

Regular Meeting of County Commissioners

Tuesday, May 14, 2019

The regularly scheduled meeting of the County Commissioners was convened at 9:04 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
Wesley Adams, County Attorney
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

Recognition: Citation-Center for Children 30th Anniversary

The Commissioners recognized the Center for Children for thirty (30) years of service. The 30th Anniversary Citation was received by Ms. Cathy Meyers, Executive Director, and Ms. Danielle Burrell Jones, Marketing Development and Community Outreach Coordinator, Center for Children.

Recognition: Proclamation 2019-17 National Cystic Fibrosis Awareness Month

The Commissioners proclaimed the month of May 2019 as National Cystic Fibrosis Awareness Month in Charles County with Proclamation 2019-19.

Recognition: Proclamation 2019-20 National Correctional Officers Week

The Commissioners proclaimed the week of May 7-13, 2019 as National Correctional Officers Week in Charles County. Proclamation 2019-20 was received by Sheriff Troy Berry and members of the Charles County Sheriff's Office.

Recognition: Proclamation 2019-21 National Police Week

The Commissioners proclaimed the week of May 12-18, 2019 as National Police Week in Charles County. Proclamation 2019-21 was received by Sheriff Troy Berry and members of the Charles County Sheriff's Office and Chief Carl Schinner, and members of the LaPlata Police Department.

Commissioners' Comments

There were no Commissioners' comments.

Approval of the Minutes of April 30, 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 April 30, 2019.

Notice of Tentative Agenda of May 21 and May 22, 2019

Ms. Carol DeSoto, Acting Clerk, announced the tentative agendas for May 21 and May 22, 2019.

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Approval Items

Competitive Power Ventures (CPV) Ebuds:

Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, explained that the three (3) ebuds were all to support the cost of installing a temporary filtration system to meet contractual obligations with Competitive Power Ventures. The FY2019 cost is nine hundred and sixty-seven thousand three hundred dollars (\$967,300.00) which is being funded by a budget transfer due to operating savings and a budget amendment increase using Water and Sewer Enterprise fund balance.

FY2019 Budget Transfer Request #6726 CPV Water Quality

FY2019 Budget Amendment Increase #6725 CPV Water Quality

A motion was by Commissioner Coates, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve FY2019 Budget Transfer Request #6626 CPV Water Quality for three hundred thousand dollars (\$300,000.00) and FY2019 Budget Amendment Increase #6725 CPV Water Quality for six hundred and sixty seven thousand three hundred dollars (\$667,300.00) for a total of nine hundred and sixty-seven thousand three hundred dollars (\$967,300.00).

FY2020 Budget Amendment Increase # 6728 CPV Water Quality

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2020 Budget Amendment Increase #6728 CPV Water Quality for one million ninety-one thousand three hundred dollars (\$1,091,300.00).

Set the Fiscal Year 2020 Property and Income Tax Rate

Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services stated that there is no tax rate change. There has been no tax rate change for the past seven (7) years.

- A motion was by Commissioner Rucci, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to set the fiscal year 2020 real property tax rate at the current rate of one point one four one (1.141) dollars per one hundred dollars (\$100.00) of assessed value; and the Fire and Rescue real property tax rate at the current rate of six point four (6.4) cents per one hundred dollars (\$100.00) of assessed value.
- A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to set the Personal Property tax rate for all railroad personal and public utility property, corporate personal and business personal property subject to taxation at the current rate of two point eight five two five (2.852) dollars per one hundred dollars (\$100.00) of assessed value; and the Fire and Rescue business personal property tax rate at the current rate of sixteen (16) cents per one hundred dollars (\$100.00) of assessed value.
- A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to set the fiscal year 2020 La Plata Town Tax Differential Rate at thirteen point five (13.5) cents per one hundred dollars

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(\$100.00) of assessable base and; the Indian Head Town Tax Differential Rate at three point eight (3.8) cents per one hundred dollars (\$100.00) of assessed value.

- A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to set the 2020 Income Tax rate at the current rate of three point zero three percent (3.03%) and; to set the semi-annual real property tax payment option rate which has been calculated to be zero point six six percent (0.66%).

Update: Fiscal Year 2019 General Fund Quarterly Update

Ms. Jenifer Ellin, Director and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, provided the quarterly review of the FY2019 General Fund. Ms. Ellin explained that the FY2019 Adjusted Budget includes the nine million three hundred thousand dollars (\$9,300,000.00) of fund balance use and that due to favorable revenues and estimated expenditure savings, it is projected that eight hundred nine thousand five hundred and seventy dollars (\$809,570.00) will be needed to offset the estimated net operating loss. The update continued with a detailed review of estimated revenues, expenditures, and the fund balance budget. Ms. Ellin concluded the update by reviewing the County's Fund Balance Policy which explains that when the fund balance is in excess of fifteen percent (15%), those funds are to be designated or appropriated during the next fiscal year for the following purposes in order of priority: to cover any shortfall in Special Revenue Funds; to reduce or avoid debt; to apply to capital outlay purchases; for one-time capital needs; or as a tax, fee, or rate stabilization.

Briefing and Request to Begin Public Process: Expansion of the Zekiah Watershed Rural Legacy Area

Mr. Charles Rice, Program Manager, Department of Planning and Growth Management, briefed the Commissioners on the Maryland Rural Legacy Program and reviewed a letter from the Charles County Agricultural Land Preservation Board requesting the possible expansion of the Zekiah Watershed Rural Legacy Area. He outlined the reasons for the proposed expansion and how the program would support protection of assets in the designated rural legacy area, including farm and forest properties, historic sites, natural and cultural resources, and ecologically sensitive areas. Staff was requesting approval to pursue the expansion of this designated area and seek state grant funding to support its preservation.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to have staff begin the public process of the expansion of the Zekiah Watershed Rural Legacy Area.

**Break 10:14 a.m. – 10:30 a.m.*

Briefing: Charter Form of Government

Dr. Jeanne Bilanin, Senior Researcher, University of Maryland Institute for Governmental Services and Research, briefed the Commissioners on the Charter and Code Home Rule forms of local government. She reviewed each form of government as outlined in the Maryland Constitution. She compared County Home Rule and Charter forms of governments' adoption; structure of government, powers and limitations, and the key statutory authority. She summarized the major strengths and limitations for each form of government; her observations of the costs of each form of government in Maryland

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counties; and an overview of public safety services in Charter counties. She concluded by outlining how the changes would affect Charles County if it were to switch from Code to Charter Home Rule.

**Break 11:01 a.m. – 11:15 a.m.*

Commissioner Collins clarified that even though there was a draft resolution, to establish a Charter Board, included with the documents from the previous briefing on Charter Form of Government, under advisement, the County was not seeking to form a Charter Government.

Adoption: Fiscal Year 2020 Operating and Capital Budgets

Ms. Jenifer Ellin, Director and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, provided a final overview of the proposed FY2020 balance budgets.

Before the motions were made to adopt the proposed budgets, Commissioner Collins addressed the issue of a homeless shelter in Charles County. He recognized the need for a permanent location for a homeless shelter and additional support services; the need to go through a deliberative process with community stakeholders to select a location; the need to discuss and identify the most appropriate strategy for delivering those services; and that this process would take time and could not be completed within the scope of this budget adoption. He further stated that even though the fiscal year 2020 budget will not include funds for a permanent homeless shelter, the Board of County Commissioners is fully committed to exploring options for funding a permanent homeless shelter and will move forward quickly and in collaboration with experts and advocates to ensure that this priority is addressed within the next fiscal year and will amend the budget as needed after the planning process is complete. He wanted to direct staff to look for options for funding and sites for development of a permanent homeless shelter.

Commissioner Stewart voiced her concern with requesting this consensus during this agenda topic of adopting the budget. It was agreed to bring back this request during the next agenda topic, Commissioners' New Business.

- A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adopt Ordinance 2019-07 for the Fiscal Year 2020 General Fund Operating Budget in the amount of four hundred twenty-five million ninety-seven thousand five hundred dollars (\$425,097,500.00) and to approve the fiscal year 2020 new position list for General Fund operations which includes adding to the authorized strength of the Sheriff's Office, two (2) new School Resource Officer positions, two (2) new Forensic Science Unit Lab Technicians, and additional support staff for the Sheriff's Office, two (2) additional Attorney positions for the State's Attorney's Office, and additional positions throughout County Government operations.
- A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to adopt Resolution 2019-08 for the Fiscal Year 2020 Capital Budget in the amount of one hundred fifty six million three hundred eight thousand dollars (\$156,308,000.00) and the Fiscal Year 2020-2024 Capital Improvement Program in the amount of five hundred forty six million three hundred thirty five thousand

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dollars (\$546,335,000.00) and the associated water and sewer connection fee rates as proposed to support related projects and the associated school excise tax rates as proposed to support new school construction projects.

- A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adopt the Fiscal Year 2020 Inspection & Review Enterprise Fund Operating Budget in the amount of four million one hundred fifteen thousand eight hundred dollars (\$4,115,800.00).
- A motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to adopt the Fiscal Year 2020 Recreation Enterprise Fund Operating Budget in the amount of two million four hundred thirty-two thousand two hundred dollars (\$2,432,200.00).
- A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adopt the Fiscal Year 2020 Landfill Enterprise Fund Operating Budget in the amount of nine million six hundred seventeen thousand five hundred dollars (\$9,617,500.00) and as proposed to maintain the tipping fee at seventy five dollar (\$75.00) per ton.
- A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adopt Ordinance 2019-10 for the Fiscal Year 2020 Water and Sewer Operating Budget in the amount of thirty nine million six hundred sixty thousand four hundred dollars (\$39,664,000.00) and to increase the associated water and sewer user fee rates as proposed by approximately twelve point one percent (12.1%) on the average water and sewer bill to fund the budget.
- A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adopt Ordinance 2019-09 for the Fiscal Year 2020 Environmental Service Fee Enterprise Fund Operating Budget in the amount of seven million nineteen thousand nine hundred dollars (\$7,019,900.00) and to increase the Environmental Service Fee to one hundred and nineteen dollars (\$119.00) per improved property tax account for properties outside the municipal limits of La Plata and Indian Head and to decrease the fee to nineteen dollars (\$19) for properties located within La Plata and Indian Head as proposed.
- A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adopt the Fiscal Year 2020 Watershed Protection and Restoration Enterprise Fund Operating Budget in the amount of four million seven hundred sixty four thousand seven hundred dollars (\$4,764,700.00) and as proposed to increase the Stormwater Remediation Fee from sixty one dollars (\$61.00) to

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seventy eight dollars (\$78.00) per improved property tax account for properties outside the municipal limits of La Plata and Indian Head.

- A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to adopt the proposed Fiscal Year 2020 Fees and Charges for County government services.

Commissioners' New Business

The consensus of the Commissioners was to direct staff to look for options for funding and sites for development of a permanent homeless shelter in Charles County.


Ms. Carol DeSoto, Acting Clerk, announced the Board of Education's state recognition of Charles County Schools being held at the Board of Education Building following today's session at 1:00 p.m.

At 11:43 a.m., a motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to adjourn.

Board of Education State Recognition of Charles County Schools at the Maryland State Destination Imagination (DI) Tournament; Maryland State Theatre Festival; and Maryland State SkillsUSA Championships



Carol A. DeSoto, Acting Clerk


Reuben B. Collins, II, Esq., President