

Regular Meeting of County Commissioners
Tuesday May 2, 2023 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, at 9:00 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
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

**Thomasina O. Coates, M.S., County Commissioner was absent*

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. Commissioners Bowling, Stewart, Patterson and Collins were present.

**Commissioner Coates was not present.*

Comments

There were no comments.

Charles County Proclamations issued for May 2023

2023-30 Foster Care Awareness Month Proclamation
2023-31 National Drug Court Month
2023-32 National Mental Health Awareness Month
2023-33 Older Americans Month
2023-34 National Asian Pacific Heritage Month
2023-35 Jewish American Heritage Month
2023-36 Ehlers Danlos Syndromes and Hypermobility Spectrum Disorders Awareness Month
2023-37 National Small Business Week
2023-38 Public Service Recognition Week
2023-39 National Travel and Tourism Week
2023-40 National Correctional Officers Appreciation Week
2023-41 Business Appreciation Week
2023-42 National Police Week
2023-43 Emergency Medical Services Appreciation Week
2023-44 Emergency Medical Services for Children Day
2023-45 National Bike to Workday
2023-46 Diffuse Intrinsic Potine Glioma Awareness Day
2023-47 Resource Parents Celebration Day.pdf

The Commissioners were joined by representatives from Emergency Services; Charles County Sheriff's Office; Charles County Sheriff's Office Detention Center; Town of La Plata Police Department; Charles County Drug Court Coordinator; Departments of Economic Development, Human Resources, Community Services, and Recreation, Parks, and Tourism; Ehlers-Danlos

Regular Meeting of County Commissioners
Tuesday May 2, 2023 (Legislative Day)

Syndrome Support Group; DIPG Support Group; Charles County Department of Social Services to receive the various proclamations.

Announcement

Next Scheduled Session(s): May 9-10, 2023

Approval Items

Change Format of Public Comments to Town Hall Styles

(Commissioner Patterson)

The Commissioners reached a consensus that Commissioner Comments will follow the Public Comment portion of the meeting to allow each Commissioner an opportunity to respond to issues raised during the Public Comments.

Briefing and Request to Introduce Bill 2023-04 Zoning Text Amendment #22-175 Standards and Procedures for Approval of Amendments to Master Plans and/or Conditions of Zoning Approval

Ms Heather Kelley, Planning Supervisor, Mr. Kirby Blass, Planner III, Mr. Charles Rice, Planning Director, Department of Planning and Growth Management reviewed the draft Bill 2023-04 and requested introduction and scheduling a public hearing. This amendment would broaden the ability to amend an approved Master Plan and provide flexibility to respond to changing market trends for proposed projects.

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 introduce Bill 2023-04 Zoning Text Amendment #22-175 Standards and Procedures for Approval of Amendments to Master Plans and/or Conditions of Zoning Approval *Commissioner Coates was not present for the vote.

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed with Commissioners Bowling, Stewart, Patterson, and Collins present, voting in favor to schedule the public hearing on Tuesday June 13, 2023 at 6:00 p.m. in the Government Building at 200 Baltimore Street La Plata, MD for both the in-person and virtual public comments. *Commissioner Coates was not present for the vote.

Work Session: 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 joined the Commissioners for a work session to address the public comments on the 2023 Update of the Charles County Comprehensive Water and Sewer Plan. Once the Commissioners adopt the plan, it will be submitted to the Maryland Department of the Environment for approval.

A motion was made by Commissioner Patterson, seconded by Commissioner Stewart and passed with Commissioners Bowling, Stewart, Patterson, and Collins present, voting in favor to adopt the draft 2023 Charles County Comprehensive Water and Sewer Plan. *Commissioner Coates was not present for the vote.

Briefing: Chief Equity Officer Quarterly Update

Regular Meeting of County Commissioners
Tuesday May 2, 2023 (Legislative Day)

Ms. Renesha Miles, Chief Equity Officer, and Ms. Alexis Blackwell, Director, Department of Human Resources presented a quarterly update on the County's diversity, equity, and inclusion efforts. She highlighted monthly programs, training, and employee engagement efforts; and discussed how these strategies were aligned with the County's commitment to equity.

Commissioner Bowling suggested that the definition of Equity be posted so all employees can see it.

Commissioner Collins suggested that employees sign an agreement related to equity when employed by the County.

Commissioner Stewart felt it was important to hold not only employees accountable but elected officials as well otherwise it is hypocritical. Elected officials need to follow this policy. The Board of County Commissioners need to walk the walk and recognize that the problem is at the elected official level. The County's culture needs to improve from the top down.

Commissioner Collins recommended a future agenda item related to Artificial Intelligence (AI).

Briefing: FY2023 General Fund Review-Third Quarter

Ms. Jenifer Ellin, Director, Mr. Jacob Dyer, Chief of Budget, and Ms. TaTanya Bowman, Assistant Chief of Budget Department of Fiscal and Administrative Services provided a presentation on the Third Quarter Fiscal 2023 General Fund ending March 31, 2023. The FY2023 Adjusted Budget includes thirty-five (\$35) million dollars of fund balance use. Staff reviewed revenues and expenditures and compared them to December 2022. Due to favorable revenues, it is projected that twenty point nine (\$20.9) million dollars will be needed to offset the estimated net operating loss.

Briefing: Update on American Rescue Plan Act (ARPA)

Ms. Jenifer Ellin, Director and Jacob Dyer, Chief of Budget, Department of Fiscal & Administrative Services reviewed the plan for expenditures of the federal funds received from the American Rescue Act.

Commissioner Stewart requested looking into additional technology, laptops for Emergency Services workers in the field.

The Commissioners discussed the Health Department partnering with the Charitable Trust related to Behavioral Grants. Mr. Wes Adams, County Attorney, Office of the County Attorney, advised that Dr. Abney, Health Officer, Charles County Health Department, can establish a memorandum of understanding (MOU) with the Charitable Trust if she wanted to do so. If Dr. Abney reached out to the County Attorney's Office for guidance, the County Attorney would provide guidance, but the Health Department is a State agency.

Ms. Ellin explained that staff recommends reorganizing the funding in Public Health Category; reduce funding in the Mattawoman Wastewater Treatment Plant Upgrades in the Infrastructure Category; and add monies to the purchase of a new ambulance in the Public Safety Category and funding for the School Based Health Center at Indian Head in the Infrastructure Category.

Regular Meeting of County Commissioners
Tuesday May 2, 2023 (Legislative Day)

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed with Commissioners Bowling, Stewart, Patterson, and Collins present, voting in favor of these changes as presented. **Commissioner Coates was not present for the vote.*

Closed Session

At 12:28 p.m., motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed (*after discussion*), with Commissioners Bowling, Stewart, Patterson, and Collins 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)(8) of the General Provisions Article of the Annotated Code of Maryland to receive one (1) legal update and one update on one (1) potential litigation issue. The reason for moving into closed session is to keep negotiations and strategies confidential.

**Commissioner Coates was not present for the vote.*

Discussion:

Commissioner Stewart questioned why one of the agreements was scheduled for closed session and not open session. Mr. Wes Adams, County Attorney, Office of the County Attorney, explained that the update would be given on various ramifications and options, but any action/vote would be taken in open session.

Commissioner Collins stressed the need for future practice that items that are placed in closed session be challenged prior to session.

Summary Closed Session Items

At 1:06 p.m. the Commissioners went into closed session.

3-305(b)(7) Legal Update: Potential Agreement

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

Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney, provided an update and suggested actions on a County Right of Way (ROW) issue.

The Commissioners provided Ms. Theobalds direction and will schedule this for an open session approval.

3-305 (b)(7)(8)Legal: Update on a Potential Litigation Issue

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

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, reviewed the history of this agreement and overview of outside counsel's findings and recommendations. He indicated that a full briefing would take place on the next agenda.

**Break 1:56 p.m. – 2:03 p.m.*

**Mr. Mark Belton, County Administrator, Office of the County Administrator, Mr. Marc Potter, Associate County Attorney, and Ms. Elizabeth Theobalds, Deputy County Administrator left session.*

Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator, reviewed next actions and asked for the Commissioners assurance and support of the actions.

Regular Meeting of County Commissioners
Tuesday May 2, 2023 (Legislative Day)

All the Commissioners present agreed to support Ms. Hall. Commissioner Collins recused himself from this discussion.

At 2:22 p.m., a motion was made by Commissioner Stewart, seconded by Commissioner Patterson and passed, with Commissioners Bowling, Stewart, Patterson, and Collins present, voting in favor to end this closed session. **Commissioner Coates was not present for the vote.*

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

Roll Call

A roll call was taken. Commissioners Bowling, Stewart, Patterson, and Collins were present.
**Commissioner Coates was not present.*

Briefing: Bel Alton High School Efforts to be Placed on National Register of Historic Places

Mr. Matthew Nolan Wills, Chair, Mr. Joseph Johnson, Ms. Wanda Wills-Woodland, and Mr. Jerome Short, Bel Alton High School Alumni Association, joined the Commissioners to brief them on efforts to place the building on the National Register of Historic Places. The site has already received historical designation by Charles County and the state of Maryland. They also discussed an inspection report provided by the Maryland Historical that summarized the deteriorating conditions in the building. Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator, provided information about capital improvement funds that have been set aside to address these concerns and work staff has done related to this property.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Stewart, Patterson, and Collins present, voting in favor to pay up to eight thousand dollars (\$8,000.00) toward the cost of hiring an architectural historian to conduct a survey and prepare documents as part of the designation nomination process.

**Commissioner Coates was not present for the vote.*

FY2024 Budget Work Session: General Fund, Special Revenue Fund and Enterprise Fund and FY2024-FY2028 Capital Improvement Projects (Ms. Jenifer Ellin, Director, Mr. Jacob Dyer, Chief of Budget, Ms. TaTanya Bowman, Assistant Chief of Budget, and Ms. Debra Posey, Senior Budget Analyst Department of Fiscal and Administrative Services, reviewed the Special Revenue Funds, the Enterprise Funds, and the General Fund. They discussed items to add/delete for next year for the General Fund and also discussed proposed changes to the Capital Improvement Program budget.

Commissioner Stewart wanted an update on Holiday Pay for County employees.

Commissioner's New Business

There was no new business discussed.

At 4:05 p.m., a motion was made by Commissioner Patterson, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Stewart, Patterson and Collins present, voting in favor to adjourn. **Commissioner Coates was not present for the vote.*