The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, at 9:01 a.m. with the following persons in attendance:

Reuben B. Collins II, Esq., President, County Commissioner Ralph Patterson, II, M.A., Vice President, County Commissioner Gilbert O. Bowling, III, County Commissioner Thomasina O. Coates, M.S., County Commissioner Amanda M. Stewart, M.Ed., County Commissioner 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.

Charles County Proclamations Issued in March 2023

2023-13 Social Work Month

2023-14 National Deaf History Month

2023-15 National Nutrition Month

2023-16 Good Sportsmanship Month

2023-17 Irish American Heritage Month

2023-18 National Vietnam War Veterans Day

2023-20 National Cigar Day

The Commissioners were joined by Mr. Sam Drury, Deputy Director, Mr. Austin Flowers, Sports Program Supervisor, Travon Royall and Rachel Halmon, Sports Coordinators Department of Recreation, Parks and Tourism to receive proclamation 2023-16 Good Sportsmanship Month.

The Commissioners were joined by members of the Daughters of the American Revolution (DAR) Port Tobacco Chapter, Representative s from the Maryland's Veteran's Museum, and members of the Commission for Veterans Affairs, and staff members to receive proclamation 2023-18 National Vietnam War Veterans Day.

After the Legislative Update, the Commissioners were joined by Ms. Therese Wolfe, Director, and staff members, Charles County Department of Social Services, to receive proclamation 2023-13 Social Work Month.

Comments

Commissioner Stewart read the following statement:

"I rarely make public comments regarding statements made by individuals about community and county business. However, I have reflected on a comment made by Commissioner Reuben Collins last week regarding an agenda item we had during our previous meeting. His post was regarding one of his commissioner's accounts with a negative balance due to charges on the account made for family members rather than for himself.

One of the first comments that Commissioner Collins stated was that the desire to have the conversation in an open session was to embarrass him. This comment was disheartening and disappointing. No man or woman who has

walked this Earth is perfect. I learned this lesson early in life, and one that I have to keep in mind as I navigate this world. However, Collins' statement proves that he needs to understand our responsibilities and the rules of Maryland's Open meeting act. He may be embarrassed that a man of his position could not pay \$1700 as soon as it is brought to his attention. However, I never attempted to embarrass him by having a conversation to rectify the situation.

The second comment that leads me to believe that Collins does not understand the severity of the issues at this time is that he stated he agreed to discuss the matter in an open session to stop the "bickering amongst the board members." First, why does he feel like it is "bickering" when we disagree? We are responsible for discussing our thoughts regarding the use of public money in an open session when we agree or disagree. As a grown woman with family and friends, I do not need to bicker with those closest to me. That being said, I would not "bicker" with professional colleagues. This statement leads me to believe that Collins does not appreciate civil discourse and wants people to agree with him, even when he is wrong.

The third alarming and misleading comment was regarding his "immediate willingness to clear up the discrepancy." Anyone who has traveled for work understands that companies or government policies are shared with employees; this is the same for county commissioners. If you charged money on a corporate credit card beginning nine months ago, and the improper charges have yet to be paid, that is not handling the issue immediately. Also, Collins knew about this issue before the February 10th email he referenced in his statement. Also, if he argues that he would handle the situation immediately, as he stated on February 10th, the money should have been paid in full by February 11th. Therefore, his statement that he would rectify this issue immediately is disingenuous and not actual.

Lastly, Collins stated that he is disappointed in his "two colleagues taking advantage of the county administrator's prejudicial email to impugn his credibility, and his family disappointed me. First, the email was not written to be harmful or influence anyone unfairly. The facts are the facts. Actually, all the improper charges were not even discussed during the meeting. Collins is aware of this fact. He stated that a line needed to be drawn. In my opinion, the line that must be drawn is the improper use of a county credit card. An elected official with over twelve years of service should avoid being caught in this particular situation by following the correct procedures initially. Even though this was not an unknown mistake, I hope we all agree that errors happen, and when brought to our attention, we must rectify the issue immediately. Rest assured, my response to Collins' statement is not to "bicker" with him but only to set the record straight on just one unfortunate matter that is occurring within county government."

Commissioner Collins responded by first thanking Commissioner Stewart for coming to him first directly. He responded as he did since he felt that his family was being publicly exposed, but the facts were as they were stated and he did take responsibility.

Commissioner Stewart thanked Commissioner Collins and emphasized the need to be respectful, communicate and talk through issues.

Approval of the Minutes of February 14, 2023

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the minutes of February 14, 2023.

Announcement

Next Scheduled Commissioner Session(s): March 7 and 8, 2023

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to reschedule to reschedule the public hearings scheduled on Tuesday March 14, 2023 and Wednesday March 15, 2023 on Bill 2023-02 MD PACE to Tuesday March 28, 2023 at 6pm in the Government Building at 200 Baltimore Street La Plata, MD for an inperson meeting/comments and on Wednesday March 29, 2023 for the virtual meeting/comments.

Legislative Update: 2023 Maryland General Assembly Session

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney; Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator; Mr. Steve Proctor; Mr. Joseph Green; and Ms. Sherrie Simms, Lobbyists, GS Proctor and Associates, Inc. joined the Commissioners to provide an update on the 2023 Maryland General Assembly Session.

Ms. Mitchell explained that the six (6) Bills proposed by Charles County have each received at least one (1) hearing. She reviewed the following:

• SB521/HB947 *Property Tax – Credit for Volunteer Emergency Responders*The Charles County Delegation amended this Bill to include an income limit of less than one hundred and fifty thousand dollars (\$150,000.00) to be eligible for the tax credit.

The Commissioners reached a consensus to send a letter to the delegation requesting the original income eligibility of two hundred and fifty thousand dollars (\$250,000.00).

Ms. Mitchell provided information on the pending Bond Initiatives:

- **Lifestyles:** To construct and renovate a commercial kitchen to supply meals to food insecure residents of Southern Crossing, the homeless, and residents who reside in our shelters.
- Willing Helper's: Repairs to building infrastructure, handicapped ramp, and expanding hall area for programming and for growing interest following CV.
- Indian Head Grocer: This project is working to bring the first fresh food source to Indian Head in over two decades. The project will eliminate blight, create more green space in a community garden, open two retail businesses, provide at a minimum fifteen (15) jobs and add much needed workforce affordable housing units.
- Friends of Old Waldorf Foundation: The Old Waldorf School was built and opened in September 1930. After decades, the original windows have been found in a state of deterioration. Lead based paint was the base paint on all windows and non-brick exterior surfaces. There are sixty one (61) windows, woodwork and panes that need to be abated, cleaned and repaired/replaced and the exterior of the building needs to be stabilized.
- Bel Alton High School: The reason for our funding request is to create a modern space designed to (a) preserve the history of the Bel Alton High School building, (b) chronical the lives of the school's students, teachers, and staff, and (c) demonstrate how the Black community supported the school during the segregation era in our country. The BAHSAACDC believes that the museum will help to promote tourism and will be an important educational and historical resource for our school children and community. Most importantly, the museum is needed to help preserve, document, and promote Black cultural history in Charles County through the prism of the County's segregated school system that existed from post-civil war to 1965 when schools were integrated.

Ms. Michell provided an update on:

• HB431 *Speed Monitoring Systems on Maryland Route 210 3 (Indian Head Highway) – Penalties* Fines collected for speed camera violations on Indian Head Highway are already designated to go to the

state for safety related analysis and improvement on Indian Head Highway. HB431 provides increased fines and a recidivism surcharge that will also go to the state for RTE 210.

• SB601/HB814- Maryland Health Benefit Exchange – State–Based Young Adult Health Insurance Subsidies Pilot Program – Sunset Repeal.

The Commissioners reached a consensus to provide testimony in support of SB601/HB814

Commissioner Stewart questioned the burden of proof proposed in the following Bills:

• SB926/HB294- County Boards of Education - Due Process Proceedings for Children With Disabilities - Burden of Proof

The Commissioners directed Ms. Mitchell to send letters to the Charles County Delegation and Charles County Board of Education requesting their positions on SB926/HB294.

Briefing and Request to Schedule a Public Hearing: Docket 90 Amendment #22-90(22) Wooded Glen and Piney Reach Master Plan

Ms. Heather Kelley, Planning Supervisor, Mr. Charles Rice, Assistant Chief of Planning, Department of Planning and Growth Management, explained that in coordination with the Board of Education, St. Charles Community, LLC is proposing to relocate the site for a proposed middle school from the Village of Wooded Glen Neighborhood three (3), Highlands Neighborhood, located along St. Charles Parkway, to the Village of Piney Reach Neighborhood two (2), located along Piney Church Road. In addition, St. Charles Community, LLC is requesting an exception to the eighty five percent (85%) rule which currently requires that no residential construction of any kind shall begin in the Village of Piney Reach until eighty five percent (85%) of all residential construction has been completed in the Village of Wooded Glen. The exception would be to allow the development of the residential Village of Piney Reach Neighborhood three (3) prior to eighty five percent (85%) of the residential development being completed in the Village of Wooded Glen. Amendments are being proposed to prior planting requirements for certain areas along MD Route 488 to account for natural regeneration that has occurred there over the past two and a half (2 ½) years. Other refinements and updates are being provided to the Master Plan as described in the staff report to the Planning Commission dated October The Planning Commission voted unanimously to forward to the Commissioners a recommendation of approval of PDZA #22-90(22), St. Charles Villages of Wooded Glen and Piney Reach.

Commissioner Bowling expressed concerns from the community related to the setback buffer.

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County explained that the Commissioners have to schedule a public hearing within the sixty (60) timeframe and changes can be made and keeping the record open for comments.

Commissioner Stewart stated that she did not support the eighty five percent (85%) rule. She then questioned the applicant's requirements for providing public notice. She also requested staff to bring back their findings related to sign notifications.

Commissioner Bowling stressed the need to change the size of small public notice signs. He also mentioned the e-comment feature now open on the Commissioners' agenda.

Commissioner Stewart mentioned her request for a briefing on the e-comment feature before it was turned on.

It was explained that this was a test feature at this time and a briefing will be given in open session related to this feature.

Ms. Jennifer Harris, Chief of Media, office of the County Administrator, explained the need for messaging and do more than just the legal notification required to include:

- Explain information in clear language
- Develop consistent process on how to expand community engagement
- Shape message in slightly different way

The Commissioners directed Ms. Harris to develop a process to put in place for this hearing and all future notices.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to schedule the public hearing on Tuesday March 28, 2023 at 6pm in the Government Building at 200 Baltimore Street La Plata, MD for an in-person meeting/comments and on Wednesday March 29, 2023 for the virtual meeting/comments.

Commissioner Stewart noted that she was against this amendment but approved moving it to a public hearing.

<u>To Be Rescheduled**Briefing and Request to Schedule a Public Hearing: Zoning Map 2</u> Amendment 22-01, Maryland Garden Property

** To Be Rescheduled**Discussion: County Expenditure for Legal Costs for Commissioner Coates' Appeal

Commissioner Bowling commented that the Board of Commissioners did not agree to pay for the appeal costs, this item is just being rescheduled at this time not because there was a change in the Board of Commissioners' position.

Closed Session

At 10:34 a.m., motion was made by Commissioner Patterson, 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)(1)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to discuss Additional Commissioner Committee Assignments; to discuss one (1) potential litigation issue. The reason for going into closed session is to keep legal advice and strategies and personnel information confidential. A portion of this session will also concern the administrative function of the County Commissioners in their executive role.

Summary Closed Session Items

At 11:01 a.m. the Commissioners went into closed session.

3-305 (b)(1)Personnel-Additional Committee Assignments

Present: Commissioners Collins, Bowling, Coates, Stewart, and Patterson, Wes Adams, Deborah Hall, and Carol DeSoto.

Ms. Carol DeSoto, Clerk to the Board of County Commissioners, reviewed additional Commissioner Committee assignments.

The Commissioners reached a consensus and official action took place later this day under Approval Items: Actions on Boards, Commissions, and Committees.

Administrative

Present: Commissioners Collins, Bowling, Coates, Stewart, and Patterson, Wes Adams, Deborah Hall, and Carol DeSoto.

Ms. Carol DeSoto, Clerk to the Commissioners, reviewed the e-comment feature on the agenda for the public to comment and how the Commissioners can see comments on their i-Legislate program. She also reviewed a potential meeting to be added to the schedule.

The Commissioners agreed to this schedule.

Approval of Closed Session Minutes for January 10, 31 and February 7, 14 2023

Present: Commissioners Collins, Bowling, Coates, Stewart, and Patterson, Wes Adams, Deborah Hall, and Carol DeSoto.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the closed session minutes of January 10, 2023.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the closed session minutes of January 31, 2023.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the closed session minutes of February 7, 2023 with the amendment to clarify Commissioner Stewart position related to her previous response in last meeting.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the closed session minutes of February 14, 2023.

3-305 (b)(7)(8) **Update:** Agreement

Present: Commissioners Collins, Bowling, Coates, Stewart, and Patterson, Wes Adams, Deborah Hall, Carol DeSoto, John Stevens, Bradley Jeffries, Candis Stretcher, Liz Theobalds, and Marc Potter.

Mr. Bradly Jefferies, Energy Ventures, LLC, provided a presentation outlining his request.

*At about 11:47 a.m. Mr. Jeffries, John Stevens and Candis Stretcher left closed session.

Mr. Adams, County Attorney, Office of the County Attorney for Charles County, provided recommendations on how to proceed.

At 11:59 a.m., a motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to end this Closed Session.

The Commissioners returned to open session at 3:01 p.m.

Roll Call

A roll call was taken. All Commissioners were present.

Approval Items

Budget Amendment(s) and Budget Transfer(s)

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services; Mr. Bernard Cochran, Deputy Director Utilities, Mr. Ed Gorham, Chief of Technical Support, Utilities, Mr. Charles Strawberry, Program Manager Water and Sewer- Facilities, and Mr. Martin Harris, Director, Department of Public Works; Ms. Michelle Lilly, Director, and Mr. Jeffrey Clements, Chief of Communications, Department of Emergency Services; Mr. Kevin Leahy and Ms. Erin Shoemaker, Charles County Sheriff's Office; Mr. Michael Heim, Chief of the Office of Operations and Supporting Services , and Mr. Steven Andritz, Director of Planning & Construction, Charles County Public Schools and Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney for Charles County.

FY2023 Budget Transfer Request #80 Public Works-Utilities Demolition of Standpipe A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve FY2023 Budget Transfer Request #80 for one hundred thousand dollars (\$100,000.00).

FY2023 Budget Transfer Request #95 Waldorf Fire House Water Tower Demolition
A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2023 Budget Transfer Request #95 for eighty one thousand one hundred and eighty dollars (\$81,180.00).

FY2023 Budget Amendment Increase #176 Charles County Sheriff's Office Sworn Officer Overtime Related to Board of Education Security Enhancements

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2023 Budget Amendment Increase #176 for seventy seven thousand three hundred and seventy dollars (\$77,370.00).

FY2023 Budget Amendment Increase #289 Electrical System Repair Dorchester Pump Station A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve FY2023 Budget Amendment Increase #289 for one hundred and twenty nine thousand eight hundred and thirty dollars (\$129,830.00).

FY2023 Budget Transfer Request #543 Charles County Public School Public Private Partnership Report

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2023 Budget Transfer Request #543 for one hundred and forty six thousand nine hundred and twenty dollars (\$146,920.00). Commissioner Stewart added with the stipulation that if a memorandum of understanding (MOU) is not signed then the monies come back to the County to same line item.

FY2023 Budget Amendment Increase #557 County Attorney's Cost for Declaratory Judgement Lawsuit

Commissioner Bowling suggested waiting until after the discussion related to Commissioner Coates' request for appeal costs.

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, explained that this request covers legal bills through January 2023. He stated that any matter related to the question of Commissioner Coates' appeal, he will recuse himself and Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney for Charles County, will address.

Ms. Theobalds, explained that there were more bills than the one hundred and fifty thousand dollars (\$150,000.00) allocated and this additional amount does not include any costs related to Commissioner Coates' appeal.

Commissioner Stewart clarified that this is not paying Commissioner Coates' lawyer for her appeal and to note that this is separate.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve FY2023 Budget Amendment Increase #557 for three hundred and fifty thousand dollars (\$350,000.00).

Request for Approval: Board of Education's Inter-Category Budget Change
Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative
Services; Ms. Sherri Fischer-Davis, Budget Manager, and Ms. Karen Acton, Chief Financial Officer, Charles
County Public Schools.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve the Board of Education Inter-Category Budget Transfer for four point four (\$4.4) million dollars.

Request for Approval: By-laws for Adult Public Guardianship Review Board
Ms. Jessica Talley, Adult Services Program Administrator, and Ms. Aleate Dawkins, Deputy Director, Charles
County Department of Social Services; and Ms. Linda Stansbury, Chair, Adult Public Guardianship Review
Board and Ms. Terrah Dews, Associate County Attorney, Office of the County Attorney for Charles County.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve the changes to the Adult Public Guardianship Review Board bylaws as presented.

Letter of Support: State of Maryland for Prince George's County's Effort for FBI Consolidated Headquarters Facility

Ms. Kelly Robertson-Slagle, Director, Department of Economic Development.

A motion was made by Commissioner Patterson, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve this Letter of Support.

Letter of Support-University of Maryland Charles Regional Medical Center (UM CRMC) Congressional Funding MRI Machine

Mr. Albert Zanger, Chief Financial Officer and Vice President, UM Charles Regional Medical Center.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve this Letter of Support.

Congressionally Directed Earmark Funding Requests

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services; Ms. Deborah Carpenter, Director, Mr. Jason Groth, Deputy Director, Mr. Andrew Balchin, Chief of Infrastructure Management, and Ms. Alicia Afroilan, Engineering Supervisor, Department of Planning and Growth Management; and Ms. Kelli Beavers, Director, and Mr. Sam Drury, Deputy Director, Department of Recreation, Parks, and Tourism.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve the seven (7) projects presented and to submit the proposed earmark funding request.

Action on Boards Commissions and Committees

A motion was made by Commissioner Stewart, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to nominate Kevin Marek, Peter Kayode, and Charles McClam to the Charles County Property Tax Assessment Appeal Board.

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to appoint Commissioner Bowling as a member and Commissioner Stewart as an alternate to the Maryland Association of Counties (MACo) Rural Counties Coalition.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to appoint Commissioner Collins to the Criminal Justice Coordinating Committee.

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to appoint Commissioner Bowling with Brandon Foster as designee to the Local Government Justice Reinvestment Commission.

Briefing: College of Southern Maryland State of the College

Dr. Yolanda Wilson, President, Ms. Judy Mills, DFS Vice President, and Members of the Board of Trustees, College of Southern Maryland, joined the Commissioners to share a video and discuss the State of College for the College of Southern Maryland.

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, provided an update on the Western Parkway Roadway Improvements. Phase 3B is expected to be completed in 2025.

The Commissioners suggested the next update be scheduled after April 23, 2023 and for staff to provide clearer information on time lines. It was also suggested using a dashboard that is color coded.

Commissioner's New Business

Commissioner Bowling requested that the Board of Commissioners have a discussion on the SNAP program that is being cut as of March 1, 2023 and include a presentation from Southern Maryland Agricultural Development Council on Maryland Market money, access to markets, and transportation.

The Commissioners agreed to add this to an upcoming agenda.

At 5:16 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor end this session.

The County Commissioners reconvened at 6:04 p.m. to conduct an In-Person Public Hearing.

Roll Call

A roll call was taken. Commissioners Bowling, Stewart, Patterson, and Collins were present. *Commissioner Coates was absent.

<u>Public Hearing: Bill 2023-01 Collective Bargaining for Covered Employees in the Department of Emergency Services</u>

Ms. Alexis Blackwell, Director, Department of Human Resources, reviewed the proposed Bill which would add additional language to include Hazmat Technician, And Mobile Integrated Healthcare Nurse to Scope § 197-26.

There were no in-person comments.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Commissioners Bowling, Stewart, Patterson, and Collins present, voting in favor to continue the public hearing tomorrow March 1, 2023 to be held virtually. *Commissioner Coates was absent for the vote.

At 6:07 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Commissioners Bowling, Stewart, Patterson, and Collins present, voting in favor to end the in-person public hearing and adjourn. *Commissioner Coates was absent for the vote.

Could A. De Sodo Chale de de Commissioner	Doob on D. Collins, H. Fore, Describer
Carol A. DeSoto, Clerk to the Commissioners	Reuben B. Collins, II, Esq., President