

**Regular Meeting of County Commissioners**  
**Tuesday November 1, 2022 (Legislative Day)**

The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, at 1:21 p.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  
Deborah Hall, Deputy County Administrator  
Wes Adams, County Attorney  
Carol A. DeSoto, Clerk to the Commissioners

**\*Bond Sale: Consolidated Public Improvement Bonds of 2022 (Electronic Bids Via PARITY®)**

**Charles County Economic Development Department Fall Meeting 2022**

Prior to the start of session, the Commissioners attended the Charles County Economic Development Department Fall Meeting 2022 held at the College of Southern Maryland, La Plata Campus.

**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.

**Comments**

There were no comments.

**Approval: Bond Award**

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services; Ms. Cheryl O'Donnell Guth, Counsel, McGuire Woods LLP; and Mr. Joseph Mason and Ms. Jennifer Dierksen, Davenport reviewed the bids for the Consolidated Public Improvement Bonds of 2022. Bank of America Securities was awarded the bid with a bid of four point zero two six two eight six (4.026286)

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve Resolution 2022-20 Bond Award 2022.

**Charles County Proclamations Issued in November 2022**

2022-71 National Native American Heritage Month  
2022-72 Family Court Awareness Month  
2022-73 National Hospice, Palliative, and Home Care Month  
2022-74 National Veterans Small Business Week  
2022-75 Operation Green Light for Veterans Week  
2022-76 National Animal Shelter Appreciation Week  
2022-77 First Responders Appreciation Day  
2022-78 Veterans Day  
2022-79 Loss of Joe Mario Gressis Day  
2022-80 Shop Small Business Saturday

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The Commissioners were joined by Mr. Mike Brady, Chief Executive Officer, Ms. Shauna Chabot, Chief Advancement Officer, and Ms. Amanda Peterson, Communications Manager, Hospice of the Chesapeake, to receive Proclamation 2022-73 National Hospice, Palliative, and Home Care Month; members of Charles County Commission for Veterans and staff veterans as well the Department of Economic Development received Proclamations 2022-74 National Veterans Small Business Week, 2022-75 Operation Green Light for Veterans Week, and 2022-78 Veterans Day; members of the Volunteer Fire Department, Department of Emergency Services and other First Responders received Proclamation 2022-77 First Responders Appreciation Day; and Mr. Dionissios Gressis received Proclamation 2022-79 Iossif Joe Mario Gressis Day.

**Announcement**

Next Scheduled Commissioner Session(s): November 15 and 16, 2022.

**Reminder: November 2, 2022 Public Hearings at 6:00 p.m.:**

Bill 2022-09 Zoning Text Amendment (ZTA) 22-168, Mini-Warehouses in the Neighborhood Commercial (CN) Zone

Bill 2022-10 Adoption of Critical Area Zone Layer 2022

**Approval of the Minutes of October 25 and 26, 2022**

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the minutes of October 25, 2022.

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 October 26, 2022.

**#1 Closed Session**

At 1:52 p.m., Commissioner Bowling made a motion, seconded by Commissioner Coates 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)(7) of the General Provisions Article of the Annotated Code of Maryland to discuss one (1) lease agreement and to seek legal advice on one (1) County issue. The reason for going into closed session is to keep legal advice and strategies confidential.

**Summary Closed Session Items**

At 2:19 p.m. the Commissioners went into closed session.

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

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

Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator of Charles County, reviewed the terms of the proposed lease.

The Commissioners reached a consensus on this lease and official action took place later this day under Approval Items.

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**3-305 (b)(7) Legal Advice on a County Issue**

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

Ms. Elizabeth Theobalds, Deputy County Attorney and Mr. Wes Adams, County Attorney, Office of the County Attorney, Charles County, provided an overview of the issue of noncompliance as well as the legal process.

The Commissioners requested additional input from the Charles county Sheriff's Office and to schedule an additional closed session later this day.

At 2:58 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Rucci and passed, with all Commissioners present, voting in favor to end this close session.

At 3:12 p.m., the Commissioners returned to open session.

**Roll Call**

A roll call was taken. All Commissioners were present

**Approval Items**

*Ebud-FY2023 Budget Transfer Request #236 Close Old Capital Project, Hazmat and Emergency Services, Relocation to DNR Site Layout Project*

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2023 Budget Transfer Request #236 for four hundred and fifty thousand twenty dollars (\$450,020.00).

*Letter of Support: Board of Education Interagency Commission (IAC) on School Construction*

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve this letter of support to the IAC for school construction.

*Bryans Road Well #7 Minor Subdivision-Mylar Request*

A motion was made by Commissioner Coates, seconded by Commissioner Rucci and passed, with Commissioners Coates, Rucci, and Collins present, voting in favor to approve re-signing the corrected size mylar drawings. *Note: These drawings were previously approved on October 29, 2019 but were printed on the incorrect size mylar. Commissioners Bowling and Stewart were opposed.*

A roll call of the vote was taken: Commissioner Coates-yes; Commissioner Rucci-yes; Commissioner Stewart-no; Commissioner Bowling-no; Commissioner Collins-yes. The motion passed three (3) to two (2).

*Lease- Think Big Lease*

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the Think Big Lease.

**Briefing and Request to Schedule a Public Hearing: Waldorf Station Development Agreement**

Mr. Jason Groth, Deputy Director, Ms. Deborah Carpenter, Director, Department of Planning and

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Growth Management; and Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney for Charles County, provided an overview of the proposed amendments and requested to schedule a public hearing.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to schedule this public hearing for Wednesday November 16, 2022 at 6:00 p.m. in the Government Building Conference Room both in person and virtual.

**Briefing: Benedict Water Quality Study Results and Next Steps**

Ms. Alicia Afroilan, Engineering Supervisor, Department of Planning and Growth Management, provided a presentation overview of the Benedict Water Quality Study results. She provided an overview of the Benedict septic, which had been identified in the 2006 County Water and Sewer Comprehensive Plan as a septic tank failure area. She reviewed the project history, the five (5) revitalization goals, the work completed to date, the 2016 Zero Discharge Study, and recent activities/actions taken. She concluded her briefing with a review of recommendations of future actions/planned activities.

**Work Session: Proposed Bill 2022-13 Zoning Text Amendment #22-169 Event Venue and Mobile Food Service Facilities**

Mr. Kirby Blass, Planner III, Ms. Cynthia Bilbra, Planning Supervisor, and Ms. Jessica Andritz, Assistant Chief and Legal Counsel Zoning & Enforcement, joined the Commissioners to discuss proposed clarifications needed on this Bill before it can be brought back for introduction.

The Commissioners provided staff with directions on the requested clarifying and addition information to be included when this Bill is brought back for introduction.

**Commissioner's New Business**

There was no new business discussed.

**#2 Closed Session**

At 4:30 p.m., Commissioner Bowling made a motion, seconded by Commissioner Coates 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)(7) of the General Provisions Article of the Annotated Code of Maryland to discuss and to seek legal advice on one (1) County issue. The reason for going into closed session is to keep legal advice and strategies confidential.

**Summary Closed Session Items**

At 4:40 p.m. the Commissioners went into closed session.

**3-305 (b)(7) Legal Advice on a County Issue**

Present Commissioners Collins, Rucci, Bowling, Coates, and Stewart, Mark Belton, Deborah Hall, Wes Adams, Carol DeSoto, Elizabeth Theobalds, Marc Potter, Major Farrell, Lt. Burroughs, and Jerome Spencer.

Mr. Wes Adams, County Attorney, Office of the County Attorney, Charles County, provided an overview to the members from the Sheriff's Office of the issue of noncompliance and concerns the Commissioners had. The Sheriff's office members indicated that this an active ongoing investigation.

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The Commissioners stressed the need for an ongoing partnership with the Sheriff's Office Future updates will be given on this topic.

At 5:23 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to end this close session and adjourn.

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Carol A. DeSoto, Clerk to the Commissioners

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Reuben B. Collins, II, Esq., President