

**Regular Meeting of County Commissioners**

**Tuesday, March 5, 2019**

The regularly scheduled meeting of the County Commissioners was convened at 9:03 a.m. with the following persons in attendance:

Reuben B. Collins II, Esq., President, County Commissioner  
Bobby Rucci, Vice President, County Commissioner  
Gilbert O. Bowling, III, County Commissioner  
Thomasina O. Coates, M.S., County Commissioner  
Amanda M. Stewart, M.Ed., County Commissioner  
Mark Belton, County Administrator  
Danielle Mitchell, Acting County Attorney  
Carol A. DeSoto, Acting Clerk to the Commissioners

**Open Session**

Commissioner Collins called the meeting to order and led the pledge of allegiance

**Proclamation 2019-06 Women's History Month**

The Commissioners proclaimed March 2019, as Women's History Month in Charles County. Proclamation 2019-06 was received by the Charles County Commission for Women.

**Commissioners' Comments**

There were no comments.

**Approval of the Minutes of February 26 and February 27, 2019**

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the minutes of February 26, 2019.

A motion was made by Commissioner Rucci, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the minutes of February 27, 2019.

**Notice of the Preliminary Agendas of March 12 and March 15, 2019**

Ms. Carol DeSoto, Acting Clerk, announced the tentative agenda of March 12 and March 15, 2019.

**Approval Items**

**UN 1219, Clifton Pump Station #4 Improvements Change Order No. 6**

Mr. Bill Shreve, Director, Department of Public Works, explained that this change order became necessary when they could not save the existing wet well and now, they must redo the wet well. Ms. Carol DeSoto, Acting Clerk, further explained that funding for this change order had already been approved, eBUD #6451 FY2019 Contingency Transfer Request, on February 12, 2019. The County Commissioners must authorize and approve change orders for design services greater than one hundred and fifty thousand dollars (\$150,000.00).

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve UN 1219, Clifton Pump Station #4 Improvements Change Order No. 6.

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**FY2019 Budget Transfer Request #6459 National Pollutant Discharge Elimination System (NPDES) Parent**

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that this transfer request would move funds from the National Pollutant Discharge Elimination System (NPDES) Parent Construction Line item into the line item to cover the upcoming NPDES design services for the upcoming stormwater projects. This is an enterprise fund.

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2019 Budget Transfer Request #6459 National Pollutant Discharge Elimination System (NPDES) Parent for three million dollars (\$3,000,000.00).

**Request for Approval: Resolution Establishing a "Complete Count Committee"**

Ms. Amy Blessinger, Planner, Department of Planning and Growth Management, explained that this resolution would establish a complete count committee to bring awareness of the importance of the 2020 census and to help get residents to complete their questionnaires.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve Resolution 2019-01 establishing the Census 2020 Complete Count Committee with the added language, "*that the CENSUS 2020 COMPLETE COUNT COMMITTEE shall dissolve upon the completion and final reporting of the 2020 Census by the United States Census Bureau.*"<sup>1</sup>

**Update and Request for Approval: 2019 Maryland General Assembly Legislative Session**

Ms. Danielle Mitchell, Acting County Attorney, informed the Commissioners that the first four (4) bills were part of the Charles County Legislative Package and were still in committee with no movement.

1. House Bill 389 Charles County-Alcoholic Beverages- Resort Complex License
2. House Bill 388 Charles County-Alcoholic Beverages- View of Licensed Premises
3. House Bill 438 Charles County- Alcoholic Beverages- Golf Course Privilege
4. House Bill 400 Charles County- Alcoholic Beverages-Exemption from Off-Sale License Quota

Ms. Mitchell continued her review of the following:

5. Senate Bill 634 Electric Cooperatives-Powers- Conducting or Communications Facilities

Ms. Mitchell informed the Commissioners that the support letter for this bill was sent and that the hearing was held last week. This bill is still moving through the process.

6. Senate Bill 290 Public Health- Cottage Food Products- Definition

<sup>1</sup> Census 2020 Complete Count Committee Resolution renumbered to 2019-05 on March 12, 2019.

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Ms. Mitchell informed the Commissioners that she spoke with Dr. Lowry, Health Officer, Charles County Health Department, who informed her that she was opposed to this bill and that the members of the Maryland Association of County Health Officers were on record of not supporting it.

**7. Senate Bill 973 Tri-County Council for Southern Maryland – Membership and Funding**

The Charles County letter requesting that this bill be withdrawn was sent. There has not been any formal response yet. The hearing date has been moved back from March 5, 2019 to March 8, 2019.

**8. Senate Bill 866 College of Southern Maryland-Local Budget Process- Modifications**

The Charles County letter requesting that this bill be withdrawn was sent. Ms. Mitchell explained that Calvert County provided a similar letter requesting all three counties sign. This letter suggesting that the three counties, in partnership with College of Southern Maryland (CSM), could address the concerns raised in this bill with a Memorandum of Understanding (MOU). Ms. Mitchell explained, when questioned, that the benefit of sending another letter signed by the three (3) counties would show unity of the three (3) regional counties.

The Commissioners requested Ms. Mitchell to modify the letter presented by taking out MOU language and stressing that the three (3) counties will work with College of Southern Maryland. This letter should be brought back for approval later this day with these changes.

The Commissioners further directed Mr. Mark Belton, County Administrator, to work with the other county administrators from Calvert and St. Mary's Counties and the College of Southern Maryland on this issue. The College of Southern Maryland needs to clarify why they needed this bill.

**9. Senate Bill 845 Southern Maryland Rapid Transit Project- Requirements and Funding**

Ms. Mitchell reviewed the draft letter of support for this bill outlining the County's need for funding rapid transit. Mr. Jason Groth, Planning Director, Department of Planning and Growth Management, clarified that this funding from Maryland Transportation Trust Fund would be the next phase, moving the process toward construction and project planning review.

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

**10. House Bill 1051 Charles County- Landlord Tenant- Repossession for Failure to Pay Rent-Procedures**

Ms. Mitchell explained that she has not heard any official response about this bill and that no hearing has been set. Commissioner Stewart shared that when she spoke to Delegate C.T. Wilson he told her that he would be pulling this legislation.

**Closed Session**

At 9:33 a.m. a motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to go into closed pursuant to Section 3-305(b)(1) of the General Provisions Article of the Annotated Code of Maryland to discuss appointments to two (2) Commissioner Appointed Boards: Animal Matters Hearing Board and Commission for Women. The reason for closing is to protect applicants' confidential applications in order to preserve the ability to attract applicants.

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**Closed Session Summary**

At 9:51 a.m. the Commissioners went into closed session.

**3-305(b)(1) Personnel-Boards and Commissions**

Present: Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Danielle Mitchell, and Carol DeSoto

Ms. Carol DeSoto, Acting Clerk, provided an overview of applicants for vacancies for the following Commissioner-appointed boards:

1. Commission for Women - a consensus was reached related to the appointments to this board.
2. Animal Matters Hearing Board - a consensus was reached related to the appointments to this board.

The Commissioners' official action, on these appointments, was taken in open session on this day, March 5, 2019, as reflected in Action on Boards, Commissions and Committees of these minutes.

At 9:58 a.m. a motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to end closed session.

The Commissioners returned to open session at 11:02 a.m.

**Briefing: Department of Social Services**

Ms. Therese Wolf, Director, Charles County Department of Social Services, provided the Commissioners with an overview of her department. She explained that they serve over twenty-two thousand (22,000) citizens annually and see over three thousand (3,000) customers in their office, monthly. They provide food stamp (SNAP) benefits for over six thousand (6,000) citizens; collect over one million, seven hundred thousand dollars (\$1,700,000.00) monthly in child support; provide emergency services for families and homeless persons; and serve family cases in Child Protective Services, adoptive families, family guardianship cases, vulnerable adults and foster care. She explained that her department is the largest social service provider in Southern Maryland. She furthered outlined the many services that her department provides, the new initiatives they are working on and some of the challenges they are facing. She explained the "End Hunger Charles County" program that was started in partnership with other groups and agencies in the county.

Commissioner Bowling explained the Maryland Market Money program that would match food stamps so that people could buy fresh food at local farmer's markets. He committed to working closely with the Department of Social Services to help coordinate this type of program in Charles County such as Farmers Feeding Families.

**Discussion and Briefing: Affordable Housing- ALICE Report**

Mr. Michael Bellis, Executive Director, United Way of Charles County, explained that the ALICE report was the acronym for Asset Limited Income Constrained Employed. It includes people who have jobs and work, and who do not necessarily use public benefits. He reviewed that the basic household survival budget costs in Maryland which has increased from 2010 to 2016. He discussed in order to

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meet the basic household budget in Charles County for a single adult, that person would need to earn an hourly wage of seventeen dollars and six cents (\$17.06) and that a family of four would need to earn an hourly wage of forty-one dollars and twenty-four cents (\$41.24). Financial hardships have been increasing over time not only in Charles County but in the State of Maryland as well. ALICE households are in all age groups and that the number of households below the ALICE threshold increased twenty two percent (22%) from 2010 to 2016. He furthered reviewed employment and emerging trends and the need to get ahead before these numbers before people are in crisis such as eviction, water turned off, etc.

Commissioner Collins spoke on how this presentation highlighted that this in not only a Charles County Issue, but a national issue and his concern on the impact of seniors being able to afford housing. Mr. Bellis responded that just to meet current needs, Charles County would need an additional five thousand (5000) rental housing units that are affordable. Commissioner Collins stressed that addressing affordable housing was consistent with the goals and objectives that the Board of County Commissioners worked on last week. He was committed to continue this discussion on affordable housing, especially for seniors and to find potential solutions, that would be measurable, to address this issue.

**Briefing and Request for Approval: FY2020 Annual Transportation Plan**

Mr. Steve Kaii-Ziegler, Director and Mr. Jeffry Barnett, Chief of Transit, Department of Planning and Growth Management, explained that the Annual Transportation Plan was a consolidated grant application to Maryland Department of Transportation/Maryland Transit Administration for transit operating and capital assistance. This can cover approximately fifty percent (50%) of operating net costs of the six million, seven hundred and sixty-five thousand, five hundred and ninety-eight dollars (\$6,765,598.00) of which the Federal and State share would be, three million, six hundred and twenty-five thousand, five hundred and thirteen dollars (\$3,625,513.00). This includes a new route serving the senior/recreation facility and fulltime security at VanGo transfer points. Since the Maryland Transit Administration indicated operational formula grants will be flat, the County share for operations could be three million, eight hundred and seven thousand, four hundred and fifty-one dollars (\$3,807,451.00).

This grant could also cover ninety percent (90%) capital assistance costs of eight hundred and eighty-nine thousand, two hundred and eighty-seven thousand dollars (\$889, 287.00). These funds would be for capitalized preventative maintenance; two (2) small paratransit buses; passenger counters; facility design and engineering; and drive replacements. The County's share would be eighty-eight thousand, nine hundred and twenty-nine dollars (\$88, 929.00). Mr. Barnett explained that in order to complete the application, the Commissioners needed to approve and execute the authorizing resolution which will be included in the application.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the Annual Transportation Plan Authorizing Resolution 2019-02.

**Department Briefing: Planning and Growth Management**

Mr. Steve Kaii-Ziegler, Director, Department of Planning and Growth Management, provided an overview of the four (4) divisions, staff, and budget breakdown for the department. He highlighted the department reorganization, Energov implementation, and process improvements that were made. Ms.

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Christina Pompa, Deputy Director, Department of Planning and Growth Management reviewed projects the administration division was working on including: citizen response coordination; government space needs study; comprehensive overhaul of fee and charge structure; comprehensive update to zoning ordinances and subdivision regulations; creation of an airport base zone and corresponding overlay for safety; and affordable housing analysis. Mr. Jeffry Barnett, Chief of Transit, reviewed transit responsibilities and current projects. Mr. Jason Groth, Planning Director, outlined the Planning Divisions responsibilities and projects. Mr. Ray Shumaker Chief of Codes, Permits and Inspection Services (CPIS) concluded the presentation explaining the current projects and responsibilities of this division.

Mr. Kaii-Ziegler responded to questions from the Commissioners related to the review of fees and charges analysis. He indicated that he would bring back options in a few months related to fees and charges which the Commissioners would consider for implementation in 2021. He stated that this review has just been initiated. He also indicated that he would track the turnaround time of submission of permits electronically and provide the Commissioners with an update on this process.

**Briefing: Charles County Charitable Trust**

Ms. Sandra McGraw, President, Board of Directors, and Ms. Susan Petroff, Program Director, Charles County Charitable Trust joined the Commissioners to provide a review of the core programs and services of the Charitable Trust. Ms. McGraw stated that since the Trust was established in 2016 it handles the Nonprofit Grant Award Program; Professional Development and Advocacy and Fundraising from sources outside the County. She reviewed the top five (5) community needs and the top five (5) nonprofit challenges in Charles County. She furthered reviewed the distribution of the FY2019 grants. She indicated that the first outside grant source that the Trust may receive could be received in April 2019. She further indicated that once the audit of the Charitable Trust was completed, the Trust would plan aggressively to get outside funds. They have now been established for three (3) years, which she indicated was a requirement to receive outside grants. The Trust is currently working on an educational fundraising sustainability project which will run March through June 2019.

When questioned, Ms. McGraw explained that the three (3) budget funds that the Trust has are the: Grants Funds and the Operating Funds, which they rely on the County to provide, and the Special Reserve Fund, which the members of the Board of Directors are required to contribute to annually, and also includes contributions from citizens.

Commissioner Collins suggested that the Trust consider creating an interest bearing/endowment type of account to grow into sustainable funds outside of the County's funds.

**Approval: Senate Bill 866 Joint Letter of Support**

Ms. Danielle Mitchell, Acting County Attorney, presented the draft letter with the changes the Commissioners requested to the letter presented by Calvert County related to Senate Bill 866 which was reviewed during the update of the 2019 Maryland General Assembly Legislative Session earlier this day.

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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 the draft letter to be sent by all three (3) counties related to Senate Bill 866.

*\*Break 1:25 p.m. – 2:35 p.m.*

**Department Tour: Planning and Growth Management**

At 2:35 p.m. the Commissioners toured the department of Planning and Growth Management.

*\*Break 3:37 p.m. – 4:01 p.m.*

**Work Session: Commissioners' Operating Procedures: Charles County Sponsorship Process; Community Support Policy; and County Commissioner Expense Policy**

The Commissioner discussed the need for a process to handle requests related to sponsorships that is equitable and fair and how to fund these sponsorships. One option discussed was changing the County Commissioner Expense Policy Standard Operating Procedure (SOP) #CC.1.014 to allow the Commissioners the ability to transfer funds within their own accounts which could help cover the costs of sponsorships if they choose. They also discussed using funds from the Community Support account for sponsorships.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve revising the County Commissioner Expense Policy SOP #CC.1.014, Section 1.3 to remove the word "not" to "funds are permitted to be transferred between individual Commissioner Accounts of the same Commissioner...."

The Commissioners directed Mr. Mark Belton, County Administrator, to bring back the Community Support Policy SOP# CC.1.019 on March 12, 2019 with revised language for approval. It should reflect changes that would allow each Commissioner the ability to use a percentage of these funds to sponsor a project or event annually. This percentage of funds would be determined annually depended upon the budgeted amount for this account, and the funds would be divided equally for each Commissioner to use for a Charles County sponsorship.

**Briefing and Request for Approval: Forming a Rural Land Use Designations Task Force**

Ms. Danielle Mitchell, Acting County Attorney, reviewed the updated draft resolution, outlining the changes the Commissioners discussed in previous sessions. The timeframe for this task force changed from one (1) year to six (6) months; the language describing it as an advisory capacity was removed; recommendations would go to the zoning officer in the form of an application for a text amendment; and this task force would be dissolved upon the acceptance or denial of the requested zoning text amendment.

A motion was made by Commissioner Bowling seconded by Commissioner Rucci and passed, with Commissioners Bowling, Rucci, Coates and Collins, voting in favor to approve Resolution 2019-03 forming the Rural Planning and Zoning Task Force. Commissioner Stewart was opposed. The motion passed four (4) to one (1).

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**Action on Boards, Committees, and Commissions**

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to reappoint Russell Scott and Robbie Wilson and to appoint Clarissa Stroud-Kemp, Daniella Djiogan and Aretha Larsen to the Commission for Women.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to reappoint Matthew Cook and to appoint Elizabeth McWey Shelton and Eva Lightfoot to the Animal Matters Hearing Board.

**Public Hearing: Waldorf Volunteer Fire Department Purchase of a Pumper Truck Bond Financing**


Ms. Sue Greer, Attorney, Law Offices of Sue A. Greer, provided a brief review of the proposed resolution for the issuance of tax-exempt bonds for the Waldorf Volunteer Fire Department (WVFD) to finance or refinance the loan for the acquisition of a 2019 Pierce Enforcer 1500 GPM Class A Pumper which will be located at the WVFD. There were no members of the public present to provide comments.

A motion was made by Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to close the Public Hearing.

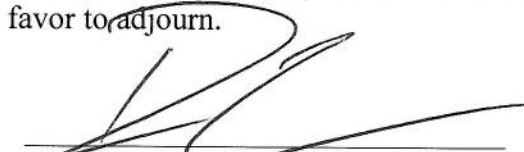
A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to close the record.

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Resolution 2019-04 for the Waldorf Volunteer Fire Department Purchase of a Pumper Truck Bond Financing

At 6:05 p.m. a motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adjourn.



Carol A. DeSoto, Acting Clerk

  
Reuben B. Collins, II, Esq., President



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**FORM OF STATEMENT FOR CLOSING A MEETING**

Location: Commissioners' Meeting Room

Date: March 5, 2019

Time: 9:33 a.m.

Motion By: Commissioner Coates

Seconded By: Commissioner Rucci

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Reuben B. Collins, II, Esq.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gilbert O. Bowling, III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomasina O. Coates, M.S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Stewart, M.Ed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bobby Rucci	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**STATUTORY AUTHORITY TO CLOSE SESSION**

**General Provisions Article §3--305(b):**

(1)  To discuss:

- (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
- (ii) Any other personnel matter that affects one or more specific individuals.

(2)  To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.

(3)  To consider the acquisition of real property for a public purpose and matters directly related thereto.

(4)  To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

(5)  To consider the investment of public funds.

(6)  To consider the marketing of public securities.

(7)  To consult with counsel to obtain legal advice on a legal matter.

(8)  To consult with staff, consultants, or other individuals about pending or potential litigation.

(9)  To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

(10)  To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:

- (i) the deployment of fire and police services and staff; and
- (ii) the development and implementation of emergency plans.

**FORM OF STATEMENT FOR CLOSING A MEETING**

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**Appendix C C-2**

(11)  To prepare, administer or grade a scholastic, licensing, or qualifying examination.

(12)  To conduct or discuss an investigative proceeding on actual or possible criminal conduct.

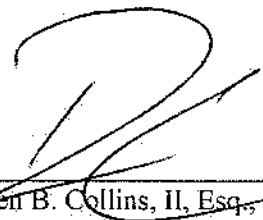
(13)  To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a proceeding or matter.

(14)  Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

**TOPICS TO BE DISCUSSED:**

**3-305 (b) (1) Personnel: Discuss Appointments to two (2) Commissioner Appointed Boards Animal Matters Hearing Board and Commission for Women**

**REASON FOR CLOSING: To protect applicants' confidential applications in order to preserve the ability to attract applicants.**

  
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Reuben B. Collins, II, Esq., President