

Regular Meeting of County Commissioners
Tuesday March 14, 2023 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, at 9:03 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
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.

Comments

Commissioner Patterson thanked the Charles County Delegation for hosting the North Point High School State Champion Football team at the Maryland State Legislature House.

Commissioner Collins also recognized the Lackey High School State Champion Girl's Basketball team.

Approval of the Minutes of March 7, 2023

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve the minutes of March 7, 2023.

Announcement

Next Scheduled Commissioner Session(s): March 21 and 22, 2023.

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 reviewed the following:

- SB374/HB948 *Motor Vehicle Registration - Exceptions for Golf Carts and Low Speed Vehicles - Cobb Island*
Senate Hearing complete; House hearing today March 14, 2023.
- SB373/HB944 *To enable Charles County to pass a local law to regulate off-the-road motorcycles and all-terrain vehicles*
Senate Hearing complete; House hearing today March 14, 2023.

Regular Meeting of County Commissioners
Tuesday March 14, 2023 (Legislative Day)

- SB519 *Charles County-Alcoholic Beverages- Unlicensed Establishments*
Out of Senate going to the House.

Ms. Mitchell explained that the final cross over date for all Bills is March 20, 2023.

Ms. Jenifer Ellin, Director, and Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services, joined Ms. Mitchell to provide an update following the meeting held on March 7, 2023 with Senator Ellis.

- Bill SB130 *Economic Development – Maryland Stadium Authority – Charles County Sports and Wellness Center.*
Introduced in 2022 session as SB685; Reintroduced in 2023 and heard by Senate Budget and Taxation on 1/19/23; Two (2) individuals spoke in support of the bill; No opposition; Currently awaiting committee vote, and then full Senate vote by Crossover Day (March 20), which will determine the bill's viability this session; No corresponding house bill filed.

Staff explained the Bill would authorize the Maryland Stadium Authority (MSA) to issue up to forty five (\$45) million dollars in bonds to construct a Charles County Sports and Wellness Center. Once built, MSA would transfer ownership of the center to Charles County, and the County would be responsible for generating revenue to pay back bonds and operate the center. Fiscal staff provided information regarding the County's responsibility for the estimated capital and operating costs related to Senate Bill 130.

Commissioner Coates informed the Commissioners that she had been working with Senator Ellis for over two (2) years on this concept and indicated that this was just a concept and should have more study.

Mr. Mark Belton, County Administrator, clarified that this Bill was not a concept but a specific project and size. The Board of County Commissioners should decide the budget and would be the responsibility of the County to do the study then tell the State legislature what it wants. The Commissioners need to discuss this project during the budget process.

Commissioner Stewart supports the idea of this project but expressed several concerns and wished Commissioner Coates would have discussed this with the Board two (2) years ago. Her concerns if residents would be willing to pay for this facility if taxes were increased and that she would not vote for increased taxes; concerned why St. James was at the meeting last week since a project like this would need to go out to bid; and why Blue Crabs representatives were there if a location was not yet been identified.

Commissioner Stewart suggested a request for a summer study to find out what residents would support. She stressed the concern that things were not done in the correct way. The State should not tell the County what to do or how to spend money. She requested staff to come back with how the one (1) million dollars issued last year for a study can be used.

Commissioner Bowling agreed with this concept as well but felt the process was not laid out to be successful.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson to approve a letter of support incorporating suggestions discussed. This motion and second was withdrawn.

Regular Meeting of County Commissioners
Tuesday March 14, 2023 (Legislative Day)

The consensus of the Commissioners was for Ms. Mitchell to draft a letter of support of the concept and request a study for SB130 and bring it back tomorrow March 15, 2023 for approval. Ms. Mitchell and staff was also directed to bring back more information on how the one (1) million dollars approved last year can be used.

Commissioner Bowling expressed concerns about the process between the process with Local government and State Delegation and amendments introduced and with no discussion with the County related to:

- SB521/HB947 *Property Tax – Credit for Volunteer Emergency Responders*. Senate’s Bill has two hundred and fifty thousand dollars (\$250,000.00) household income; House’s Bill has one hundred and fifty thousand dollars (\$150,000.00) household income.

Briefing: FY2022 Annual Comprehensive Financial Report (ACFR)

Ms. Jenifer Ellin, Director, Mr. William DeAtley, Chief of Accounting, and Ms Joan Thorp, Assistant Chief of Accounting, Department of Fiscal and Administrative Services; and Mr. Remi Omisore, Clifton Larsen Allen, LLP. Joined the Commissioners for a review of the Fiscal Year 2022 Annual Comprehensive Financial Report. Mr. Omisore reviewed Required Communications, Financial Reporting Risk Assessment Summary, Governmental Accounting Standards Board Updates, Internal Control Matters, Summary of Financial Results and Uniform Grant Audit Status. There were no material weaknesses or significant deficiencies identified. The conclusion was an unmodified opinion.

Approval Items

There were no approval items.

Update: Heirs Legislation Senate Bill 92

Ms. Danielle Mitchell, Associate County Attorney II, Office of the County Attorney for Charles County, provided a briefing on Senate Bill 92, the Partition of Property Act. This legislation passed in 2022 and addressed several issues that arise when a property owner dies without a will, and the property is transferred to heirs without title or deed in their names. It provided for notice requirements, property valuation, buy out options, and the option to partition rather than sell, so that heirs of property can better protect and manage the land that they own in Maryland.

Commissioners directed staff to come back with options on the best way to move forward.

Discussion: Enabling State Legislation Concerning Prevailing Wages in Both Traditional Construction Contracts and Mechanical Systems Service Contracts

Ms. Danielle Mitchell, Associate County Attorney, II, Office of the County Attorney for Charles County; Ms. Jenifer Ellin, Director, and Ms. Shanna Reese, Chief of Purchasing, Department of Fiscal and Administrative Services; Mr. Martin Harris, Director, Mr. Bernard Cochran, Deputy Director-Utilities, Mr. Allen Hayden- Asset Program Manager, Department of Public Works; and Ms. Kelly Robertson-Slagle, Director, Department of Economic Development, briefed the Commissioners on the current County law regarding a prevailing wage. Staff explained where a prevailing wage applies in construction work, how it is determined, existing exclusions, and recordkeeping requirements. Staff

Regular Meeting of County Commissioners
Tuesday March 14, 2023 (Legislative Day)

provided a summary of recent changes to state law, options on how to expand the local prevailing wage law, and fiscal and administrative considerations regarding possible changes.

The consensus of the Commissioners was to have staff return with a draft legislation related to local prevailing wage law. And draft a second legislation related to use of local small businesses.

Closed Session #1

At 11:26 a.m., motion was made by Commissioner Coates, seconded by Commissioner Patterson 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)(4)(7)(8) of the General Provisions Article of the Annotated Code of Maryland to discuss one (1) potential proposed new business and receive an update on a potential litigation issue related to an agreement. The reason for going into closed session is to keep legal advice and strategies 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 11:41 a.m. the Commissioners went into closed session.

3-305 (b)(4)(7) Legal: Potential Business in Charles County

Present: Commissioners Collins, Bowling, Coates, Stewart, and Patterson, Wes Adams, Mark Belton, Deborah Hall, Carol DeSoto, Jennifer Ellin, Dina Barclay, Rita Wood, Taylor Yewell, Jason Groth, Alyson Stein, Alex Magliozzi, and Steve Scott.

Mr. Steve Scott, Attorney, and Ms. Alyson Stein, Vice President, and Mr. Alex Magliozzi, President, Forward Housing, reviewed a potential project in Charles County and potential agreement.

The Commissioners provided staff with directions related to developing a potential agreement.

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

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

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, provided a recap of an agreement and status.

The Commissioners reached a consensus to have Mr. Adams work on final agreement requirements and to use outside counsel that specializes in these types of agreements.

Administrative

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

Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator, reviewed process of conducting public hearings to accommodate both in person and virtual public comments on one evening.

The Commissioners agreed to this format.

At 2:05 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 Closed Session.

Regular Meeting of County Commissioners
Tuesday March 14, 2023 (Legislative Day)

The Commissioners returned to open session at 2:33 p.m.

Roll Call

A roll call was taken. All Commissioners were present.

Briefing: Mozambique Trade Mission and Sister Cities Partnership Update

Ms. Kelly Robertson-Slagle, Director, Ms. Lucretia Freeman-Buster, Chief of Business Service, Mr. Anthony Adesina, Business Retention and Expansion Manager, and Ms. Michelle DeSoto, Acting Deputy Director, Department of Economic Development, provided an update on the Sister-City Partnership with Mozambique, which is intended to spur international exports and investments and foster cultural exchanges.

The Commissioners reached a consensus provided consensus to approve moving forward with Mozambique Sister-City Partnership with U.S. Visit planned for 2023 and possible Trade Mission to Mozambique in 2024.

Commissioners also agreed to explore visiting the county's other Sister City – Walldorf, Germany.

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve Commissioner President to sign and deliver a Letter of Invitation to the Mayor of Matola, and new Sister-City partnership agreement signing strategy to the Mozambican Ambassador to the U.S.

Briefing: Update on SNAP Benefits Program and Southern Maryland Agricultural Development Commission (SMADC) Maryland Market Money (MMM) Program

Ms. Shelby Watson-Hampton, Director, Ms. Cristina Berthelot, and Ms. Sophia Brauns, SMADC; and Ms. Therese Wolf, Director, Charles County Department of Social Services, provided a briefing to Commissioners on how low-income families can access local foods through federal programs. SNAP customers purchasing SNAP eligible food items from the Southern Maryland Agricultural Development Commission (SMADC) Maryland Market Money (MMM) Program registered farmers markets or food stands, can double their buying power at these markets as a result of the State financial support of these markets. SNAP Emergency Allotments enhanced these benefits during the COVID-19 pandemic, but these extra benefits will end this month. They also highlighted the Maryland Market Money program which provides matching funds for purchases that are made at local farmers markets, using federal nutrition benefits.

Commissioner Bowling requested providing additional funds to the MMM program.

The Commissioners reached a consensus to have staff bring back options at the March 21, 2023 meeting on where these additional funds can come from to allocate funding to the MMM program.

Regular Meeting of County Commissioners
Tuesday March 14, 2023 (Legislative Day)

Briefing: Charles County 2022 Community Survey Results

Ms. Jenifer Harris, Chief of Media Services, and Ms. Doria Fleisher, Community Engagement Coordinator Office of the County Administrator; Ms. Lauren Hoffman, Customer Success Manager, and Ms. Aliza Faber, Customer Success Manager, ZenCity, provided a presentation on the results of a community survey conducted from October through December 2022. The survey measured residents' overall satisfaction with life in Charles County, satisfaction with County Government services, and areas where they wanted to see improvements. Residents ranked schools and affordable housing as top priorities for Charles County Government to focus on in the next three (3) years.

Commissioner's New Business

There was no new business discussed.

Closed Session #2

At 3:59 p.m., motion was made by Commissioner Coates, seconded by Commissioner Patterson 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) of the General Provisions Article of the Annotated Code of Maryland to interview for vacancies on two (2) Commissioner appointed Boards and Commissions.

Summary Closed Session Items

At 4:10 p.m. the Commissioners went into closed session.

3-305 (b)(1)Personnel: BCC Interviews

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

The Commissioners interviewed five (5) applicants in person for vacancies on the Planning Commission and Board of Appeals.

The Commissioners will continue interviewing on March 15, 2023 virtually.

At 5:11 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to end this Closed Session.

The Commissioners returned to open session at 6:01 p.m.

Roll Call

A roll call was taken. All Commissioners were present.

Public Hearing: 2022 Charles County Comprehensive Water and Sewer Plan

The Commissioners held an in-person public hearing on the 2022 Charles County Comprehensive Water and Sewer Plan. Ms. Aimee Castillo, Engineer, Ms. Alicia Afroilan, Engineering Supervisor, Mr. Charles Rice, Assistant Planning Director, Mr. Andrew Balchin, Chief of Infrastructure Management, and Mr. Jason Groth, Deputy Director, Department of Planning and Growth Management, provided an overview of the 2022 Water and Sewer Plan and what each chapter contains and what the updates are. Staff also reviewed the approval process and each step needed for adopting

Regular Meeting of County Commissioners
Tuesday March 14, 2023 (Legislative Day)

the plan and submitting the final version of the plan to Maryland Department of the Environment (MDE) for final approval.

There was one public comment.

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to continue the public hearing tomorrow March 15, 2023 to be held virtually.

A motion was made by Commissioner Coates, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to end this in-person portion of the public hearing.

At 6:13 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to adjourn.

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President