2020/2021 but rejected due to cost concerns and other issues. Staff outlined types of complaints, challenges to enforcement, benefits of a rental licensing program, and step and challenges to implement a program. The next steps would include approval to develop a fiscal analysis option for program implementation and management; conduct a rental housing survey, and plan and conduct stakeholder engagement meetings.

A motion was made by Commissioner Coates, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor for staff to proceed with the next steps.

Briefing: Renovations to the Government Building Conference Room (Blue Room)

Commissioner Patterson, Ms. Deborah Hall, Acting County Administrator, Office of the County Administrator, reviewed the plans to renovate the Commissioner Meeting Room, also referred to as the County Auditorium meeting space. The Commissioner Meeting Room was used for all public meetings until the COVID-19 pandemic, which forced a pivot into using the Government Building Conference Room, also known as the Blue Room, to hold both virtual and hybrid meetings.

The Capital Services Division, supported by Media Services, Central Services, and an external consultant, is working to propose an option to renovate the space after a Capital Improvement Project (CIP) that would analyze and design a solution for the auditorium. This CIP project was not included in the FY2025 budget due to cost concerns. Top considerations for the renovation project include adding hybrid meeting capability to the auditorium, additional security measures, flexible seating options, and cost-effective solutions for the project.

Briefing: Update and Request for Approval Collaborative Community Improvement Projects

Ms. Jenifer Ellin, Acting Deputy County Administrator, and Ms. Doria Fleisher, Community Engagement Coordinator-Media Services, Office of the County Administrator; and Ms. Renesha Miles, Chief Equity Officer, Department of Human Resources, discussed Collaborative Community Improvement Projects. The projects would engage residents on their priorities regarding their specific neighborhoods, implement measurable projects that align with Commissioner Goals & Objectives, and help foster knowledge about available resources and programs. Staff explained that the criteria to choose the community for the pilot program would be developed after input from the community and staff and requested to bring back options later this fall.

The Commissioners agreed to have staff bring back options this fall.

Briefing: Update on Platinum Promotion's (PPR) Plan for Charter Government Information

Ms. Deborah Hall, Acting County Administrator, Office of the County Administrator; Ms. Sandy Dubay, CEO, Ms. Sophia Smith, Managing Director, and Ms. Hanna Turner, Director of Client Relations, PPR Strategies, reviewed the plan to educate the community about the referendum being added to the November 2024 election ballot related to the question to change the form of government in Charles County from Code Home Rule Government to Charter Government.

Closed Session

At 11:32 a.m., a motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners 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)(3)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to review a lease agreement; receive an update on a potential property acquisition; to discuss another potential property acquisition; to receive an update on related to an appointment on a Commissioner appointed Board; to receive an update on a litigation strategy; and receive an updated legal information on a contract/agreement. The reason for moving into closed session is to keep legal advice, negotiations, strategies, and personnel information confidential.

Summary Closed Session Items

At about 11:46 a.m., the Commissioners went into closed session.

3-305(b)(7)(8) Legal: Update on Litigation Strategy

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Wes Adams, Deborah Hall, Carol DeSoto, Jenifer Ellin, Terrah Dews, Matthew Vinson.

Ms. Terrah Dews, Associate County Attorney, Office of the County Attorney for Charles County, and Mr. Matthew Vinson, Outside Counsel, reviewed options and recommendations related to an ongoing litigation case.

The Commissioners reached a consensus to move forward with the recommendations.

3-305(b)(7) Legal: Review a Lease Agreement

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Wes Adams, Deborah Hall, Carol DeSoto, Jenifer Ellin, Judy Michael.

Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; and Ms. Judy Michael, Property Acquisition Officer, Department of Planning and Growth Management, reviewed the lease renewal.

The Commissioners reached a consensus on this lease. Official action will take place on July 23, 2024 under Approval Items- Lease Renewal.

3-305(b)(3)(7) Update on a Potential Property Acquisition

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Wes Adams, Deborah Hall, Carol DeSoto, Jenifer Ellin, and Danielle Mitchell.

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Staff provided a status update on the potential property acquisition .

The Commissioners provided staff with directions related to this acquisition.

3-305(b)(3)(7) Discuss a Potential Property Acquisition

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Wes Adams, Deborah Hall, Carol DeSoto, Jenifer Ellin, Martin Harris, Jacob Dyer, Terri Kahouk, and Sam Drury.

Staff reviewed the information on a potential property acquisition and potential related uses.

The Commissioners reached a consensus to have staff move forward with negotiations up to a specified amount with the ability for due diligence option.

3-305(b)(1)(7) Legal/Personnel Update on an Appointment on a Commissioner Appointed Board

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Wes Adams, Deborah Hall, Carol DeSoto, Jenifer Ellin.

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, reviewed what steps he took to address this issue.

**Break 12:43 p.m. - 12:49 p.m.*

3-305(b)(7) Legal: Update on Contract/Agreement

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Wes Adams, Deborah Hall, Carol DeSoto, Jenifer Ellin, Jason Groth, Heather Kelly.

Staff reviewed the agreement and provided clarification and timelines on specific issues the Commissioners were questioning.

The Commissioners provided directions to staff related to this item as well as potential future discussions needed.

At 1:26 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to end this close session.

At about 2:31 p.m. the Commissioners returned to open session.

Roll Call

A roll call was taken. All Commissioners were present in person.

Discussion: Safety in Charles County with Charles County Sheriff's Office

Sheriff Troy Berry, Captain Cari Baker, and Captain Clarence Black, Charles County Sheriff's Office, joined the Commissioner to discuss public safety in Charles County. Sheriff Berry also provided an update on concerns raised by residents of the Stonehaven Community at the County Commissioners Public Comment session on June 25, 2024 which was followed by a special meeting held by Commissioners on June 26, 2024. Sheriff Berry explained that the Sheriff's Office has operational plans in place but cannot share them publicly. He further explained that during the holiday it is all

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hands-on deck throughout the County. He shared that no significant issues emerged over the Independence Day weekend.

The Commissioners thanked the Sheriff's Office for the work they did and do related to public safety.

Commissioner Stewart requested the Sheriff's office send clarification on the issue related to signage, such as no parking and no trespassing brought up by residents.

Commissioner Collins expressed the need to schedule a joint public safety meeting in the fall. The Sheriff agreed to this request. Sheriff Berry also suggested a presentation related to the growth of the County and what is happening.

Charles County Departmental Highlights Departmental Highlights: Department of Public Works
Department of Economic Development Department of Recreation, Parks, and Tourism Office of
the County Commissioners

Ms. Kelly Robertson-Slagle, Director, Department of Economic Development; Mr. Martin Harris, Director, and Mr. John Earle, Chief of Buildings and Trades, Ms. Britta Hertling, Chief of Capital Services, and Mr. Bernard Cochran, Deputy Director-Utilities, Department of Public Works, Ms. Kelli Beavers, Director,, Department of Recreation, Parks, and Tourism; and Ms. Crystal Hunt, Chief of Staff, Ms. Anita Nichols-Swann, Acting Assistant Chief of Staff, and Ms. Julie Losh, Office of the Commissioners, joined the Commissioners to provide a presentation outlining some of their department highlights.

**Break 3:48 p.m. – 3:55 p.m.*

Roll Call

A roll call was taken. Commissioners Bowling, Stewart, Patterson, and Collins were present in person. **Commissioner Coates was absent since she was recusing herself from the next discussion item.*

Work Session: Bill 2024-(07) Zoning Text Amendment (ZTA) #23-176 Aviation Business Park
and Bill 2024-(08) Zoning Map Amendment (ZMA) #23-02 Aviation Business Park

Ms. Amy Blessinger, Planner III, Mr. Charles Rice, Planning Director, Mr. Joel Binkley, Planning Supervisor, Department of Planning and Growth Management; and Ms. Kelly Robertson-Slagle, Director, Department of Economic Development joined the Commissioners for a work session on the zoning text amendment and zoning map amendment for the Aviation Business Park. Staff presented an amended map version that would remove three hundred (300) acres from the zone to address community concerns. Additional changes include removing hotel use and introducing additional educational uses in the zone. Staff and the Commissioners discussed these proposed map changes (see Attachment A).

Commissioner Stewart did not agree with the fifty acres and wanted no residential included.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Commissioners Bowling, Patterson, Collins present, voting in favor to send the revised agreed upon

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map (see Attachment B) back to the Planning Commission for their recommendations after the Planning Commission holds a public hearing on changes. *Commissioner Stewart was opposed, and Commissioner Coates was not present (recused herself from this discussion).*

A roll call of the vote was taken: Commissioner Bowling-yes; Commissioner Coates- absent-recused; Commissioner Stewart-no; Commissioner Patterson-yes; Commissioner Collins-yes. The motion passed three (3) to one (1) with one (1) recusal.

Commissioners' New Business

Commissioner Bowling spoke on having a discussion on groundwater in the County, which is scheduled for the fall.

**Break 4:35 p.m. - 5:00 p.m.*

Roll Call

A roll call was taken. All Commissioners were present in person.

Commissioners' Public Comment Session

Commissioners held an open session to receive public comments on any issue. This agenda item was added for the Commissioners to listen to feedback only, twice each month during their regular meetings.

There were seven (7) people who provided comments in person and three (3) people who provided virtual comments. Any written comments received were added to the website for the public to view.

Summary of Public Comments

In Person:

- Speaker expressed concerns related to Charles County Government Utilities and taxes.
- Speaker shared concerns related to Commissioner Patterson and not responding about rumors he was terminated from teaching job in Prince George's County for attending political events while on the clock as a teacher; he questioned Commissioners not providing reasons for their votes, especially abstentions; the claims by Commissioner Coates related to Ku Klux Klan should require a thorough investigation and report to the public.
- Speaker expressed need for sustainable growth; water issues and bills; lack of positive activities for youth which contributes to crime issues.
- Speaker expressed frustration on the racial and political divide within the community and how public statements contribute to this issue; Speaker calls out Commissioner Bowling on his interactions on social media and his engagement in the County
- Speaker addressed public safety concerns and suggested a meeting with relevant law enforcement entities to foster better understanding and collaboration and wants further information on state law changes that may affect these areas.

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- Speaker invited all Commissioners to participate in District Two (2) activities and the need for support, transparency, and security for activities in the western side of the County; stressed the need for greater involvement of District Commissioner.
- Speaker discussed issues related to his home builder, Lennar and the neighborhood related to development, water usage, and landscaping and not using topsoil and thickness of driveway.

Virtual:

- Speaker expressed frustration with lack of response from the Commissioners and the need for residents to be heard; expressed concerns related to the Homeowners Association Review Dispute Board.
- Speaker shared concerns related to the increasing financial burden in the community as a retiree in the South Hampton Townhouses and wants Commissioners to look out for all families.
- Speaker expressed concerns about volunteer responsibilities of board members and unfair treatment on the Animal Matters Hearing Board; speaker urged Commissioner Collins to return to the hero she remembers in hopes that Commissioners Patterson and Coates will follow suit to do the right thing.

**Break 5:38 p.m. – 5:59 p.m.*

Roll Call

A roll call was taken. All Commissioners were present in person.

Public Hearing: Proposed Bill 2024-(12) Establishment of a Community Reinvestment and Repair Funds (CRRF)

The Commissioners held a hybrid, virtual/in-person, public hearing on the proposed Bill 2024-12 to establish a Community Reinvestment Repair Fund. Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services, and Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County explained that this Bill is related to the Cannabis Reform Act of 2023. This bill would specify the use of funds from the CRRF, as required by Maryland law.

There was one (1) comment provided virtually.

A motion was made by Commissioner Patterson, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor close the public record.

A motion was made by Commissioner Stewart, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to end this public hearing.

A motion was made by Commissioner Patterson, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to adopt Bill 2024-12 Establishment of a Community Reinvestment and Repair Funds.

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At 6:09 p.m. A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adjourn.

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President

INTEROFFICE MEMORANDUM

Equal Opportunity Employer

ATTACHMENT A



| | |
|-----------------|-------------------------------------------------------------------------------------------------|
| TO: | Charles County Commissioners |
| FROM: | Charles R. Rice, AICP, Planning Director <i>Department of Planning and Growth Management</i> |
| SUBJECT: | Bills 2024-07 and 2024-08: Aviation Business Park County Commissioner Work Session |
| DATE: | July 3, 2024 |

On April 9, 2024, the Charles County Commissioners held a public hearing on a proposed Zoning Text Amendment (ZTA #23-176/Bill 2024-07) and Zoning Map Amendment (ZMA #23-02/Bill 2024-08) to rezone properties around the Maryland Airport to either Aviation Business Park (ABP) Zone or Light Industrial (IG) Zone. Bill 2024-07 would amend certain provisions of the Charles County Zoning Ordinance to establish a new base zoning district, the Aviation Business Park (ABP) Zone. Bill 2024-08 would amend the Charles County Zoning Maps to rezone certain properties around the airport to the new ABP Zone, with certain properties along Ray Drive being rezoned to IG. The record was held open for 60 days and was closed on June 8, 2024.

At the hearing, 28 individuals voiced comments. In addition, a total of 141 written comments were received before the hearing and during the open record period. The comments included opposition to the proposed amendment and concerns regarding negative impacts to residential properties, impacts to Mattawoman Creek and other environmental resources, air quality and community health impacts, and traffic impacts. In addition, several residents expressed that they did not want the zoning of their particular properties to change, while others were concerned with the potential for hotels to locate near their properties.

Other commenters expressed support for the zoning amendments, noting that the amendments would stimulate economic development and provide needed jobs and commercial tax base. Several also expressed that the rezoning would help accommodate the growth of the Naval Support Facility at Indian Head and support the Western Charles County Technology Corridor. In addition, several business owners expressed support for rezoning their properties to IG.

Members of the Board of County Commissioners expressed similar concerns regarding various aspects of the rezoning. They requested that the area proposed for rezoning be reduced in size with a focus on removing environmentally sensitive areas and residential properties. There was also support to rezone existing businesses to Light Industrial. Commissioners expressed that the hotel use should be removed from the proposed ABP zone in an effort to steer that use toward Route 210 and the Bryans Road Town Center.

In response to these concerns and comments, Planning staff worked with Economic Development Department (EDD) staff to amend the proposed rezoning map (see attached). The revised map removes 300 acres from the original version. This represents a 53% reduction in the area to be considered for rezoning. Staff believes these proposed revisions address the concerns raised while also furthering the goals of the rezoning with the following considerations:

- Includes the County owned parcels on the north side of Livingston Road (50 acres)
- Removes the most environmentally sensitive lands
- Recognizes existing businesses by rezoning those properties to IG
- Focuses on properties contiguous to, or owned by the airport owners for rezoning to ABP
- Removes most parcels currently in residential use to address homeowner concerns

Staff also proposes revisions to the Zoning Text Amendment that would:

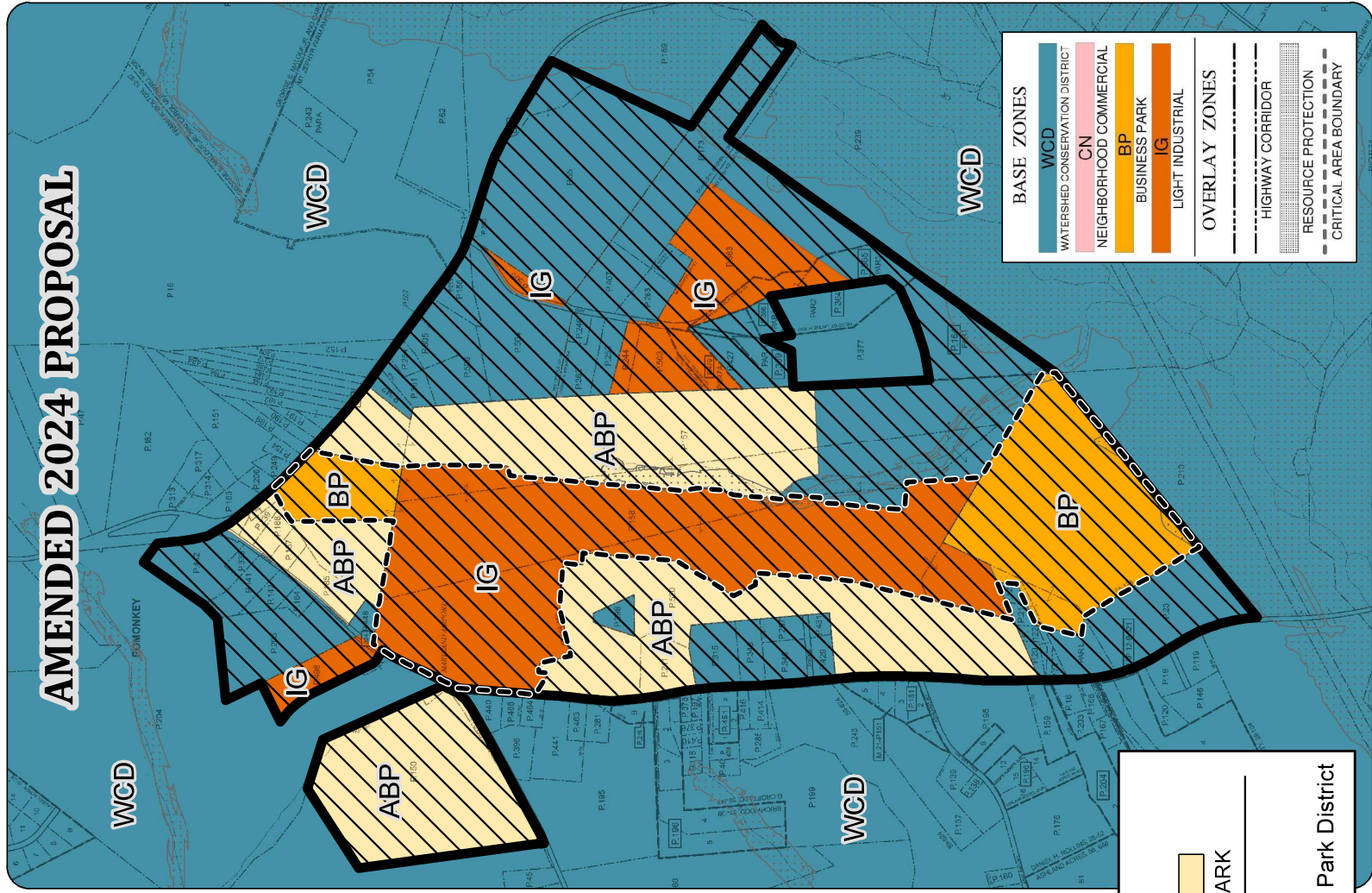
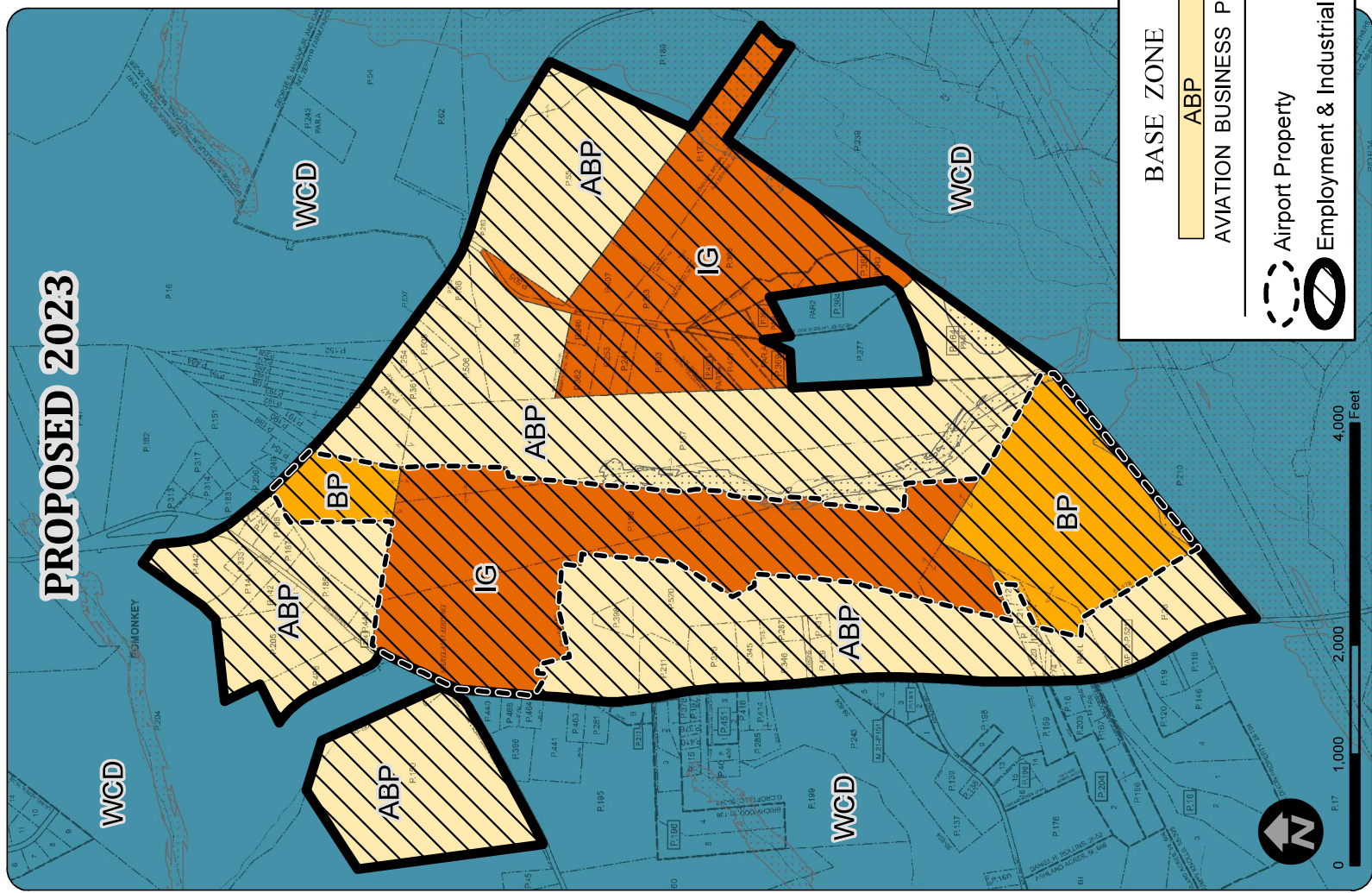
- Remove the hotel use
- Include additional educational uses to allow a broad range of educational programming

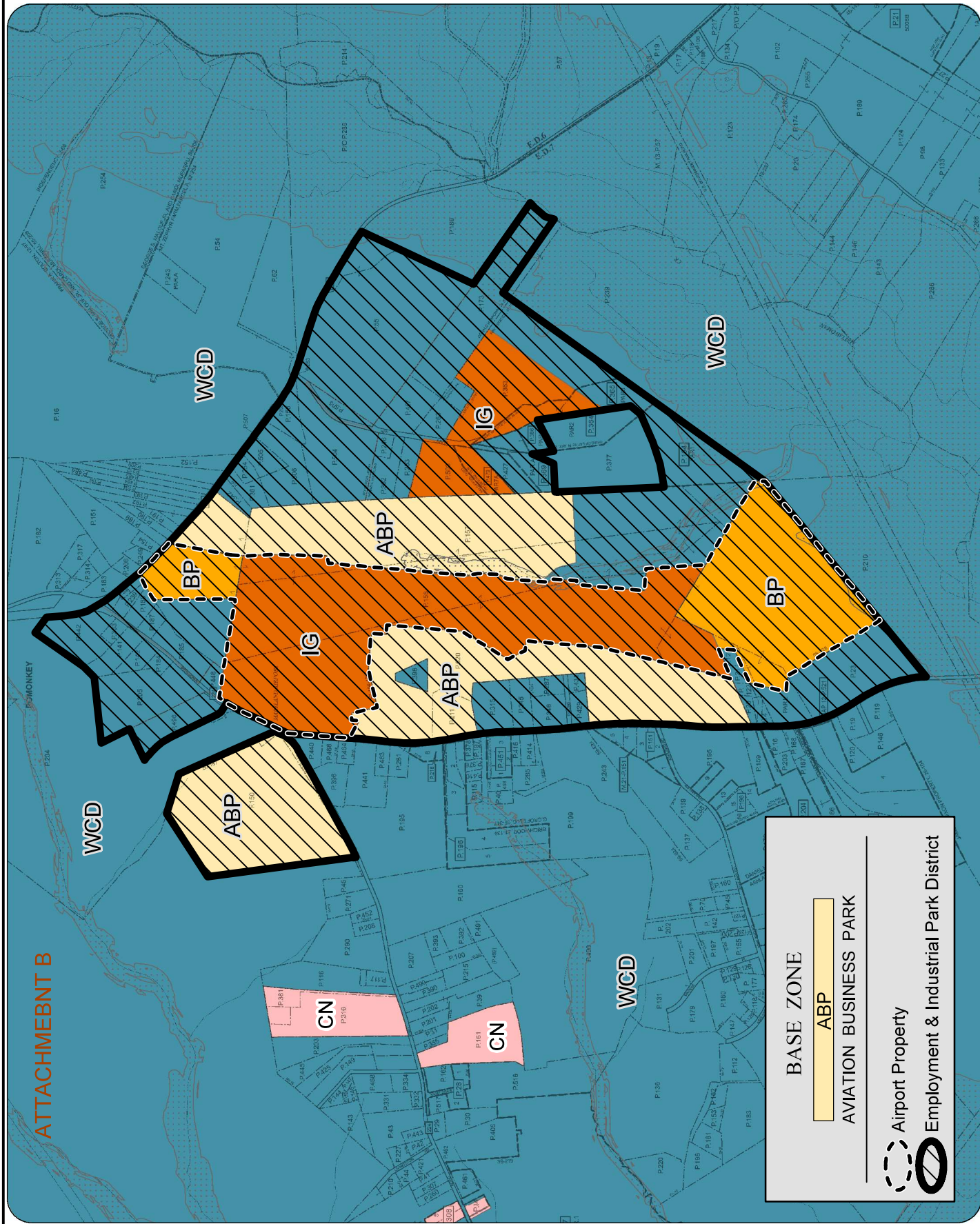
If the Commissioners concur in concept with the proposed revisions, staff recommend taking the revised text and map amendments back to the Planning Commission for their consideration and public hearing.

Attachments: (1) Maps comparing the 2023 Rezoning Proposal to the amended and reduced version

PROPOSED 2023

AMENDED 2024 PROPOSAL





| BASE ZONES | |
|----------------|-------------------------------------|
| AC | AGRICULTURAL CONSERVATION |
| RC | RURAL CONSERVATION |
| WCD | WATERSHED CONSERVATION DISTRICT |
| RR | RURAL RESIDENTIAL |
| RV | VILLAGE RESIDENTIAL |
| RL | LOW DENSITY SUBURBAN RESIDENTIAL |
| RM | MEDIUM DENSITY SUBURBAN RESIDENTIAL |
| RH | HIGH DENSITY SUBURBAN RESIDENTIAL |
| RO | RESIDENTIAL / OFFICE |
| CER | CORE DEVELOPMENT / RESIDENTIAL |
| CMR | CORE MIXED RESIDENTIAL |
| CRR | CORE RETAIL RESIDENTIAL |
| CN | NEIGHBORHOOD COMMERCIAL |
| CC | COMMUNITY COMMERCIAL |
| CB | CENTRAL BUSINESS |
| CV | VILLAGE COMMERCIAL |
| BP | BUSINESS PARK |
| IG | LIGHT INDUSTRIAL |
| IH | HEAVY INDUSTRIAL |
| AUC | ACTON URBAN CENTER |
| WC | WALDORF CENTRAL |
| OVERLAY ZONES | |
| | HIGHWAY CORRIDOR |
| | RESOURCE PROTECTION |
| | CRITICAL AREA BOUNDARY |
| FLOATING ZONES | |
| PRD | PLANNED RESIDENTIAL DEVELOPMENT |
| PMH | PLANNED MOBILE HOME PARK |
| PEP | PLANNED EMPLOYMENT/INDUSTRIAL PARK |
| MX | PLANNED MIX USE |
| PUD | PLANNED UNIT DEVELOPMENT |
| WPC | WATERFRONT PLANNED COMMUNITY |
| TOD | TRANSIT ORIENTED DEVELOPMENT |

DATE

JULY 10, 2024

CHARLES COUNTY GOVERNMENT

Department of Planning and Growth Management

200 Baltimore St

La Plata, MD 20646

(301)645-4627

SCALE

DRAWN BY:

CHECKED BY:

0

1,000

2,000

4,000

Feet

Information contained on this drawing is for graphical purposes only and is not meant to be used for engineering purposes.

ATTACHMENT B

MAP

WCD

IG

ABP

BP

CN

BASE ZONE

ABP

AVIATION BUSINESS PARK

Airport Property

Employment & Industrial Park District

MARYLAND AIRPORT

PROPOSED ZONING (2024 PC)

ZONING MAP

CHARLES COUNTY, MD