

Regular Meeting of County Commissioners
Tuesday June 27, 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
Thomasina O. Coates, M.S., County Commissioner
Deborah Hall, Acting County Administrator
Wes Adams, County Attorney
Carol A. DeSoto, Clerk to the Commissioners

**Amanda M. Stewart, M.Ed., 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, Coates, Patterson, and Collins were present.

**Commissioner Stewart was absent.*

Approval of the Minutes of June 13, 2023

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Commissioners Bowling, Coates, Patterson, and Collins present, voting in favor to approve the minutes of June 13, 2023. **Commissioner Stewart was not present for the vote.*

Announcement

Next Scheduled Session(s): July 11-12, 2023

Public Comments

Commissioners held an open session to receive public comments on any issue. This agenda item was added for the Commissioners to listen to feedback only, twice each month during their regular meetings.

There were eight (8) citizens who provided comments in person and six (6) citizens who provided comments virtually. Written comments were added to the website for the public to view.

Commissioners' Comments

Each of the Commissioners provided remarks and feedback related to the comments received during the Public Comments portion of the agenda.

Commissioner Bowling:

- Talked about his meeting at Cobb Island and walking area related to access points and future discussions will be scheduled.
- Marketing for the Charter Board Process was a split vote; citizens need to look at how does Charter Government make government better but still need to hold people accountable. Charter

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Board should not focus on political or individual but how will this make better government.

Commissioner Patterson:

- Expressed support for Stonehaven Neighborhood and hears them and will be there for them.
- Understands frustration with wait times at Charles Regional Hospital and will work with colleagues to see what can be done for safety of community.
- Thanked individuals for attending his town hall meeting and expressed willingness to meet one on one with resident.
- Cobb Island- will work with colleague on this concern.
- Charter Board- believes in educating the public; updates from the Charter Board will be accessible.
- Middle School Location in Docket 90 proposed amendment is Board of Education determination.

Commissioner Coates:

- Stonehaven concerns are duly noted and are not taken lightly.
- Emergency Room ambulance wait time concerns can be taken up with Director Lilly, Department of Emergency Services.
- Cobb Island- believes further analysis is needed.
- Agrees the need for rent stabilization.
- Expressed willingness to meet one on one with resident.
- Charter Board – looks forward to the public hearings that will be scheduled.

Commissioner Collins:

- Read comment from the Juneteenth Foundation thanking the Commissioners for flying the Juneteenth Flag.
- Charter Board Marketing is not an attempt to sway but provide more knowledge in hopes to increase participation and educate the public; there is precedence for hiring a marketing firm.
- Cobb Island Issue and direct access wants to learn more and defer to Commissioner Bowling.
- Docket 90 proposed amendment he will make sure he does his due diligence when it is reviewed.
- Issues with Board and levels of responsibility take public comments seriously and attempt to respond to the citizens.
- Thanked Commissioner Bowling for bringing this process for public to express themselves..

Approval Items

Budget Amendments and Budget Transfers

(Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services)

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FY2023 Budget Amendment Increase #90 Recreation, Park, and tourism Sports Program

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, Bowling, Coates, Patterson, and Collins present, voting in favor to approve FY2023 Budget Amendment Increase #90 for sixty-eight thousand three hundred and fifty dollars (\$68,350.00).

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

FY2023 Budget Transfer Request #243 Board of Education Dr. Mudd Elementary School Project

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to approve FY2023 Budget Transfer Request #243 for two hundred and one thousand four hundred and ten dollars (\$201,410.00).

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

FY2024 Budget Amendment Increase # 3 Criminal Justice Coordinating Council

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with Commissioners Coates, Patterson, and Collins present, voting in favor to approve FY2024 Budget Amendment Increase #3 for two hundred and forty thousand three hundred dollars (\$240,300.00). **Commissioner Bowling was opposed.* A roll call of the vote was taken: Commissioner Bowling-no; Commissioner Coates-yes; Commissioner Patterson- yes; Commissioner Collins-yes; *Commissioner Stewart was not present for the vote.* The motion passed three (3) to one (1).

Board of Education FY2024 Budget

(Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; Ms. Karen Acton and Ms. Sherri Fisher-Davis, Charles County Public Schools)

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to approve the Board of Education's FY2024 Budget. **Commissioner Stewart was not present for the vote.*

College of Southern Maryland (CSM) Velocity Center FY2023 Fund Extension Request

(Ms. Kelly Robertson-Slagle, Director, and Ms. Michelle DeSoto, Deputy Director, Department of Economic Development; and Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services)

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to approve CSM FY2023 Velocity Center Fund Extension. **Commissioner Stewart was not present for the vote.*

Cobb Island Right of Way (ROW)

(Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney for Charles County; Ms. Terri Kahouk, Deputy Director-Facilities; Mr. Steven Staples, Chief of County Roads, Department of Public Works; Ms. Judy Michaels, Property Acquisition Officer, and Ms. Gina Markovich, Assistant Property Acquisition Officer, Department of Planning and Growth Management)

Commissioner Bowling requested staff to put up signs related to no vehicles on the County's Right of Ways on Cobb Island. Ms. Deborah Hall, Acting County Administrator, will review speak to the Roads Division and provide an email update to the Commissioners.

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A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to approve sending the letters as presented. **Commissioner Stewart was not present for the vote.*

Southern Maryland Blue Crabs Request for Financial and Construction Management Services from the Maryland Stadium Authority
(Ms. Courtney Knichel and Mr. Jack Lavoie, Southern Maryland Blue Crabs)

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to approve sending the letter as presented. **Commissioner Stewart was not present for the vote.*

**Break 10:40 a.m. – 10:46 a.m.*

Roll Call

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

Briefing and Request to Introduce Bill 2023-06 Revisions to Purchasing Procedures and the Minority and Women-Owned Business Enterprise Program

Ms. Kelly Robertson-Slagle, Director, Ms. Lucinia Mundy, Small and Minority Business Development Specialist, Department of Economic Development; Ms. Shanna Reese, Chief of Purchasing, Ms. Jenifer Ellin, Acting Deputy County Administrator, Department of Fiscal and Administrative Services; Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney for Charles County, joined the Commissioners and provided a presentation on recommended changes to the procurement legislation related to Small Local Business Enterprise (SLBE) Program and Minority Business Enterprise (MBE) Program and requested introduction of Bill 2023-06 Revisions to Purchasing Procedures and the Minority and Women-Owned Business Enterprise Program.

Commissioner Bowling expressed concerns related to threshold requirements of business being located in Charles County and employing Charles County residents was high enough and sufficient enough to ensure the preference is given to Charles County businesses.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to introduce Bill 2023-06 Revisions to Purchasing Procedures and the Minority and Women-Owned Business Enterprise Program. **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to schedule the public hearing on Tuesday July 25, 2023 at 6pm in the Government Building at 200 Baltimore Street La Plata, MD to be held in-person and virtually. **Commissioner Stewart was not present for the vote.*

Briefing and Request to Introduce Bill 2023-07 Revised Prevailing Wage Requirements

Ms. Danielle Mitchell, Associate County Attorney, Office of the County Attorney for Charles County;

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Ms. Kelly Robertson-Slagle, Director, Ms. Lucinia Mundy, Small and Minority Business Development Specialist, Department of Economic Development; Ms. Shanna Reese, Chief of Purchasing, Ms. Jenifer Ellin, Acting Deputy County Administrator, joined the Commissioners to review and request introduction of proposed Bill 2023-07 Revised Prevailing Wage Requirements.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to introduce Bill 2023-07 Revised Prevailing Wage Requirements. **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to schedule the public hearing on Tuesday July 25, 2023 at 6pm in the Government Building at 200 Baltimore Street La Plata, MD to be held in-person and virtually. **Commissioner Stewart was not present for the vote.*

Closed Session

At 11:31 a.m., motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, 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)(1)(7) of the General Provisions Article of the Annotated Code of Maryland to receive one update on one (1) complaint; and discuss appointments to Commissioner appointed Boards, Commissions, and Committees. The reason for moving into closed session is to receive legal advice and keep personnel information confidential. **Commissioner Stewart was not present for the vote.*

Summary Closed Session Items

At 11:43 a.m., the Commissioners went into closed session.

3-305(b)(7) Legal: Complaint

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

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, reviewed a complaint that was submitted and the recommended response.

The Commissioners present reached a consensus to have Mr. Adams to send the response letter as recommended.

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

Present: Commissioners Bowling, Coates, Patterson, and Collins, Wes Adams, Deborah Hall, Carol DeSoto, Christina Elkins, and Donovan Griffin(Intern).

Ms. Christina Elkins, Assistant Clerk to the Commissioners, reviewed vacancies on the Adult Public Guardianship Review Board, Agricultural Land Preservation Advisory Board, Commission on Individuals with Disabilities, Board of License Commissioners (Liquor Board), Business Loan Development Fund for Women, Minorities, and Veterans, Animal Matters hearing Boar, Agricultural Reconciliation Committee, and the Planning Commission.

**At 12:14 p.m., Commissioner Bowling recused himself from the discussion on the Agricultural Reconciliation Committee.*

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The Commissioners' present reached a consensus on these boards and official action took place later this day under Additional Approval Items- Action on Boards, Commissions, and Committees.

At 12:18 p.m., a motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with Commissioners Coates, Patterson, and Collins present, voting in favor to end this close session. **Commissioners Stewart and Bowling were not present for the vote.*

The Commissioners returned to open session at 4:00 p.m.

Roll Call

A roll call was taken. Commissioners Bowling, Coates, Patterson, and Collins were present.

**Commissioner Stewart was absent.*

Additional Approval Items.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to reappoint Linda Stansbury and appoint James Pearson III as a Citizen Member to the Adult Public Guardianship Review Board.

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

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to appoint Merechia Davis, Vontasha Simms, Triniece Gillom, Marchesa Whittington, Mary Frances Kenion, Rain Batie, Daisha Miller and Sandra Heredia as Citizen Members to the Commission on Individuals with Disabilities.

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

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to reappoint Matthew Darden to the Board of License Commissioners (Liquor Board). **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to appoint Melissa Gilpin, Ayanna Moore, Troy Smith, Natonya Thomas and Andrea Wiley to the Business Loan Development Fund for Women Minorities and Veterans. **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to reappoint Charles Bowling, David Hancock, Sr., Lisa Hoxie, Ed May and Robert Stahl to the Agricultural Land Preservation Advisory Board. **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to reappoint Matthew Cook and Travis Yates, appoint William Johnson as the At-Large Member and Kaye Risk as the Humane Society Representative. **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to appoint Patrick Wilby, Samia

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Bingham and Ryan Sekuterski as Citizen Members and to appoint Russell Schagel as the Charles County Farm Bureau Representative; and to appoint Robert Stahl, Jr. as the Agricultural Land Preservation Advisory Board Representative the Agricultural Reconciliation Committee.

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

Briefing: Tri-County Animal Shelter Committee

Mr. Tony Rose, Deputy Director and Ms. Kimberly Stephens, Animal Shelter Manager, Department of Emergency Services explained the history of the Tri-County Animal Shelter Committee, which is no longer meeting since Calvert County moved out of the Tri-County Animal Shelter in 2018 and St. Mary's County moved out of the Tri-County Animal Shelter in 2022 when each opened their own respective shelters.

Ms. Stephens requested disbanding this committee. She mentioned that some time in the future they would be looking into having an advisory board. She also recognized two (2) current members who have been serving in an advisory role since this committee's inception, Dr. Ivan Cunningham and Mrs. Anne Gardiner.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to disband this committee as staff recommended. **Commissioner Stewart was not present for the vote.*

Work Session: 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 joined the Commissioners for a follow up work session.

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, informed the Commissioners that the applicant sent an email requesting to withdraw their application from consideration. This would mean there is no further consideration needed by the Board of County Commissioners. He read the email dated June 27, 2023 from Mr. Rick Barnas:

"In light of the issues raised during the public hearing process we are hereby withdrawing our application for this Master Plan Amendment. To be clear, we are not just asking it to be pulled from today's agenda, we are withdrawing it completely. We will take some time to reconsider these matters and may resubmit at some time in the future. Please let us know if you have any questions.
thanks, Rick"

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to accept the withdrawal of this application. **Commissioner Stewart was not present for the vote.*

Discussion: Commissioners Rules of Procedures

Before beginning this discussion, Commissioner Collins read a statement,

"I raised concerns about this request at our last meeting. Specifically, it seemed to be contrary to the overall goals of the SOP (Standard Operating Procedures) and Rules of Procedure that is being discussed.

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By going in this direction, we are approving anything goes standard of evidence that makes a mockery of the process. I would strongly recommend that we follow a process that respects a degree of confidentiality before any decisions are made by the board that are presented to the public, these matters are personnel in scope.

We have diminished the integrity of the overall process regarding this SOP by announcing that an investigation is pending before it is even addressed by the board, which is again contrary to what we approved in 2020.”

Commissioner Bowling agreed that discipline should be discussed in closed then brought forth in public afterwards.

Commissioner Bowling explained to Commissioner Coates that he requested that this item be brought back when she was present in the meeting. He told her that her press conference and press release statement were false related to why he left his position in Prince Georges County as well as false statements against an employee. He wanted Commissioner Coates to know that he was upset and as well as his family and wanted to tell her face to face since she said no opportunity to talk.

Commissioner Coates responded that he falsified what was on the document. Mr. Branch created the press release, and he should address him. She felt appalled to having this conversation and that Commissioner Bowling keeps making false statements. She told Commissioner Bowling that he should call her if he wanted to discuss this. She would not speak for Mr. Branch. She said her message was of solidarity and would not speak for Mr. Branch. She indicated that she was invited to this press release. She said Commissioner Bowling was not being truthful.

When queried, Mr. Adams opined Commissioner Bowling made his statement to Commissioner Coates in open and that Commissioner Coates responded in open in kind. He advised that this is the end of open session discussion and additional discussion is personnel which is in closed and what is decided in closed session is under the purview of the Commissioners if they want to bring forth decisions in open. He mentioned that there is a closed session scheduled for tomorrow and that he would recuse himself since Kevin Karpinski would be present.

Commissioner’s New Business

Commissioner Bowling expressed condolence to Naval Base and Leonardtown Volunteer Fire Departments and the loss of firefighter.

He also requested adding a discussion item to the June 28, 2023 agenda to add an additional day off for the July 4th holiday in recognition of employees.

The Commissioners present agreed to this request.

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**Break 4:27 p.m. - 6:01 p.m.*

Roll Call

A roll call was taken. Commissioners Bowling, Coates, Patterson, and Collins were present.

**Commissioner Stewart was absent.*

Public Hearing: Bryans Road Sub Area Plan

The Commissioners held a hybrid, virtual/in-person, public hearing on the Bryans Road Sub Area Plan. Mr. Charles Rice, Acting Planning Director, and Ms. Amy Blessinger, Planner III, Ms. Cathy Thompson, Planning Supervisor, Department of Planning and Growth Management; Jamie Kendrick, Consultant, Mead & Hunt, joined the Commissioners to provide an overview of the Bryans Road Sub Area Plan.

There were ten (10) in person comments from the public; and there were three (3) virtual comments from the public.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to keep the record open for thirty (30) days. **Commissioner Stewart was not present for the vote.*

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to close the public hearing. **Commissioner Stewart was not present for the vote.*

At 7:01 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with Bowling, Coates, Patterson, and Collins present, voting in favor to adjourn. **Commissioner Stewart was not present for the vote.*

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President