

**Regular Meeting of County Commissioners**  
**Tuesday October 4, 2022 (Legislative Day)**

The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, 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 was absent  
Amanda M. Stewart, M.Ed., County Commissioner  
Mark Belton, County Administrator  
Deborah Hall, Deputy 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.

**Roll Call**

A roll call was taken. All Commissioners were present.

**Announcement of Proclamation(s) Issued in October 2022**

2022-62 Global Diversity Awareness Month  
2022-63 Domestic Violence Awareness Month  
2022-64 National Cybersecurity Awareness Month  
2022-65 National Breast Cancer Awareness Month  
2022-66 Italian American Heritage Month  
2022-67 National Disability Employment Awareness Month  
2022-68 White Cane Awareness Day  
2022-69 Child Health Day and Month

The Commissioners were joined by members of the Sisters of Hearts, to receive Proclamation 2022-65 National Breast Cancer Awareness Month; members of Charles County IT Network Security and Technical Service staff received Proclamation 2022-64 National Cybersecurity Awareness Month; and members for the Charles County Health Department, Charles County Public Schools and Charles County National Association for the Advancement of Colored People (NAACP) received Proclamation 2022-69 Child Health Day and Month.

**Comments**

Commissioner Collins shared information about his participation in the celebration and ceremony to honor Robert Crain Highway Monument in the Town of Upper Marlboro, Maryland.

**Announcement**

Next Scheduled Commissioner Session(s): October 18 and 19, 2022. Reminder: October 5, 2022 Public Hearings at 6:00 p.m. Bond Resolution

**Approval of the Minutes of September 27 and 28, 2022**

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 September 27, 2022.

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A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to approve the minutes of September 28, 2022.

**Approval Items**

*Local Emergency Planning Committee (LEPC) Bylaws*

A motion was made by Commissioner Rucci, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve Resolution 2022-17 Local Emergency Planning Committee.

*Community Resource Day Funding Support*

*\*At 9:37 a.m. Commissioner Stewart recused herself from this discussion.*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Rucci, and Collins present, voting in favor to fund two thousand dollars (\$2,000.00) from the Community Support Fund for the Community Resource Day on October 26, 2022. *\*Commissioner Stewart was not present for the vote.*

*\*At 9:49 a.m. Commissioner Stewart rejoined session.*

**Briefing and Request to Introduce and Schedule a Public Hearing: Bill 2022-09 Zoning Text Amendment 22-168 Mini-Warehouses in Neighborhood Commercial (CN) Zone**

Ms. Kelly Palmer, Planner III, Ms. Cynthia Bilbra, Planning Supervisor, Ms. Jessica Andritz, Assistant Chief and Legal Counsel, and Mr. Jim Campbell, Planning Director, Department of Planning and Growth Management, joined the Commissioners to review this proposed zoning text amendment. This amendment would amend certain provisions to permit Mini-Warehouses, by special exception in the Neighborhood Commercial (CN) Zone.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to introduce Bill 2022-09 Zoning Text Amendment 22-168 Mini-Warehouses in Neighborhood Commercial (CN) Zone.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to schedule the public hearing on Wednesday November 2, 2022 at 6pm in the Government Building Conference Room both in-person and virtual.

**Briefing and Request to Introduce and Schedule a Public Hearing: Bill 2022-(10) Zoning Text Amendment #21-169 Update Critical Area Overlay Zone**

Mr. Charles Rice, Assistant Chief of Planning, Mr. Kyle Redden, Planner I, Mr. Jim Campbell, Planning Director, and Ms. Lynn Knaggs, Planning Supervisor, Department of Planning and Growth Management, joined the Commissioners to review this proposed zoning text amendment to update the Critical Area Overlay Zone.

A motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to introduce Bill 2022-10 Zoning Text Amendment 21-169 Update Critical Area Overlay Zone.

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A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to schedule the public hearing on Wednesday November 2, 2022 at 6pm in the Government Building Conference Room both in-person and virtual.

**Briefing and Request to Schedule a Public Hearing: FY2023 Municipal Stormwater (MS4) Permit Financial Assurance Plan**

Mr. Charles Rice, Assistant Chief of Planning, and Ms. Karen Wiggen, Planner III, Department of Planning and Growth Management; Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services; and Mr. John Stevens, Chief of Capital Projects, Department of Public Works, provided the Commissioners a presentation on the Financial Assurance Plan Watershed Protection & Restoration Program.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to schedule the public hearing on Wednesday October 26, 2022 at 6pm in the Government Building Conference Room both in-person and virtual.

**Quarterly Update: Chief Equity Officer**

Ms. Renesha Miles, Chief Equity Officer, Ms. Elaine Pollard, DEI/HR Coordinator, and Ms. Alexis Blackwell, Director, Department of Human Resources provided a quarterly update on the County Government's work on Diversity, Equity, and Inclusion (DEI). Ms. Miles reviewed leadership involvement; employee engagement; establishing, explaining, and embedding equity; reviewed shared understanding of DEI and the steps taken to date. Ms. Miles introduced Ms. Elaine Pollard, the DEI/HR Coordinator and explained that the development of a Racial Equity Tool is in progress. She explained that Diversity, Equity, and Inclusion is a process.

**Update: Maryland Department of the Environment Groundwater Permits and La Plata Water Agreement**

Mr. Jason Groth, Deputy Director and Ms. Deborah Carpenter, Director, Department of Planning and Growth Management, reviewed a presentation that provided an update on the Maryland Department of the Environment Groundwater Permits and the La Plata Water Agreement. Mr. Groth reviewed the County's completed efforts to date which include accelerated Capital projects to provide water to the Town of La Plata; negotiated watermain upgrade with St. Charles; and that the County executed an agreement with Washington Suburban Sanitary Commission (WSSC) to ensure water supply. He reviewed the County's proposal and negotiation process with the Town of La Plata. He outlined the outstanding/unresolved issues and the next steps.

**Closed Session**

At 10:57 a.m., Commissioner Bowling made a motion, seconded by Commissioner Stewart and passed, with all Commissioners 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)(7) of the General Provisions Article of the Annotated Code of Maryland to review one (1) lease agreement and to discuss two (2) personnel issues. The reason for going into closed session is to keep strategies, negotiations and personnel information confidential.

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**Summary Closed Session Items**

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

**3-305 (b)(7) Agreement: Lease Renewal**

Present Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Deborah Hall, Wes Adams, Carol DeSoto, Judy Michael and Danielle Mitchell.

Ms. Deborah Hall, Deputy County Administrator and Ms. Danielle Mitchell, Associate County Attorney, provided an update on a current lease with the County.

The Commissioners provided staff with directions on additional information needed and how to proceed.

**3-305 (b)(1) Personnel**

Present Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Deborah Hall, Wes Adams, Carol DeSoto, and Martin Harris.

The Commissioners were introduced to Mr. Martin Harris, the newly appointed Department of Public Works Director.

**3-305 (b)(1) Personnel**

Present Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Deborah Hall, Wes Adams, and Carol DeSoto.

Mr. Mark Belton, County Administrator, reviewed potential changes to County personnel contracts.

The Commissioners reached a consensus of the proposed changes with additional wording clarification.

At 12:24 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to end this close session.

At 2:00 p.m., the Commissioners returned to open session.

**Roll Call**

A roll call was taken. All Commissioners were present.

**Annual Update: Docket 90**

Mr. Mark Anderson, Director of Land Development, Lennar Mr. Andrew Vail, Mr. Pat Wackerle, Soltesz Engineering, and Mr. Rick Barnas, Barnas Engineering, provided a presentation on the Annual Docket 90 Report on the St. Charles Community. They reviewed the developed villages of Westlake Village, Smallwood Village, and Fairway Village. They reviewed St. Charles Development highlights, remaining development, school allocations, wetland mitigation and St. Charles Neighborhood Centers.

*\*Break 2:13-2:26 p.m. due to technical difficulty.*

**Roll Call**

A roll call was taken. All Commissioners were present.

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**Update: Commissioners' Goals and Objectives- Goal 3: Environment**

Ms. Deborah Carpenter, Director, Department of Planning and Growth Management; Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator; Ms. Kelly Robertson-Slagle, Director, Department of Economic Development; Mr. Bernard Cochran, Acting Director, and Ms. Frances Sherman, Chief of Environmental Resources, Department of Public Work, provided a presentation on the Goal 3: Environment of the County Commissioners Goals and Objectives. Highlights included conservation programs, climate change best management practices, solar energy expansion, rainwater collection, commercial recycling expansion, impervious surface reduction, wastewater treatment, clean water supply, water conservation, and stormwater management.

**Bi-Monthly Update: Western Parkway Roadway Improvements**

Mr. John Stevens, Chief of Capital Services, and Mr. Brian Kagarise, Senior Project Manager, Department of Public Works; Mr. Jason Groth, Deputy Director, Department of Planning Growth Management provided an update on Western Parkway Roadway Improvements. Phase 2, 3A-1, and 3A-2 are complete; and Phase 3A-3 and 3B are in the design phase. These phases extend Western Parkway to include four-lane divided roadway with a hiker/biker trail and sidewalk. The estimated completion of Western Parkway Phase 3A and 3B is October 2024.

**Work Session: Draft Bill 2022-06 Adequate Public Facilities 2022 Manual Update to Traffic Section**

Mr. Jason Groth, Deputy Director, and Mr. Ben Yeckley, Planner III, Department of Planning and Growth Management, reviewed the proposed updates to the Adequate Public Facilities 2022 Manual to the Traffic Section and staff's updates since the public hearing.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present voting in favor to adopt Bill 2022-06 Adequate Public Facilities Manual-Traffic Section.

**Commissioner's New Business**

Commissioner Collins requested that the Board consider renaming the Columbus Day Holiday in Charles County to Indigenous People Holiday.

The Commissioners agreed to take official action on this request on Wednesday October 5, 2022.

**Closed Session**

At 4:33 p.m., Commissioner Bowling made a motion, seconded by Commissioner Rucci and passed, with all Commissioners 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)(3)(7) of the General Provisions Article of the Annotated Code of Maryland to review one (1) lease agreements, receive and update on two (2) potential land acquisitions; and to discuss one (1) personnel contract. The reason for going into closed session is to keep strategies, negotiations and personnel information confidential.

**Summary Closed Session Items**

At 4:39 p.m. the Commissioners went into closed session.

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**3-305 (b)(3)(7) Potential Land Acquisition**

Present Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Deborah Hall, Wes Adams, Carol DeSoto, Judy Michael, Jenifer Ellin, and Danielle Mitchell.

Ms. Deborah Hall, Deputy County Administrator provided an updated information on a potential land acquisition property.

**3-305 (b)(3)(7) Potential Land Acquisition**

Present Commissioners Collins, Rucci, Bowling, Coates, Stewart, Mark Belton, Deborah Hall, Wes Adams, Carol DeSoto, Judy Michael, Jenifer Ellin, and Danielle Mitchell.

Staff reviewed the potential property the County was interested in purchasing and discussed an options contract.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to have Commissioner Collins sign the option contract as discussed.

*\*At 4:49 p.m. Commissioner Coates recused herself from the next two (2) closed session discussions and left session.*

**3-305 (b)(7) Lease Agreement**

Present Commissioners Collins, Rucci, Bowling, Stewart, Mark Belton, Deborah Hall, Wes Adams, Carol DeSoto, Judy Michael, Jennifer Harris, Doria Fleisher, and Danielle Mitchell.

Staff provided an update and suggested options on how to move forward with this property/lease.

The Commissioners provided staff with directions on how to proceed.

**3-305 (b)(1) Personnel**

Present Commissioners Collins, Rucci, Bowling, Stewart, Mark Belton, Deborah Hall, Wes Adams, and Carol DeSoto.

Mr. Mark Belton, County Administrator, reviewed requested options to be explored related to a personnel contract.

The Commissioners present agreed to explore this option but would like to see written scope of this option.

At 5:44 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Stewart, Rucci, and Collins present, voting in favor to end this close session and adjourn. *\*Commissioner Coates was not present for the vote.*

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Carol A. DeSoto, Clerk to the Commissioners

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Reuben B. Collins, II, Esq., President