November 28, 2023

My name is Mahlon Pleasant. I live at 8810 Locust Grove Drive, Port Tobacco Maryland, 20677. My comments regarding PUBLIC NOTICE Bill #2023-12 for the Charles County Commissioners’ Public Hearing on Tuesday, November 28, 2023, at 6:00 p.m. at the Charles County Government Building in consideration the Bill #2023-12, Removal of an Elected County Commissioner.

As specified in the public notice, the bill amends Chapter 27 to the Charles County Code to provide a novice process for removal of an elected County Commissioner from office; upon a unanimous vote of the remaining Commissioners following a sustained complaint of workplace misconduct by a court, and a sustained complaint of a violation of a provision of the County Code of Ethics, Chapter 170, and a recommendation removal of the County Commissioner by the County Ethics Commission.

Removal of a duly elected official is by no means a trivial matter and requires careful and the utmost consideration of the voters’ rights to select their representatives. Charles County should be proud of the fact that up to this point it appears that all our commissioners are serving with dignity, integrity and in the best interest of county residents. Recent events seem to justify the fact that a process is needed to address any matter of workplace misconduct.

My 2 specific comments to the current draft legislation (Removal Draft Legislation. Version 2.pdf) for this session are as outlined below.

1. The primary reason for removal of an elected commissioner by this proposed legislation is “Workplace Misconduct”.
2. Section 1. 27-1 (C) (1) (A) as is, addresses “Workplace Misconduct” and narrowly limits the types of workplace misconduct to include, sexual harassment, hostile work environment, discrimination, retaliation, or wrongful termination. All of those indeed are serious, however workplace misconduct should encompass a much wider range of types of things such as violence, theft and fraud, harassment, use of illegal drugs and alcohol, violation of safety protocols, intentional destruction of property, breach of county confidential or propriety materials and information and the list goes on. To ensure that new amended legislation is not needed each time there is a relevant matter related to workplace misconduct, wording improvement is warranted. Since claims of workplace misconduct by a Charles County Government Employee, whatever it is, would have to have been sustained against the board member by order of a state or federal court; to remedy the workplace misconduct scoping issue, I recommend that Section 1. 27-1 (C) (1) (A) be modified to the Following:
3. CLAIMS OF WORKPLACE MISCONDUCT BY A CHARLES COUNTY GOVERNMENT EMPLOYEE WERE SUSTAINED AGAINST THE BOARD MEMBER BY ORDER OF A STATE OR FEDERAL COURT; AND
4. ….

All other findings remain as listed. The primary objective is to ensure the legislation is not too limited and simplistically focused while enforcing proper scoping and addressing any County Commissioner workplace misconduct sustained by proper adjudication.

Respectfully,

Mahlon Pleasant