

Regular Meeting of County Commissioners
Tuesday March 25, 2025 (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
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, and Collins were present in person. Commissioners Stewart was virtual. **Commissioner Patterson was absent.*

Commissioner Comments

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to make today, March 25, 2025 a Legislative Day. **Commissioner Patterson was not present for the vote.*

Approval of the Minutes of March 18, 2025

A motion was made by Commissioner Bowling seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve the minutes of March 18, 2025. **Commissioner Patterson was not present for the vote.*

Announcement

Next Scheduled Session(s): April 8-9, 2025

Approval Items

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

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

There were no Budget Amendments or Budget Transfers.

Approval: Revised FY2026 Budget Calendar

(Mr. Jacob Dyer, Acting Director, and Ms. Samantha Chiriaco, Chief of Budget Department of Fiscal and Administrative Services)

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve FY2026 Budget Calendar Amendments. **Commissioner Patterson was not present for the vote.*

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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 Fisher-Davis, Budget Manager, and Ms. Karen Acton, Chief Financial Officer)

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve FY2025 Budget Amendment Increase of one point one (\$1.1) million dollars and to approve FY2025 Inter-Category Budget Transfer of two hundred and seventy thousand dollars (\$270,000.00). *Commissioner Patterson was not present for the vote.

Approval: Position Personal Identification Number (PIN) Building Service Technician New La Plata Office-Centennial Street

(Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; and Ms. Terri Kahouk, Deputy Director, Mr. John Earle, Chief of Building and Trades, and Mr. David Defalco, Assistant Chief of Building and Trades, Department of Public Works- Facilities)

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 approve the new Position Personal identification Number (PIN) for a Building Service Technician at the new La Plata Office-Centennial Street. *Commissioner Patterson was not present for the vote.

Letters of Support: Broadband Equity Access and Deployment (BEAD) Program

(Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; Mr. Bill Kidwell, Chief Information Officer, and Mr. Matt Jacobson, Network Specialist III, Department of Fiscal and Administrative Services)

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

Authorization to Apply: FY2026 Federal Earmarks-Southern Maryland Rapid Transit (SMRT)

(Mr. Jason Groth, Acting Deputy Director, Department of Planning and Growth Management)

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to authorize applying for the FY2026 Federal Earmarks for Southern Maryland Rapid Transit (SMRT). *Commissioner Patterson was not present for the vote.

Approval: Updated Retiree Health Insurance Policy

(Ms. Megan Donnick, Deputy Director, and Ms. Kim Pelczar, Benefits Administrator, Department of Human Resources; and Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services)

Proposed changes:

1. Eliminate Post Employment Program (PEP)- Voluntary Employee Beneficiary Account (VEBA)
2. A retiree may continue to cover eligible dependents who were enrolled in the plan at the time of retirement. However, if a retiree wishes to add dependents after retirement, the retiree shall be responsible for paying 100% of the premium cost associated with adding the dependent(s) so long as they were a retired member of the plan prior to July 1, 2025.

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3. If a retiree fails to enroll in Medicare at the time they are eligible, they must continue to pay for their plan to maintain eligibility, but claims will not be paid until Medicare becomes the primary insurance.
4. If a retiree receives a monthly annuity check from the County's Employee Retirement Plan, the retiree must have the total monthly premium deducted automatically from their monthly retirement check.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart to approve the updated Retiree Health Insurance Policy without provision Number two (2). After discussion, Commissioner Stewart withdrew her second. The motion failed.

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to approve the updated Retiree Health Insurance Policy as presented. **Commissioner Patterson was not present for 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:

- HB352 *Budget Reconciliation and Financing Act of 2025*
There were committee amendments that may or not be included in this Bill.
- HB835/SB731 *Charles County - Alcoholic Beverages - Baseball Stadium License – Alterations*
Crossed over and waiting for hearing date.
- HB841/SB730 *Gaming - Charles County Gaming Permit Review Board – Repeal*
Crossed over.
- HB1283/SB0912 *Charles County - Off-Highway Recreational Vehicles - Regulation and Enforcement*
Crossed over and waiting for hearing date.
- HB1284/SB0728 *Charles County - Governing Bodies of Common Ownership Communities - Member Training*
Did not cross over. No movement.
- HB1359/SB0727 *Charles County - Student Bus Transportation Providers - Provider Displacement*
Did not cross over. No movement.
- HB503 *Land Use - Regional Housing Infrastructure Gap (Housing for Jobs Act)*
Did not cross over but actively working on it. Would have significant impact on the County.
- HB772 *Education - Career Counseling Program for Middle and High School Students – Alterations*
Crossed Over.

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- SB546 *Municipal Incorporation - County Commissioners or County Council - Required Approval of Referendum Request*
Did not cross over but would have big impact on the County's authority.
- HB1035 *Public Utilities - Electricity Generation Planning - Procurement, Permitting, and Co-Location (Next Generation Energy Act)*
Did not cross over but activity on it.
- HB1036/SB931 *Public Utilities - Generating Stations - Generation and Siting (Renewable Energy Certainty Act)*
Did not cross over but the Governor is still working on modifications.
- HB23 *Property Taxes - Authority of Counties to Establish a Subclass and Set a Special Rate for Commercial and Industrial Property*
Crossed Over. Supported by Maryland Association of Counties (MACo)

Ms. Mitchell explained that Delegate Kris Fair was requesting support for the following two (2) Bills:

- HB6 *State Department of Assessments and Taxation and Department of General Services - Property Appraisal Aids - Geographic Images and*
- HB23 *Property Taxes - Authority of Counties to Establish a Subclass and Set a Special Rate for Commercial and Industrial Property*

The Commissioners present reached a consensus to take no position.

Briefing and Request for Approval: Update on Sheriff's Office Retirement Plan (SORP) Asset Allocation

Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; and Mr. Alton Fryer, Director of Client Services, Bolton, reviewed the changes in the asset allocations that were approved by the Sheriff's Office Retirement Plan (SORP) Committee in February 2025. The portfolio adjustments are a combination to increase return or reduce risk. The changes outlined would have: Risk, as measured by standard deviation decreases to eight point two five (8.25) from nine point five one (9.51); Efficiency, as measured by Sharpe Ratio, improves to zero point eight seven (0.87) from zero point seven seven (0.77); and investments in Private Assets are common among Maryland public pension plans and would be invested in a Master Feeder Fund FT Bolton Private Markets Fund, which was noted that Bolton Investment does not receive direct or indirect compensation from First Trust who handles this fund.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to accept the recommended changes to the SORP Asset Allocation Policy. **Commissioner Patterson was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to accept the recommendation to use the FT Bolton Private Asset Fund as the vehicle to invest in private assets.

**Commissioner Patterson was not present for the vote.*

Briefing and Request to Introduce and Schedule a Public Hearing: Proposed Bill 2025-(03) The Fire, Rescue, and Emergency Medical Services Tax Rate (Corrections to Charles County Code, Chapter 54)

Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney for Charles County, explained that this proposed Bill considers an amendment to the Charles County Code Chapter 54 to correct a scrivener's error in citing the tax rate in the County Code and to correct the omission of the Executive Committee of the Charles County Association of Emergency Medical Services as a record keeper, reviewer and reporter of members' credits for participation in the Length of Service Award Program.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to introduce proposed Bill 2025-03 The Fire, Rescue, and Emergency Medical Services Tax Rate. **Commissioner Patterson was not present for the vote.*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to schedule the public hearing on Tuesday, May 13, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually. **Commissioner Patterson was not present for the vote.*

**Break 10:49 a.m. – 10:57 a.m.*

FY2026 Budget Work Session: Fees and Charges, Tax Differential, and Enterprise Funds Operating and Capital-Landfill, Stormwater, Environmental Services, and Inspections

Mr. Jacob Dyer, Acting Director, Ms. Samantha Chiriaco, Chief of Budget, and Ms. TaTanya Bowman, Assistant Chief of Budget, Department of Fiscal and Administrative Services, reviewed the proposed budgets for Fees and Charges, Tax Differential, and Enterprise Funds Operating and Capital-Landfill, Stormwater, Environmental Services, and Inspections and recommended fees. The FY2026 proposed budget for the Environmental Service Fund is ten million nine hundred and sixty thousand dollars (\$10,960,000.00). The FY2026 proposed budget for Landfill Operations is thirteen million six hundred and fifty-three thousand two hundred dollars (\$13,653,200.00). The FY2026 proposed budget for the Watershed Protection and Restoration Fund is eight million eight hundred and twelve thousand seven hundred dollars (\$8,812,700.00). The FY2026 proposed operating budget for the Inspection and Review Fund is twelve million eight hundred and twenty-nine thousand dollars (\$12,829,000.00).

**At about 11:11 a.m. Commissioner Stewart joined session in person.*

Staff reviewed the Tax Differential for Charles County. In the State of Maryland, most counties and municipalities (including Charles County) are governed by Section 6-306 of the Tax –Property Article of the Annotated Code of Maryland. This law requires the governing bodies to meet and confer on an annual basis regarding a form of compensation for government services that are provided by the municipal government. To compensate municipalities for services, many counties implement a tax differential (tax credit) on the residents' tax bills or provide a tax rebate to the municipality. Charles County implements a tax differential method based on County Government services net of associated program revenue which are then prorated to an amount that would be funded by the general property

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tax rate. The value of the services is calculated to equate to a property tax credit rate which is then applied to the County tax bill. In the past, the municipalities of La Plata and Indian Head have chosen the tax differential method over a cash grant from the County. The Difference being: Tax differential gives the County Residents a credit on their tax bill and the grant gives the funds to the Town to appropriate as part of their budget. Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, clarified that reviewing this now meets the State's requirements for notification before the required Meet and Confer with the municipalities. The proposed rate for FY2026 would be the calculated rate.

Closed Session

At 11:30 a.m., a motion was made by Commissioner Coates, seconded by Commissioner Bowling, and passed, with Commissioners Bowling, Coates, Stewart, and Collins 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)(4)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to discuss potential new business in the County; receive an update on a potential litigation matter; and discuss a personnel matter. The reason for moving into closed session is to keep legal advice, negotiations, strategies, and personnel information confidential. **Commissioner Patterson was not present for the vote.*

Summary Closed Session Items

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

3-305(b)(4)(7) Discuss Business Locating in the County

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Sarah Guy, Mark Thompson, Kelly Robertson-Slagle, Michelle Frye, Victoria Rickett.

Staff reviewed the potential location for the new business and new zoning and has obtained bids for a feasibility study and appraisal of the property.

The Commissioners present reached a consensus for staff to proceed with the feasibility study. Official approval of the budget transfer will take place in open session on a future agenda under Approval Items.

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

Present: Commissioners Bowling, Coates, Stewart, and Collins, Deborah Hall, Wes Adams, Carol DeSoto, Jenifer Ellin, Terrah Dews, Bill Kidwell, Eric Jackson, Jacob Dyer

Staff reviewed a contract and recommendations and steps to cancel this contract and potential next steps.

**At about 12:14 p.m. Commissioner Patterson left closed session.*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling, and passed, with Commissioners present, voting in favor to have Commissioner Collins sign letter to cancel this contract and authorize pursuing any additional *legal action required*. **Commissioner Patterson was not present for the vote.*

3-305(b)(1)(7) Personnel:

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

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Staff reviewed a personnel conduct issue.

The Commissioners present reached a consensus to have the County Attorney draft a letter of notice to bring back to the Commissioners for approval on April 8, 2025.

At 12:28 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Coates 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 4:01 p.m. the Commissioners returned to open session.

Roll Call

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

Additional Approval Items

There were no additional approval items.

Briefing: Update Keep Charles County Beautiful Project

Ms. Frances Sherman, Chief of Environmental Resources, Ms. and Michelle Smith, Litter Control Manager, Department of Public Works, Environmental Resources, provided an update on the Keep Charles County Beautiful program. This ongoing effort is to reduce litter on the roadways and other County areas. Initiatives include the Spring Litter Blitz, a collaborative effort with the State Highway Administration to clean up litter on state roads, the Alice Ferguson Foundation's 37th Potomac River Watershed Cleanup scheduled for April 5, 2025 and Charles County Community Cleanup scheduled for May 17, 2025.

Briefing: Update Charles County Sports and Wellness Complex Community Feedback

Ms. Kelli Beavers, Director, Mr. Sam Drury, Deputy Director, Mr. Ben Yeckley, Planning Supervisor, and Mr. Ju'Wann Jones, Chief of Recreation, Department of Recreation, Parks, and Tourism, presented an update on community feedback to the future Charles County Sports and Wellness Complex at St. Charles Towne Center. The project is now envisioned to be a three-phase process. The natatorium would be the first phase and be built into the former Sears building. A more expansive sports complex would be built on the property in Phase 2, with a Recreation, Cultural, Arts, and Entertainment District developed in Phase 3. Community engagement began in January 2025 with over three hundred (300) participants at an in-person event at the future facility. Additionally, two thousands one hundred and seventy-eight (2,178) individuals participated in a public survey that was conducted in person at the event and online following the event. Top-requested facility uses for Phases 1 and 2 included a competition pool, workout room, indoor track, and an amphitheater.

Commissioners' New Business

There was no new business discussed.

**Break 5:09 p.m. – 5:13 p.m.*

Roll Call

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

Public Hearing: Revise Approved Use Maryland Community Development Block Grant (CDBG) Program to the Food Program (Meals on Wheel)

The Commissioners held a hybrid, virtual/in-person, public hearing on Revise Approved Use Maryland Community Development Block Grant (CDBG) Program to the Food Program (Meals on Wheel). Ms. Barbara Farmer, Community Development Supervisor, Ms. Rita Wood, Chief of Housing Authority, Ms. Brittney Bolin, Nutritionist, Ms. Lisa Furlow, Chief of Aging & Human Services, and Ms. Dina Barclay, Director, Department of Community Services, joined the Commissioners and explained the request of revising the approved use under the grant award by the Maryland Community Development Block Grant (CDBG) Program for a COVID-19 rental assistance program. The County was a recipient of previous funds and has the opportunity to apply for additional funds to be used for food programs. They plan to divert funding from the rental assistance activities to the Food Programs (Meals on Wheels). As part of this process, this public hearing is open for comments only. A statement of activity and the draft application have been available for public review since the public notice was issued on March 14, 2025. The documents can be accessed online at www.charlescountymd.gov and in person at our office, located at 8190 Port Tobacco Road, Port Tobacco, MD 20677. The application will remain open for review and public comments through March 28, 2025

There were no public comments provided.

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

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

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to revise the approved use under the grant awarded by the Maryland Community Development Block Grant (CDBG) Program for a COVID-19 rental assistance program. The County was a recipient of previous funds and has the opportunity to apply for additional funds to be used for food programs.

**Break 5:26 p.m. - 6:00 p.m.*

Roll Call

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

Notice that was read for the record:

NOTICE OF SUBSTANTIAL AMENDMENT

The County Commissioners of Charles County have determined that it is necessary to revise the approved use under the grant awarded by the Maryland Community Development Block Grant (CDBG) Program for a COVID-19 rental assistance program. The County was a recipient of previous funds and has the opportunity to apply for additional funds to be used for food programs.

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The Department of Community Services had a public hearing in accordance with their CDBG Citizen Participation Plan, and are seeking public comment on their plan to divert funding from rental assistance activities to the following activities:

1. Food Programs (Meal on Wheels) - \$315,000.00

The application remains available for review at the Department of Community Services, 8190 Port Tobacco Road, Port Tobacco, Maryland 20677 and is also available on the county website. Written comment will be accepted until March 28, 2025, via email at farmerb@charlescountymd.gov or delivered to Charles County Department of Community Services, 8190 Port Tobacco Road, Port Tobacco, Maryland 20677. Contact Barbara Farmer at 301-934-0124 for additional information

Board of County Commissioners Quarterly Town Hall Meeting

The Commissioners held an in-person town hall meeting in the government building hosted by Commissioner Bowling, District 1. They were joined by staff from each department.

There were seventeen (17) people who asked questions or provided comments in-person.

Each Commissioner was given the opportunity to respond or asked staff to provide more information on the comments/questions shared by the public.

At 8:21 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