

Regular Meeting of County Commissioners
Tuesday February 4, 2024 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened hybrid format, in person and virtually, at 9:03 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.

*** To Be Rescheduled* Invocation**

Roll Call

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

**Commissioner Stewart was absent*

Recognition: Southern Maryland Youth Flag Football League (SMYFFL) 'NFL Flag 2024 League of the Year'

The Commissioners recognized, Mr. Reggie Barksdale, Founder, Southern Maryland Youth Flag League, for this organization being named the NFL Flag 2024 League of the Year.

**At about 9:07 a.m. Commissioner Stewart joined session virtually.*

Charles County Proclamations for February 2025

2025-06 Black History Month

2025-07 Career and Technical Education Month

2025-08 National Burn Awareness Week

2025-09 National Engineers Week

The Commissioners were joined by members of the NAACP to receive proclamation 2025-06 Black History Month; Ms. Melissa O'Conner, RN, Burn Program Manager, MedStar Washington Hospital Center to receive proclamation 2025-08 National Burn Awareness Week; and Students and faculty from College of Southern Maryland (CSM) to receive proclamation 2025-09 National Engineers Week.

**Break 9:23 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 virtual.

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Commissioner Comments

Commissioner Collins requested a moment of silence in remembrance of four (4) Charles County residents, Mikey Stovall, Jonathon Boyd, Tommy Claggett, and Steve Johnson who were victims of the air crash tragedy and all victims and their families.

Commissioner Collins also spoke on the community input for the planning the Waldorf Sports and Wellness Center.

Commissioner Bowling expressed condolences and moment of silence for additional Southern Maryland victims, Charlie Mc Daniels, Jesse Pitcher Calvert County, and Alex Huffman, St. Mary's County. He also thanked first responders who helped with the search of the crash site.

Commissioner Patterson spoke about the Celebration of Life for Miles McMahon, Eva Turner student. He shared about a State Law to help protect child elopement "Miles Law" by requiring fencing around water sources. He also acknowledged the passing of Leon Thornton.

Commissioner Coates expressed her thoughts and prayers for the community during this time of loss and thanked first responders.

Commissioner Stewart expressed her appreciation for the first responders and condolences for the victims and their families.

Approval of the Minutes of January 28, 2025

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the minutes of January 28, 2025.

Announcement

Next Scheduled Session(s): February 25-26, 2025.

Note: Public Hearings: NIKE Land Donations (Melwood) will be held on 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 #523 Acquire parcels to Support Middletown-Bensville Roads Waterline Interconnection

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 #523 for two hundred and fourteen thousand dollars (\$214,000.00).

FY2025 Budget Transfer Request #807 Cover Additional Equipment Expenses Margaret Thornton Elementary School

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 #807 for five hundred and six thousand eight hundred and eighty dollars (\$506,880.00).

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Change Order #32 Mattawoman Flow Equalization Basin ITB 20-35 and FY2025 Budget Amendment Increase #113 Additional Construction Costs

(Mr. Olin Straus, Senior Project Manager-Utilities, Mr. Bernard Cochran, Deputy Director-Utilities, and Mr. Martin Harris, Director, Department of Public Works)

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve Change Order #32 for one hundred and seventy-five thousand dollars (\$175,000.00) and FY2025 Budget Amendment Increase #113 one hundred and seventy-five thousand dollars (\$175,000.00).

Request for Public Event Permit: Charles County Public Library Books, Bites and Beats Fest

(Ms. Shannon Bland, Development Manager, Charles County Public Library)

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to allow the Charles County Library to hold this event at the Waldorf West Library on Saturday April 5, 2025. 11:00 a.m.- 3:00 p.m. and allowing alcohol to be served at this library event with the understanding that the applicant and coordinating party must not be a County Government entity, all proper insurances must be obtained, and the applying entity must follow the established process through the Liquor Board of obtaining the necessary liquor license.

Contract- Lobbyist Agreement

(Ms. Danielle Mitchell, Assistant Deputy County Attorney, Office of the County Attorney for Charles County, and Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator)

*Commissioner Stewart recused herself from this vote since her son is now interning for this organization.

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 approve this contract. **Commissioner Stewart recused herself from the vote.*

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:

- HB0835/SB0731 *Charles County - Alcoholic Beverages - Baseball Stadium License – Alterations*
Hearing scheduled on February 17, 2025

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

- HB0841/SB0730 *Gaming - Charles County Gaming Permit Review Board – Repeal*
Hearing scheduled on February 13, 2025

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

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- SB0727 *Charles County – Student Bus Transportation Providers – Provider Displacement*
No hearing at this time.
- SB0729 *Special Police Officers - County Government - Protection of Employees and Public Officials*
No hearing at this time.
- SB357 *Prescription Drug Affordability Board Authority for Upper Payment Limits 3 (Lowering Prescription Drug Costs for All Marylanders Now Act)*

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

Ms. Tejeda de Gomez provided an update on the Governor's proposed budget.

The Governor is passing on costs on to the counties related to State Teacher Pensions contributions, blueprint for education and assessment taxation. These were a few discussed.

Commissioner Bowling expressed frustration that the State passes legislation to mandate that has cost associated with them, then sends it back to the counties to pay for it and forcing the counties to raise taxes to cover the costs.

- HB503 *Land Use - Regional Housing Infrastructure Gap (Housing for Jobs Act)*
Governor Initiative. No hearing date
- HB836 *Authorizing the local governing body of a county to authorize, by local law, the county's police accountability board to exercise investigatory and subpoena powers; and authorizing a police accountability board to conduct an investigation of police misconduct concurrently with a law enforcement agency investigating the complaint.*
No hearing date.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart to send a letter of opposition. Commissioners Bowling and Stewart tabled this motion from a vote until the Commissioners receive input from the Charles County Sheriff.

- HB0900 *Electricity - Data Centers - Rate Schedule and Requirements*
No hearing date

Lobbyist will get more information and discuss in relationship to the Morgantown Plant.

- SB774 *Property Tax - Valuation of Operating Property of Rural Broadband Service Providers*
Hearing on February 25, 2025.

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

Discussion: Request to Amend Property Tax Credit for Volunteer Emergency Responders
(HB947/SB521)

Mr. William Smith, Coordinator, Charles County Volunteer Firemen's Association; Mr. Richard Bowie, President, Charles County Volunteer Firemen's Association, and Mr. Lynn Gilroy, Chairman, Charles County Fire Association Executive Committee, reviewed the Property Tax Credit for Volunteer Emergency Responders. They asked the Commissioners to request the Charles County Delegation to amend HB947/SB521 to change the salary cap to two hundred and fifty thousand dollars (\$250,000.00).

Commissioner Collins is in supportive of the volunteers, but this request should be made during the legislative proposal process and not the budget season.

Commissioner Stewart is supportive, but it should follow the legislative proposal process. She supports it since it would be enabling legislation. She cautioned that all groups' requests should be considered consistent with the same budget constraints.

Commissioner Patterson agrees that process needs to be followed.

Commissioner Coates agrees that the process should be followed, and it can be brought back to the legislators again.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and failed, with Commissioners Bowling and Stewart in favor to send a letter to the Charles County Delegation asking them to amend this Bill and change the salary cap to two hundred and fifty thousand dollars (\$250,000.00). 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 three two (2) to three (3).

Briefing: Findings and Recommendations Study on Building Context for Black and Indigenous History in Bryans Road-Indian Head-Pomonkey Area

Mr. Dawud Abdur-Rahman, DAR Project Management Consulting; Ms. Lucille Walker, Southern Maryland National Heritage Area; Mr. Edward McMullen, St. Mary's College of Maryland; and Mr. Jacob Wells, Maryland State Parks, MdDNR, provided an overview of the Black and Indigenous History of Bryans Road, Pomonkey, and Indian Head with interpretative recommendations for Chapman State Park. This presentation included an overview of the funding and management, methodology, key findings, selected key findings, and recommendations.

**Break 11:34 a.m.-11:42 a.m.*

Roll Call

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

Briefing and Request for Approval: Adequate Public Safety Ordinance Funding for Consultant

Mr. Jason Groth, Acting Director, Department of Planning and Growth Management; Ms. Michelle Lilly, Director, Department of Emergency Services; and Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services, explained the concept of an Adequate Public Safety Ordinance

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(APSO) is a local law that regulates new development to ensure that public safety infrastructure is available to support the community. They outlined common components of an APSO such as service level standards, development review process, and impact/excise tax. The process would include assembly of a Public Safety Stakeholder Group to develop a Scope of Work, hire a consultant to draft ordinance and Revenue Options, public feedback/comment process and final recommendation for the Commissioners. Staff requested a motion to approve development of an APSO and Fee for the study.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioner present voting in favor to approve staff's request.

**At 12:02 p.m. Commissioner Collins left session.*

Briefing: Charles County 2024 Housing Choice Voucher Program Performance

Ms. Dina Barclay, Director, Ms. Rita Wood, Chief of Housing Authority, Mr. Jeremy Dautenhahn, Housing Program Supervisor, Ms. Laura Gustafson, Deputy Director, Mr. Kenneth Doyle, Financial Support Administrator, Department of Community Services; and Ms. Kelli Scherer, Budget Analyst II, Department of Fiscal and Administrative Services, joined the Commissioners to provide the Housing Choice Voucher Program Budget Performance briefing. Staff reviewed typical program challenges, and calendar year 2024 performance outcomes. Charles county Housing Authority is rated "HUD High Performer," improved sixty (60) day lease-up rate by sixty percent (60%), supported rapid voucher utilization with a seventy percent (70%) decrease in extensions and reduced reserve net position in 2024.

Update: On Request to Establish February as African American Heritage Month Instead of Black History Month in Charles County

Ms. Renesha Miles, Chief Equity Officer, Department of Human Resources reviewed the timeline related to Commissioner Patterson's request to change Black History Month to African American Heritage Month. She reviewed the community engagement and collaboration process, and engagement summary. The majority of participants did not support the proposed name change; many felt the "Black History Month" was more inclusive term; and expressed the desire for Black history to be taught not just during February but integrate year-round.

Commissioner Patterson expressed his appreciation to staff and the community for their participation and does not want to pursue this request further. He does, however, agree with some of the suggestions for partnerships to sponsor more events and educational programs that promote Black History and culture throughout the community. They should be inclusive and open to all residents, promoting unity and understanding.

Closed Session

At 12:42 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Bowling, and passed, with Commissioners Bowling, Coates, Stewart, and Patterson 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 (1) property acquisitions and review of legal agreement related to this acquisition. The reason for moving into closed session is to keep legal advice, negotiations, and strategies confidential. **Commissioner Collins was not present for the vote.*

Summary Closed Session Items

At about 12:44 p.m., the Commissioners went into closed session.

3-305(b)(3)(7) Potential Property Acquisition and Review of the Legal Agreement Related to this Acquisition

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

Staff explained the funding and settlement dates for this acquisition and the time delay related to final approval from Maryland Board of Public Works and proposed recommendations.

The Commissioners present reached a consensus to move forward with staff recommendations and official action related to this funding took place later this day under Additional Approval Items.

At 12:49 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart, and Patterson present, voting in favor to end this closed session. **Commissioner Collins was not present for the vote.*

At about 1:00 p.m. the Commissioners returned to open session.

Roll Call

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

Additional Approval Items

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

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

FY2025 Budget Transfer Request Set Aside Funds for Middletown Property Acquisition for Program Open Space (POS)

Per the contract, settlement on the Middletown property needs to be scheduled before February 28th and the Board of Public Works (BPW) is scheduled to approve the request on March 19, 2025. Department of Recreation, Parks and Tourism is requesting that the Commissioners give staff permission to proceed with settlement utilizing County funds from the Parks Contingency Inflation Project. Reimbursement of these funds will be requested after BPW approval.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling, and passed with Commissioners Bowling, Coates, Stewart and Patterson present, voting in favor to approve FY2025 Budget transfer request for one hundred and seventy-six thousand seven hundred and seventy-five dollars (\$176,775.00). **Commissioner Collins was not present for the vote.*

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Commissioners' New Business

Commissioner Bowling felt that a discussion was needed related to not having two (2) public comment sessions in February. Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, explained that it was consistent with Commissioners procedures. He recommended that if Commissioner Bowling wanted to discuss further with the Board than an agenda request would need to be submitted to add to an agenda for discussion.

At 1:05 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Patterson present, voting in favor to adjourn. **Commissioner Collins was not present for the vote.*

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President