

Regular Meeting of County Commissioners
Tuesday January 14, 2024 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened in person at 9:07 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

**Ralph Patterson, II, M.A., Vice President, County Commissioner was absent and joined session later this day as noted.*

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, Stewart, and Collins were present in person.

**Commissioner Patterson was absent.*

Commissioner Comments

Commissioner Collins requested a moment of silence in remembrance of the passing of former Charles County Commissioner Murray Levy; Glenn Jones, Charles County Teacher and Coach; and Evalyne Phelps a longtime Charles County employee.

Recognition: Charles County Sheriff's Office Training Grant Award

Mr. Matthew Peter, Executive Director, Local Government Insurance Trust (LGIT)), joined the Commissioners and members of the Charles County Sheriff's office, to present a check for six thousand seven hundred and twenty dollars (\$6,720.00) to send two (2) members of the Charles County Sheriff's Office legal staff to the 2015 International Association of Chiefs of Police (IACP) Legal Officers Training.

Charles County Proclamations for January 2025

2025-01 National Mentoring Month
2025-02 National Pan-Hellenic Council Recognition Month
2025-03 National School Choice Week
2025-04 Catholic Schools Week
2025-05 Martin Luther King, Jr. Day of Service and Beyond

The Commissioners were joined by members of Stella's Girls, Inc. to receive proclamation 2025-01 National Mentoring Month; Members of the National Pan-Hellenic Council and Fraternity and Sorority members to receive proclamation 2025-02 National Pan-Hellenic Council Recognition Month; students and parents from St. Peter's Catholic School to receive proclamation 2025-04 Catholic Schools Week; and members of the NAACP to receive proclamation 2025-05 Martin Luther King, Jr. Day of Service and Beyond.

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**Break 9:30 a.m. -10:00 a.m.*

The Commissioners continued the session in a hybrid format.

Roll Call

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

**Commissioners Patterson and Collins were absent.*

Commissioners' Comments

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to make today, January 14, 2025 a Legislative Day. **Commissioners Patterson and Collins were not present for the vote.*

Approval of the Minutes of December 10, 2024

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

Announcement

Next Scheduled Session(s): January 28-29, 2025.

Change of Date: Public Hearing Hospice Land Donation Originally Scheduled for January 14, 2025.
New date for Public Hearing: Hospice Land Donation is February 25, 2025

Approval Items

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

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

FY2025 Budget Transfer Request #207 Purchase of Gearbox for Reactor #2 Mattawoman Wastewater Treatment Plant (MWWTP)

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to approve FY2025 Budget Transfer Request #207 for one hundred and seventy-two thousand one hundred and sixty dollars (\$172,160.00). **Commissioners Patterson and Collins were not present for the vote.*

Change Order #66 Mattawoman Inflow & Infiltration

(Ms. Alicia Afroilan, Engineering Supervisor, Mr. Andrew Balchin, Chief of Infrastructure Management, Department of Planning and Growth Management)

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to approve Change Order #66 for five hundred and twenty thousand two hundred and twenty-eight dollars and two cents (\$520,228.02). **Commissioners Patterson and Collins were not present for the vote.*

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Approval: Modification of Access Management Table Appendix F

(Mr. Andrew Balchin, Chief of Infrastructure Management, Department of Planning and Growth Management; and Mr. Ed Carroll, Vice President and General Manager, Soltesz)

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to approve the requested modification to the Charles county Road Ordinance Table F.4 to add access point R2 as presented.

**Commissioners Patterson and Collins were not present for the vote.*

Amendment to Indenture Docket 250 Villages at Swan Point Document

(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)

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to approve the Amendment to Indenture Docket 250 Villages at Swan Point document. **Commissioners Patterson and Collins were not present for the vote.*

Letter of Support: National Underground Railroad Network to Freedom Applications for Friendship Farm Park and Stagg Hall for Official Designation

(Ms. Ashley Chenault, Chief of Tourism, and Brittney Gray, Tourism Outreach Specialist, Department of Recreation, Parks, and Tourism)

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to approve the Letter of Support for National Underground Railroad Network to Freedom Applications for Friendship Farm Park and Stagg Hall for Official Designation. **Commissioners Patterson and Collins were not present for the vote.*

Discussion and Approval: Employee Holiday Leave Calendar

(Ms. Deborah Hall, Acting County Administrator, Office of the County Administrator; Ms. Alexis Blackwell, Director, and Ms. Megan Donnicks, Deputy Director, Department of Human Resources)

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling and Stewart present, voting in favor to approve Employee Holiday Leave Calendar as recommended with the following:

1. Draft a letter of notification to the Board of Education with new calendar.
2. Add the Monday after Super Bowl as a holiday.
3. Add a note that any major holiday on a Wednesday then the Thursday would be a day off, too.

**Commissioner Coates was opposed.* A roll call of the vote was taken: Commissioner Bowling-yes; Commissioner Coates-no; Commissioner Stewart-yes; **Commissioners Patterson and Collins were not present for the vote.* The motion passes two (2) to one (1).

Legislative Update: 2025 Maryland General Assembly Session

Ms. Danielle Mitchell, Assistant Deputy County Attorney, Office of the County Attorney for Charles County; Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; Mr. Joseph Green, Ms. Sherri Simms, and Ms. Jeanette Tejeda de Gomez, G.S. Proctor & Associates, Inc. joined the Commissioners to provide the first update on the 2025 Maryland General Assembly.

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Ms. Mitchell explained that they will provide an update on the Charles County proposals submitted to the Delegation as well as any legislation the Commissioners support. They will also provide an update on the bond initiatives and projects selected.

The Commissioners present reached a consensus to have staff look into Charles County Media providing notice related to the Charles County Delegation meetings.

Briefing and Request to Introduce and Schedule a Public Hearing: Proposed Bill 2025-(01)
Charles County Government Bond Authority

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, joined the Commissioners to review the proposed Bill 2025-01 on the County's Bond Authority that is used to support Board of Education, College of Southern Maryland, and County Government infrastructure projects. The 2024 bond sale which was finalized in December used the remaining available bond authority from 2017. In order to continue to fund the approved capital improvement program with general obligation bonds, new authority must be enacted via local legislation. Staff is seeking to new bond authority so that the County can issue new bonds over the next few years. This approval process requires a public hearing and a local law. Staff is seeking to obtain new bond authority of three hundred and seventy-five million dollars (\$375,000,000.00). This amount is based on our existing projects and our planned projects for FY2026 and FY2027.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to introduce Proposed Bill 2025-01 Charles County Government Bond Authority. **Commissioners Patterson and Collins were not present for the vote.*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to schedule the public hearing on Tuesday, February 25, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually. **Commissioners Patterson and Collins were not present for the vote.*

Briefing and Request to Schedule a Public Hearing: Bryans Road Fire Department Truck 11 Tax Exempt Loan

Mr. Rudolf Carrico, Attorney, Law office of Rudolf A. Carrico, Jr., Mr. Paul McCormick, Treasurer and Mr. Paul Tackish, Chief, Bryans Road Volunteer Fire Department, reviewed the request to expend funds to replace Truck 11, a 2007 E-One Cyclone. The cost of the new Truck 11 is one million seven hundred and eighty-seven thousand four hundred and seventy dollars (\$1,787,470.00). The proposed funding plan; Utilize a current escrow balance and projected distributions through Fiscal year 2028; Allocate two hundred thousand dollars (\$200,000.00) from Non-Tax Funds; and borrow six hundred thousand dollars (\$600,000.00) at a tax-exempt rate of four-point seven six percent (4.76%) for a one hundred and forty-four (144) months.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to schedule the public hearing on Tuesday, February 25, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD

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to be held hybrid, in-person and virtually. **Commissioners Patterson and Collins were not present for the vote.*

Briefing and Request to Introduce and Schedule a Public Hearing: Proposed Bill 2025-(02) Zoning Text Amendment 23-179 Multifamily and Infill Development in the Residential Office (RO) Zone

Ms. Amy Blessinger, Planner III and Mr. Charles Rice, Planning Director, Department of Planning and Growth Management, explained that the proposed Zoning Text Amendment 23-179 Multifamily and Infill Development in the Residential Office (RO) Zone would allow the development of multifamily residential units with conditions in the RO zone.

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to introduce Proposed Bill 2025-02 Zoning Text Amendment 23-179 Multifamily and Infill Development in the Residential Office (RO) Zone. **Commissioners Patterson and Collins were not present for the vote.*

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to schedule the public hearing on Tuesday, May 6, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually. **Commissioners Patterson and Collins were not present for the vote.*

****TO BE RESCHEDULED** Update: Request to Establish February as African American Heritage Month Instead of Black History Month in Charles County**

Closed Session

At 11:49 a.m., a motion was made by Commissioner Coates, seconded by Commissioner Stewart, and passed, with Commissioners Bowling, Coates, and Stewart present, voting in favor to move into Closed Session where all or a portion of this session may be closed pursuant to Section 3-305 (b)(7) of the General Provisions Article of the Annotated Code of Maryland to discuss update on potential land donations; and discuss proposed Right of Way needs. The reason for moving into closed session is to keep legal advice, negotiations, strategies, and personnel information confidential. A portion of this session will also concern the administrative function of the County Commissioners in their executive role. **Commissioners Patterson and Collins were not present for the vote.*

Summary Closed Session Items

At about 12:03 p.m., the Commissioners went into closed session.

3-305(b)(7) Land Donation Update

Present: Commissioners Bowling, Coates, Stewart, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Danielle Mitchell, Sarah Guy, Victoria Rickett.

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, noted that based on the findings of the Ethics Commission, Commissioner Coates is not prohibited to vote on this matter.

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Staff provided an update and reviewed the next steps in the process related to land donations which would be present briefing in public and schedule public hearings.

The Commissioners present reached a consensus to move forward with the donation process.

3-305(b)(7) Legal: Discussion on Residential Drainage Improvement Right of Way (ROW)

Present: Commissioners Bowling, Coates, Stewart, and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Elizabeth Theobalds, Sarah Guy, Jason Groth.

**At about 12:33 p.m. Commissioner Collins joined closed session.*

Staff reviewed the residential drainage improvement projects and the Right of Way needs.

The Commissioners present provided direction on how to proceed.

Administrative: Discuss 2025 Committee Assignment to Charles County Chamber of Commerce

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

The Commissioners reached a consensus for the addition of adding a staff member from the Department of Planning and Growth Management to the Charles County Chamber of Commerce Board as requested by the Chamber of Commerce.

At 12:56 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to end this closed session. **Commissioner Patterson was not present for the vote.*

At about 2:59 p.m. the Commissioners returned to open session.

Roll Call

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

Additional Approval Items

There were no additional approval items.

Briefing: Update Rural Broadband Task Force

Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; Mr. Bill Kidwell, Chief Information Officer, Mr. Matt Jacobson, Network Specialist III, Utilities Coordinator, Department of Fiscal and Administrative Services; and Members of the Rural Broadband Task Force, briefed the Commissioners on the Rural Broadband Task Force activities and project status. They provided an update on the projects in progress: Nanjemoy North Broadband Buildout; FY2022 Maryland Infrastructure Grant Broadband Buildout-Comcast Newburg/Charlotte Hall/Dentsville; FY2023 Network Infrastructure Grant-Comcast; FY2023 Infrastructure Grant Broadband Buildout-Verizon; Connect America Fund Grant (CAF) II Project; Long Driveway Category 3 Grant; and the

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Maryland State FY2024 Difficult to Serve Properties Grant. The Nanjemoy Cobb Neck (NCN) Broadband Buildout project was completed in February 2024. Staff locating broadband needs is ongoing and is currently in the process of The Broadband Equity, Access, and Deployment (“BEAD”) program which provides federal funding to expand broadband access.

Briefing: Review of the 2024 Spring and Fall Citizens Academy

Ms. Doria Fleisher, Assistant Division Chief, and Ms. Kayla Hunt, Communications and Engagement Specialist, Media Services Division-Office of the County Administrator, reviewed the 2024 Citizens Academy Spring and Fall Cohorts. Thirty-nine (39) residents from areas including Bryans Road, Newburg, and Waldorf participated in the two (2) cohorts with curriculums that included presentations from Charles County Government departments and divisions, introductions to partner agencies, and field trips to unique locations around the county. Both cohorts completed class projects on improving community engagement in county government. Recommendations from these projects included the creation of an annual Community Guide and the establishment of a Citizens Academy Ambassador Commission.

The Commissioners reached a consensus for staff to bring back with details of a Citizens Academy Ambassadors Commission and the Revitalization of the Commission of Future Leaders.

Briefing: Capital Services Update on Western Parkway and the La Plata Library Project

Ms. Britta Hertling, Chief of Capital Services, Mr. Brian Kagarise, Assistant Chief of Capital Services, and Ms. Candis Stretcher, Project Manager II, Department of Public Works-Capital Services, presented an update on Capital Services. They provided an overview of project portfolio which includes ninety-five (95) total projects. They reviewed the projects by phases, staff assignments, strategy plan; key performance measures, and project prioritization and anticipated outcomes. Mr. Kagarise provided an update on the Western Parkway Project. Ms. Stretcher provided an update on the La Plata Library project.

**At about 4:18 p.m. Commissioner Patterson joined session in person.*

Discussion: Adjust County Code Related to Contributions Made by County to Pension Plans

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County; Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; and Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services, provided an update to Commissioner Bowling’s request to consider adjusting the County Code related to pension contributions. Staff reviewed the current process for both the Charles County Pension Plan and the Sheriff’s Office Retirement Plan Actuarially Determined Contribution (ADC). Staff indicated that County Code should be written to allow for financial flexibility between the Consultant and the County to arrive at the amount that aligns with the budget and represents individually reasonable assumptions and methods. Having flexibility when determining the ADC, particularly in a recessionary environment, is helpful when balancing the County’s budget.

Commissioners’ New Business

Commissioner Patterson commented on the memorial service he attended for Charles County high School coach and teacher Glenn Jones.

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**Break 4:58 p.m. – 5:11 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 was one (1) person who provided comments in person and one (1) person 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 about the County's water resources and potential future water crisis and if reliance on the Upper Potomac remains necessary

Virtual:

- The speaker expressed concerns about the challenges overshadowing the incredible richness and contributions of the African American community. She emphasized the importance of taking pride in this history and working together to uplift one another. She highlighted the need to address how people treat one another, emphasizing that all citizens deserve to be treated with honesty, dignity, and respect.

Commissioner's Responses

Commissioner Bowling:

- Thanked for the comments; Agrees that the water issue is a challenge that needs to be addressed.

Commissioner Coates:

- Will defer back to staff about the water issue; and agrees with the online speaker.

Commissioner Stewart:

- Expressed the need to do a better job planning for the future, especially related to water issue; Martin Luther King, Jr. responsibility of leaders is to be positive, build bridges, lead by example, collaboration, not just words but need to look at actions.

Commissioner Patterson:

- Agrees that water is an issue for useable water, sink holes; also agrees that we must respect ourselves and neighbors and it starts at home.

Commissioner Collins:

- Water issue is a nationwide issue and that the County is taking this issue seriously; Virtual speaker is on point with all her comments.

**Break 5:29 p.m. – 5:59 p.m.*

Roll Call

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

Public Hearing: Proposed Bill 2024-(17) Operation of Golf Carts on Cobb Island

The Commissioners held a hybrid, virtual/in-person, public hearing on proposed Bill 2024-17 Operation of Golf Carts on Cobb Island. Ms. Danielle Mitchell, Assistant Deputy County Attorney, Office of the County Attorney for Charles County, reviewed that the provisions in the proposed Bill.

There were two people who provided comments.

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

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

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to adopt Bill 2024-(17) Operation of Golf Carts on Cobb Island.

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

The Commissioners held a hybrid, virtual/in-person, public hearing on proposed Bill 2024-18 Zoning Text Amendment 23-181. Mr. Kirby Blass, Planner III and Mr. Charles Rice, Planning Director, Department of Planning and Growth Management, provided a review of the proposed zoning text amendment and staff's analysis. Mr. Matthew Tedesco and Mr. Mark Ferguson, applicants, provided an overview of their request and answered questions from the Commissioners related to this zoning text amendment.

There were two (2) people who provided in person comments and two (2) people who provided virtual comments.

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 close this public hearing.

When Commissioner Collins called for a motion to adopt Bill 2024-17 Zoning Text Amendment (ZTA) 23-181, there was no motion made.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to reject/not adopt 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

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At about 7:34 p.m., a motion was made by Commissioner Bowling, 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