

Regular Meeting of County Commissioners
Tuesday December 3, 2024 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened in person and virtually at 9:01 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, Ed.D., County Commissioner
Deborah Hall, Acting 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. Commissioners Bowling, Coates, Patterson and Collins were present in person. Commissioner Stewart was virtual.

Commissioners' Comments

Commissioner Patterson:

- Spoke about success of Spring Dell Annual Auction
- Success of Citizen Academy and increased resident engagement
- Congratulated McDonough High School Cheerleaders for back-to-back State Championships
- Wished good luck to North point High School football team in State Championship game
- Success of “Inspiring lives through Sports” program with students with a three point zero (3.0) or better grade point average (GPA) who play travel basketball

Commissioner Coates:

- Moment of silence for the passing of Jabril Carroll
- Correction from her statement at the Joint Town Hall meeting- Davis Middle School is in District three (3) not District two (2)

Commissioner Stewart:

- Praise for the amazing young people in the “Inspiring lives through Sports” program
- Congratulations to Citizen Academy graduates and staff for the success of the program

Commissioner Bowling:

- Reflection at this time of year on the last year and what the County has done and need to move forward together to address needs to be more efficient and effective
- The success of the Indian Head Navy base and public partnerships as an example of working together; live in County and work in the County
- Success of Citizen’s Academy

Approval of the Minutes of November 19, 2024

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve the minutes of November 19, 2024.

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Announcement

Next Scheduled Session(s): December 10-11, 2024.

Approval Items

Lease-Cobb Island Pump Station

(Jenifer Ellin, Danielle Mitchell, Sarah Guy, Victoria Rickett)

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve this lease.

Letter of Support: Proposal to Maryland Department of Natural Resources (DNR) for Whole Watershed Act Funding

(Ms. Stacy Schaefer, Executive Director, Charles County Resilience Authority)

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve this letter of support.

Request to Use Community Support Funds: Commission for Veterans Affairs Request

(Ms. Anita Nichols, Acting Assistant Chief of Staff/Commissioner Specialist)

A motion was made by Commissioner Patterson, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve this request for eight hundred and ninety nine dollars and eighty nine cents (\$899.89).

Discussion and Request to Approve: Federal Travel Rates (Per Diem) on Federal Agenda

(Commissioner Bowling, Ms. Ashley Chenault, Chief of Tourism, Department of Recreation, Parks, and Tourism; and Ms. Kelly Robertson-Slagle, Director, Department of Economic Development)

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve adding this to the Federal Agenda with the lobbyist.

Discussion: Create County Policy for Dedicating County Roads to Charles County Residents Killed in Action (KIA)/Missing in Action (MIA)

(Commissioner Bowling)

The Commissioners reached a consensus to create a work group to create a Commissioner Standard Operating Policy. Members should include the Department of Emergency Services, Staff from the Roads Division and members of the Charles county Commission for Veterans Affairs.

Briefing and Request to Schedule a Public Hearing: Hospice Land Donation

Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; Ms. Sarah Guy, Property Acquisition Officer, and Ms. Victoria Rickett, Assistant Property Acquisition Officer, Department of Planning and Growth Management, provided a PowerPoint presentation that gave

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background information on this property, survey and inspection results, and the appraised value of the property, which is three million one hundred and seventy thousand dollars (\$3,170,000.00).

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to schedule the public hearing on Tuesday, January 14, 2025 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually.

Briefing and Request to Introduce and Schedule a Public Hearing: Proposed Bill 2024- 18 Zoning Text Amendment (ZTA) 23-181 Restaurant, Fast Food, and Drive Through with Direct Access to a Public Road in Core Employment/Residential (CER)Zone

Ms. Kelly Palmer, Planner III and Mr. Reed Faasen, Zoning Administrator, and Mr. Charles Rice, Planning Director, Department of Planning and Growth Management, reviewed the application requesting amending the zoning ordinance to permit use for restaurants, fast-food drive-in, and drive through and mobile food service facilities with direct access to a public road within the Core Employment/Residential (CER) Zone by Special Exception.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to introduce Bill 2024-18 Restaurant, Fast Food Drive-in and Drive Through with Direct Access to a Public Road in the Core Employment/Residential (CER) Zone.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to schedule the public hearing on Tuesday, January 14, 2025 at 6:00 p.m. in the Government Building at 200 Baltimore Street, La Plata, Maryland to be held hybrid, in-person and virtually.

Briefing and Request to Approve: Department of Emergency Services Station Feasibility Study

Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; Ms. Michelle Lilly, Director, Department of Emergency Services; and Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services reviewed the request for a feasibility study to consider use of the La Plata Armory location. It would potentially be more cost effective to renovate this building versus a new building. I would provide a centralized location for HazMat and Mobile Integrated Health (MIH) and Emergency Medical Services (EMS) for growing La Plata population. The funding would come from remaining funds from the Department of Emergency Services Headquarter study.

The Commissioners reached a consensus to move forward with the Department of Emergency Services Feasibility Study of the La Plata Armory.

Update: Goals and Objectives- Resiliency and Sustainability

Mr. Jason Groth, Acting Director, Ms. Cathy Thompson, Assistant Chief Planning, Ms. Beth Groth, Climate Resilience and Sustainability Officer, Mr. Joel Binkley, Planning Supervisor, and Mr. Andy Balchin, Chief of Infrastructure Management, Department of Planning and Growth Management; Mr. Martin Harris, Director, and Ms. Frances Sherman, Chief of Environmental Resources, Department of Public Works, provided a presentation on the Goals and Objectives for Resiliency and Sustainability. This presentation included updates on the Washington Suburban Sanitary Commission (WSSC)

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Waldorf Interconnection Project, Potomac River Water Supply Treatment, Sanitary Lines and repairs, Mattawoman Infiltration and Inflow (I/I), Stormwater Mitigation projects, Renewable Energy projects and vehicles; land preservation education and programs, Update on Waldorf Urban Redevelopment Corridor (WURC), Mobility Option Projects, and Keep Charles County Beautiful initiatives.

Closed Session

At 10:58 a.m., a motion was made by Commissioner Bowling, seconded by Commissioner Patterson 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)(3)(7) of the General Provisions Article of the Annotated Code of Maryland to discuss three (3) potential land acquisitions. The reason for moving into closed session is to keep legal advice, negotiations, strategies information confidential.

Summary Closed Session Items

At about 11:20 a.m., the Commissioners went into closed session.

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

Present: Commissioners Bowling, Coates, Stewart, Patterson and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Sam Drury, ben Yeckley, Sarah Guy, Victoria Rickett.

Staff reviewed details of a potential property for the Open Space Program and the requirements of this program .

The Commissioners provided direction to staff and will continue this discussion on the December 10, 2024 meeting once the additional information is received.

3-305(b)(3)(7) Property Acquisition

Present: Commissioners Bowling, Coates, Stewart, and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Sarah Guy, Victoria Rickett, Alisha Afroilan, and Aimee Castillo, and Jason Groth.

Staff outlined options related to this property.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to move forward with this process related to this parcel.

3-305(b)(3)(7) Update Property Acquisition

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Martin Harris, Elizabeth Theobalds, and Frances Sherman.

Staff provided an update on this property acquisition and outlined the funding source.

At 11:52 a.m., a motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed with all Commissioners present, voting in favor to end this closed session.

At about 3:04 p.m. the Commissioners returned to open session.

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Roll Call

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

Approval: Bond Award 2024

Mr. Jacob Dyer, Acting Director, and Ms. TaTanya Bowman, Assistant Chief of Budget, Department of Fiscal and Administrative Services; Ms. Anna Horevay, Partner , and Camille Pappy, McGuire Woods, LLP, reviewed the bids received during the bond sale. The County received eleven (11) bids. The lowest bid from UBS Financial Services, Inc. of three point one nine eight (3.198) percent interest rate was accepted. This rate was lower than last year's rate of three point seven five four (3.754) percent received during the 2023 Bond Sale. Staff also announced that the County maintained its AAA bond rating. All three major national bond rating agencies: Fitch Ratings, S&P Global Ratings, and Moody's Investor's Service, have reaffirmed the County's AAA bond rating. Bond rating experts met with county leaders to review the health and stability of the county based on budget management, external audits, financial management, and economic development. This allows the county to maintain low interest rates when repaying bonds.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present voting in favor to approve Resolution 2024-15 (*corrected number*) Bond Award 2024.

Additional Approval Items

Budget Amendment(s) and Budget Transfer(s):

(Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative)

FY2025 Budget Transfer Request #388 To Purchase Land and Right of Way (ROW)

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2025 Budget Transfer Request #388 for four hundred and five thousand dollars (\$405,000.00).

Action on Boards and Commissions

There was no action taken.

Briefing: Tri-County Council for Southern Maryland on Transportation

Mr. John Hartline, Executive Director, Mr. George Clark, Acting Transportation Director, and Ms. Jessica Richards, Regional Transit Coordinator, Tri-County Council for Southern Maryland, provided a presentation that provided an overview of the organization's work on transportation in Southern Maryland. Projects include commuter support with Vanpool Incentive Program, MTA Commuter Intermediary, Rideshare & Commuter Assistance, Alternative Transportation; Transportation Planning and Regional Coordination; Health and Human Programs like Wheels to Wellness, Community Outreach, and Transportation Publications; and supports economic development with business support services, employer focused outreach and Charles County Travel and Tourism.

Briefing: Update Current Costs of the Lawsuits Related to the Board of County Commissioners

Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney for Charles County, briefed the Commissioners on the legal fees that have been incurred with the lawsuit filed in December 2022. This continued the discussion from the November 19, 2024 agenda about the legal fees totaling one point five (\$1.5) million dollars through November 30, 2024. Ms. Theobalds provided additional

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clarification on legal fees as requested by the Commissioners which further explained how fees were apportioned over the length of the lawsuit.

Discussion: Review of Commissioners' Public Comment Sessions

Ms. Doria Fleisher, Community Engagement Coordinator, and Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, reviewed the Commissioners' Public Comment Sessions held during the 2024 Commissioners' Meetings. This included the number of sessions, data on the number of comments received in-person, virtually, and written. They reviewed the feedback they received from the public and recommendations.

Commissioner Collins directed staff to bring back this discussion next week on December 10, 2024.

Commissioner Bowling expressed the expectation from the public was to have the Commissioners respond after comments presented. Commissioner Collins was not opposed to this but wanted to discuss this next week when the Joint Town Hall Meeting process was discussed, too.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and failed, with Commissioners Bowling and Stewart present voting in favor to allow all Commissioners to respond during Public Comment sessions with a two (2) minute limit. Commissioners Coates, Patterson, and Collins were opposed. A roll call of the vote was taken: Commissioner Bowling-yes; Commissioner Coates-no; Commissioner Stewart-yes; Commissioner Patterson-no; Commissioner Collins-no. The motion failed two (2) to three (3).

Work Session: Proposed Amendment to Indenture Docket 250 Villages at Swan Point

Ms. Heather Kelley, Planning Supervisor, Mr. Charles Rice, Planning Director, and Ms. Lynn Knaggs, Planning Supervisor, Department of Planning and Growth Management; and Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney for Charles County, reviewed the Docket 250 zoning and proposed applicant amendments. Staff reviewed their recommendations found on the Table of Amendments-Zoning Indenture-Docket 250 document (see attached).

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, to accept changes to indentured Docket 250 with staff recommendations. *The official approval of the Indentured Docket 250 document will take place at an upcoming Commissioners meeting under Approval Items.*

Commissioners' New Business

There was no new business discussed.

**Break 5:12 p.m. – 6:00 p.m.*

Roll Call

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

Public Hearing: Proposed Bill 2024-(15) Amendments to the Water and Sewer Ordinance

The Commissioners held a hybrid, virtual/in-person, public hearing on proposed Bill 2024-15 Amendments to the Water and Sewer Ordinance. Mr. Charles Rice, Planning Director Ms. Melissa Hively, Planner, Ms. Heather Kelley, Planning Supervisor, and Mr. Jason Groth, Acting Director,

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Department of Planning and Growth Management), explained that this was a regulatory document. The Bill would revise supplemental policies regarding the Mattawoman Sewer and Waldorf Water System. Specifically, it would revise references to the public Water and Sewer Service Areas, and update Appendices (Maps) showing those services area, including the planned Waldorf Water Area and the Mattawoman Sewer Service Area.

There were no comments provided by the public.

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

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

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to adopt Bill 2024-15 Amendments to the Water and Sewer Ordinance.

Public Hearing: Fall 2024 Water and Sewer Category Amendment Cycle

The Commissioners held a hybrid, virtual/in-person, public hearing on the Fall 2024 Water and Sewer Category Amendment Cycle. Mr. Charles Rice, Planning Director, Ms. Melissa Hively, Planner, Ms. Heather Kelley, Planning Supervisor, and Mr. Jason Groth, Acting Director, Department of Planning and Growth Management, explained that these applicant proposed amendments were contingent on the previous Bill 2024-15 Amendments to the Water and Sewer Ordinance passage. Since it did pass, staff reviewed the four (4) applicant requested amendments.

There were no comments provided by the public.

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

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

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Fall 2024 Water and Sewer Category Amendments as presented. *The official approval of the resolution will take place at an upcoming Commissioners meeting under Approval Items.*

Public Hearing: Proposed Bill 2024-(16) Zoning Text Amendment (ZTA) 24-182 Driveways and Parking for Agritourism Projects

The Commissioners held a hybrid, virtual/in-person, public hearing on proposed Bill 2024-16 Zoning Text Amendment (ZTA) 24-182 Driveways and Parking for Agritourism Projects. Mr. Kirby Blass, Planner III and Ms. Kelly Palmer, Planner III, Department of Planning and Growth Management, explained that this Bill would amend certain provisions of the Charles County Zoning Ordinance to allow for relief from Sections 297-337 and 297-339, which speak to the required widths of aisles and driveways and parking area surfaces for Agritourism projects and provide relief for Agritourism

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projects in that it will exempt smaller Agritourism projects that provide fifty (50) or fewer parking spaces from the requirement to widen their driveways to provide for two-way traffic. The requirements of Section 297-337 would still apply to Agritourism projects that provide fifty-one (51) or more parking spaces.

There were two members of the public who provided comments.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to keep the public record open for forty-five (45) days .

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

At about 7:13 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to adjourn.

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President