

Regular Meeting of County Commissioners
Tuesday January 28, 2024 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened hybrid format, 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.

Invocation

Reverend Eric Randolph, Pastor, Peace Lutheran Church, shared an opening prayer.

Roll Call

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

Commissioner Comments

Commissioner Collins requested a moment of silence in remembrance of the passing of Mr. Leon Thornton.

Commissioners Patterson and Coates spoke on the AUKUS Delegation Visit that took place on January 22, 2025 and the importance to the Indian Head area for Technology and Innovation.

Approval of the Minutes of January 14, 2025

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the minutes of January 14, 2025.

Announcement

Next Scheduled Session(s): February 4-5, 2025.

Approval Items

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

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

FY2025 Budget Transfer Request #741 Develop Shared Use Path Along Radio Station Road

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 #741 for five hundred and thirty-three thousand dollars (\$533,000.00).

FY2025 Budget Transfer Request #839 Cost of Mattress Recycling

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve FY2025 Budget Transfer Request #839 for eighty thousand dollars (\$80,000.00).

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Board of Education FY2025 Inter-Category Budget Transfer Request

(Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; Ms. Sherri Fischer Davis, Budget Manager, and Ms. Karen Acton, Chief Financial Officer)

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor FY2025 Inter-Category Budget Amendment Increase for twenty-five point three (\$25.3) million dollars.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor FY2025 Inter-Category Budget Transfer Request for five hundred and ninety thousand dollars (\$590,000.00).

Approve to Purchase Middletown Road Property for Program Open Space

(Ms. Sarah Guy, Property Acquisition Officer, Department of Planning and Growth Management, and Mr. Sam Drury, Deputy Director, Department of Recreation, Parks, and Tourism)

A motion was made by Commissioner Stewart, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve FY2025 budget Amendment Increase #108 for one hundred and seventy-six thousand seven hundred and seventy-five dollars (\$176,775.00).

Letter of Support: Bureau of Land Management Grant-Lower Potomac Field Station

(Ms. Kelli Beavers, Director, and Mr. Sam Drury, Deputy Director, Department of Recreation, Parks, and Tourism)

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

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 an update on the 2025 Maryland General Assembly Session.

Ms. Mitchell reviewed the Charles County proposals:

- A proposal to adopt legislation to deter squatter/trespassers
Not supported
- A proposal to amend the Maryland Homeowners Association Act
Not supported
- A proposal to provide certain minimum notice to school bus companies before terminating their contract
Supported
- A proposal to amend the stadium alcoholic beverage license to allow for sale and consumption throughout the stadium
Supported and draft received

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- A proposal to allow County employees commissioned as special police officers to use their police powers to protect elected officials and employees
Agreed to draft but will wait to vote on whether to support it until next Charles County Delegation meeting.
- A proposal to dissolve the gaming permit review board
Supported and draft received
- A proposal to exclude certain complaints of police misconduct involving vehicle collisions from the review of the administrative charging committee
Not supported
- A proposal to prohibit chiefs of law enforcement agencies from providing their recommendation for lesser discipline to police officers when making an offer of discipline based upon the administrative charging committees' findings of a sustained charge of police misconduct
Not supported
- A proposal to adopt legislation to prohibit operating unregistered motor vehicles, such as all-terrain vehicles, from being operated on a highway
Supported
- A proposal to require ID so that police may issue citation for violation of smoking cannabis in public
Not supported
- A proposal for state funding to support public private partnership for school construction and Circuit Court construction
Supported

The remaining proposals for funding requests for County Sidewalk Program; Ferry Service; Real-Time Crime Centers; Affordable Housing Trust Fund were supported but the priority was identified as funding for schools/court house.

**At about 9:28 a.m. Commissioner Stewart left session.*

- *SB292 Motor Vehicles - Secondary Enforcement and Admissibility of Evidence*
Commissioner Bowling expressed concerns with this Bill and unintended consequences. He requested that the Commissioners send a letter of opposition.

The Commissioners present reached a consensus to table the decision to send a letter and add to today's afternoon agenda.

- *HB97 Economic Development - County or Municipal Corporation Economic Development Authority - Powers and Use of Proceeds*

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The Commissioners present reached a consensus to send a letter of support.

- HB20/SB198 *Transportation – Consolidated Transportation Program – Prioritization (Transportation Investment Priorities Act of 2025)*

The Commissioners present reached a consensus to have Mr. Martin Harris, Director, Department of Public Works, provide testimony in favor of this Bill.

- HB503 *Land Use - Regional Housing Infrastructure Gap (Housing for Jobs Act)*

Commissioner Collins requested that this Bill be tracked.

Commissioner Bowling requested information on the State's fiscal payment portion of Teachers Pension shifting back to the counties to pay.

Briefing and Request to Schedule a Public Hearings: NIKE Land Donations (Melwood) and (Piscataway)

Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; Ms. Danielle Mitchell, Assistant Deputy County Attorney, Office of the County Attorney for Charles County; Ms. Sarah Guy, Property Acquisition Officer, and Ms. Victoria Rickett, Assistant Property Acquisition Officer, Department of Planning and Growth Management, explained that land donation requests were received from both parties. The Melwood donation would include a ten (10) acre property at 12705 Country Lane in Waldorf. The current tenant, Melwood, has leased the property since 1992. The Piscataway donation would be for a sixteen point four nine two (16.492) acre property on 16816 Country Lane, which has an appraised value of two point eight-eight (\$2.88) million dollars. The Official Piscataway Conoy Tribe of Maryland, Inc., has occupied the property since 2023.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Patterson, and Collins present, voting in favor to schedule the public hearing for the Land Donation to Melwood on Tuesday, March 18, 2024 at 6:00 p.m. in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually.
*Commissioner Stewart was not present for the vote.

Administrative update: This public hearing has been rescheduled to February 25, 2025 at 6:00 p.m. in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with Commissioners Coates, Patterson, and Collins present, voting in favor to schedule the public hearing for the Land Donation Piscataway on Tuesday, March 18, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually. *Commissioner Bowling was opposed.* *Commissioner Stewart was not present for the vote. A roll call of the vote was taken: Commissioner Bowling-no; Commissioner Coates-yes; Commissioner Stewart-absent; Commissioner Patterson-yes; Commissioner Collins-yes. The motion passed three (3) to one (1) and one (1) absent.

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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 from voting on this matter since there is no personal benefit.

Briefing: Update on Signage Used to Post Properties Subject to Certain Zoning Applications

Mr. Charles Rice, Planning Director, and Ms. Cathy Thompson, Assistant Chief of Planning, Department of Planning and Growth Management; Ms. Jennifer Harris, Chief of Media Services, Office of the County Administrator, briefed the Commissioners on a revised design for on-site public notice signage. The presentation reviewed the type of zoning applications that require on-site posted signage and comparisons between the original version and the new sign template. The latest sign template is weatherproof and includes a QR code leading to a website containing all information for a given application. The new signs were piloted with several new projects over the past year, including the Aviation Business Park Rezoning project. They have received positive feedback for their weatherproof design, more legible fonts, and overall visibility.

A motion was made by Commissioner Bowling to change the sign requirement size to a 4x8. There was not a second, so the motion dies.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with Commissioners Coates, Patterson, and Collins present, voting in favor of making the minimum signage requirement moving forward as 2x3 or 3x2. *Commissioner Bowling was opposed. *Commissioner Stewart was not present for the vote.* A roll call of the vote was taken: Commissioner Bowling-no; Commissioner Coates-yes; Commissioner Stewart-absent; Commissioner Patterson-yes; Commissioner Collins-yes. The motion passed three (3) to one (1) and one (1) absent.

**At about 10:31 a.m. Commissioner Stewart rejoined the session.*

Briefing: Affordable Housing Work Group Update

Mr. Joel Binkley, Planning Supervisor, Ms. Cathy Thompson, Assistant Chief of Planning, Mr. Charles Rice, Planning Director, Department of Planning and Growth Management; and Mr. Dawud Abdur-Rahman, Charles County Planning Commission, held a briefing on updates regarding the Affordable Housing Workgroup's activities. The workgroup is developing a comprehensive strategy to increase the County's affordable housing availability. Their recommended an aspirational goal that twenty five percent (25%) of new residential housing units be affordable to Housing and Urban Development's (HUD) three (3) low-income tiers by 2033. In addition, the Planning Commission would devise and update a five (5) year work plan that includes specifics, including regulatory changes, developer incentives, and other programs enhancing affordability. The Workgroup plans to present its strategy to the Planning Commission and the public for input in March 2025. The proposal would return to Commissioners for approval in May.

**At about 11:54 a.m. Commissioner Stewart left session.*

**At about 12:09 p.m. Commissioner Stewart rejoined session.*

Charles County Departmental Highlights

Ms. Dina Barclay, Director, Department of Community Services; Ms. Kelli Beavers, Director, and Mr. Sam Drury, Deputy Director, Department of Recreation, Parks, and Tourism; and Ms. Sarah Guy, Property Acquisition Officer, Department of Planning and Growth Management joined the Commissioners to provide a presentation outlining some of their department highlights and activities.

Closed Session

At 12:16 p.m., a motion was made by Commissioner Patterson, seconded by Commissioner Coates, and passed, with Commissioners Bowling, Coates, Stewart, and Coates 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 discuss two (2) property acquisitions; review of legal agreement related to litigation settlement; review of a legal document and a contract; and update on a potential litigation matter. The reason for moving into closed session is to keep legal advice, negotiations, and strategies confidential.

Summary Closed Session Items

At about 12:35 p.m., the Commissioners went into closed session.

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

Present: Commissioners Bowling, Coates, Stewart, Patterson and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Jacob Dyer, Sarah Guy, Ann Hooper.

A review was given of a potential acquisition.

The Commissioners present reached a consensus to move forward with site visits, and letter of intent and the negotiation authority for *a specified range*.

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

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

Staff provided an overview of two (2) potential property acquisitions.

The Commissioners present reached a consensus to move forward with site visits, letters of intent, and the negotiation authority for *a specified range*.

3-305(b)(7)(8) Legal Agreement Related to Litigation Settlement

Present: Commissioners Bowling, Coates, Stewart, Patterson and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Olin Straus, Bernard Cochran, and Martin Harris.

Staff reviewed the offer letter related to a litigation settlement.

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to have Commissioner Collins sign this letter.

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3-305(b)(7) Review of a Legal Document Related to a Study

Present: Commissioners Bowling, Coates, Stewart, Patterson and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Sam Drury, Kelli Beavers, and Elena Gilroy.

Staff reviewed the legal document related to a feasibility study.

3-305(b)(7) Review Contract Agreement

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

Staff reviewed the potential renewal of this contract for lobbying services.

The Commissioners present reached a consensus on this contract. Official action will take place in open session on the February 4, 2025 agenda under Approval items.

3-305(b)(7)(8) Potential Litigation Matter

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

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, reviewed a potential litigation matter and provided his recommendations.

The Commissioners present reached a consensus to have Mr. Adams proceed as recommended.

At 1:32 p.m., a motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to end this closed session.

At about 3:00 p.m. the Commissioners returned to open session.

Roll Call

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

Public Safety Discussions

Joint Meeting on Public Safety

Charles County Sheriff's Office, Charles County State's Attorney, Town of La Plata Police Department, Department of Emergency Services, Charles County Volunteer Fire and Emergency Services, and the Health Officer of Charles County joined the Commissioners to discuss public safety in Charles County. The meeting was a forum for officials to discuss the challenges and opportunities to provide for public safety and emergency response. Topics included leveraging technology and managing staffing needs as the County grows. *SB292 Motor Vehicles - Secondary Enforcement and Admissibility of Evidence* was discussed.

Commissioner Collins will reconvene this forum in the fall of 2025 and continue these meetings on a regular basis.

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A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to send a letter of opposition with agreed amendment from Commissioner Patterson, a letter voicing opposition and need for more information, on Senate Bill SB292.

Discussion: How to Improve Safety, Security, and Discipline in Charles County Public Schools

Dr. Maria Navarro, Superintendent, Mr. Marvin Jones, Chief of Schools, and Mr. Jason Stoddard, Director of School Safety and Security, Charles County Public Schools, and Sheriff Troy Berry, Charles County Sheriff's Office, discussed ways to improve school safety, security, and discipline. The conversation included a review of the school system's code of conduct and response levels to classroom disruptions.

Continued: 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 and Ms. Jeanette Tejeda de Gomez, G.S. Proctor & Associates, Inc. reviewed the draft Bill *Charles County Board of Education Salary and Compensation*.

A motion was made by Commissioner Bowling to send a letter of neutrality. There was not a second, so the motion dies.

A motion was made by Commissioner Stewart to send a letter of support. There was not a second, so the motion dies.

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 five (5) people who provided comments in person and two (2) 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 over ethics governance and transparency related to the release of the second Sergeant report.
- Speaker discussed his concerns and questions related to the water sources and cost of infrastructure and future plans for water services in the County now and in the future.
- Speaker discussed concerns related to infrastructural challenges amidst growth in the County based on the Commissioners' individual responses at the Joint Town Hall meeting in November 2024.
- Speaker addressed public safety and his opposition to SB292 and urged clarity on their decision-making process.
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- Speaker criticized Commissioners Bowling and Stewart on their responses during the November 2024 Joint Town Hall meeting and requested accountability and transparency among County Leadership.
- Speaker expressed concerns about racial biases and accountability measures needed including process to remove a Commissioner; also, the need for a clear schedule related to the 2026 Comprehensive Plan process to ensure transparency.

Virtual:

- Speaker expressed concerns related to the County's consideration of donating two properties 16816 Country Ln. to the Piscataway Tribe and 12705 Country Ln. to Melwood and questioned the rationale for donating over five (\$5) million dollars in property while the County faces a deficit.
- Speaker expressed concerns about the County's property donation to Piscataway Tribe and lack of Legislative collaboration between the State and County.

Each Commissioner was provided an opportunity to respond to the public comments.

**Break 6:05 p.m. - 6:21 p.m.*

Roll Call

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

Briefing: Update on Mallows Bay Heritage Center Feasibility Study

Mr. Sam Drury, Deputy Director, and Ms. Kelli Beavers, Director, and Ms. Elena Gilroy, Mallows Bay Operations Manager, Department of Recreation, Parks, and Tourism, updated the Commissioners on the future Mallows Bay Heritage Center feasibility study. The future Heritage Center will aim to enhance education, exploration, and economic opportunities for both visitors and residents by providing increased accessibility, educational initiatives, and improved amenities. The Inflation Reduction Act awarded a five (\$5) million dollar grant for planning and preconstruction of the visitor center. The Mallows Bay-Potomac River National Marine Sanctuary received upgrades in November 2024, with electrical power access and broadband network connection. The completion of this project will bring network connectivity to the park to include future safety and security enhancements, including an emergency call station.

Briefing: La Plata Library Project- Winkler House

Ms. Deborah Hall, Acting County Administrator, Ms. Jenifer Ellin, Acting Deputy County Administrator, and Ms. Doria Fleisher, Assistant Division Chief, Media Services, Office of the County Administrator; Ms. Cathy Thompson, Assistant Chief, Department of Planning and Growth Management, briefed the Commissioners on the Winkler House which is a home built in 1923 and currently sits on land designated as the future site of the new La Plata Library. A stakeholder meeting was held in Sept. 2024 to determine sentiments related to the property and the value of renovation versus demolishing the house. Because of the high cost of necessary renovations, presenters recommended demolishing the house to create a pocket park while creating a display within the library to commemorate the house.

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The Commissioners present reached a consensus to send a letter to the Town of La Plata to take ownership of the home before demolition if the community wants to preserve it. The town will be given no more than thirty (30 days) to decide whether to take over the Winkler House without impeding the library project which would include the intended road access for the project.

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

Mr. Charles Rice, Planning Director, Mr. Jason Groth, Acting Director, Mr. Reed Faasen, Zoning Administrator, Mr. Kirby Blass, Planner III and Ms. Kelly Palmer, Planner III, Department of Planning and Growth Management, joined the Commissioners for a work session on Bill 2024-16 Zoning Text Amendment (ZTA) 24-182. Staff provided an overview of this amendment and the process to date. Staff recommended postponing any decision so that they can address some of the comments related to this ZTA.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, withal Commissioners present, voting in favor to reschedule another work session on March 11, 2025.

Commissioners' New Business

There was no new business discussed.

At 7:18 p.m., a motion was made by Commissioner Patterson, 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