

Regular Meeting of County Commissioners
Tuesday January 9, 2024 (Legislative Day)

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, Acting 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. Commissioners Bowling, Coates, Patterson, and Collins were present.
**Commissioner Stewart was not present.*

Proclamation(s) Issued for January 2024

2024-01 National Pan Hellenic Council Recognition Month
2024-02 National Mentoring Month
2024-03 National School Choice Week
2024-04 Catholic Schools Week
2024-05 Martin Luther King Jr Day of Service and Beyond

The Commissioners were joined by Ms. Kaprese James, Ms. Sambrina Spier, Ms. Aiesha Bynum, and Mr. Jeffrey Davis, Stella's Girls; and Mr. Keith Elkins, HERO Program, to receive proclamation 2024-02 National Mentoring Month; Ms. Courtney Knichel St. Peter's School - Home and School Association (HSA) President and her daughter Ms. Kennedy Knichel, First grade, to receive proclamation 2024-04 Catholic Schools Week; and Ms. Dyotha Sweat, President, Charles County NAACP, to receive proclamation 2024-05 Martin Luther King Jr Day of Service and Beyond

**Break 9:17 a.m.-9:20 a.m.*

Roll Call

A roll call was taken. All Commissioners were present.

Commissioners' Comments

Commissioner Collins outlined some of the accomplishments of 2023, such as AAA bond rating; increasing funding for public safety; first fully active Police Accountability Board in the State; very active legislatively; leader in climate change in the State; and using DEI in funding decisions.

Commissioner Bowling took time to thank staff and stated the need to help improve the quality of life for taxpayers when reviewing the budget.

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Approval of the Minutes of December 12, 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 December 12, 2023.

Approval of the Minutes of December 13, 2023 Notice of Attendance

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 December 13, 2023.

Announcement

Next Scheduled Session(s): January 23-24, 2024.

Approval Items

Budget Amendments and Budget Transfers

(Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative)

FY2024 Budget Transfer Request #13 Create Budget for Media Campaign for Information on Charter Government

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 Transfer Request #13 for seventy-five thousand dollars (\$75,000.00). Commissioners Bowling and Stewart were opposed. A roll call of the vote was taken: Commissioner Bowling-no; Commissioner Coates-yes; Commissioner Stewart-no; Commissioner Patterson-yes; Commissioner Collins-yes. The motion passed three (3) to two (2).

FY2024 Budget Transfer Request #237 Landfill Cell 4B Expansion Bidding Phase

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve FY2024 Budget Transfer Request #237 for two hundred and twenty-eight thousand dollars (\$228,000.00).

FY2024 Budget Transfer Request #704 Close Benedict Central Sewer from Water and Sewer Capital Improvement Projects (CIP) to Sewer Inflation Contingency Fund

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve FY2024 Budget Transfer Request #237 for one million six hundred and fifteen thousand eight hundred and eighty dollars (\$1,615,880.00).

The Commissioners reached a consensus to direct staff to bring back options to address the water issues in Benedict separate from the septic.

Letter of Support: Delegate Jheanelle Wilkins "Just Cause Eviction" Legislation

(Commissioner Collins and Ms. Danielle Michell, Assistant Deputy County Attorney, Office of the County Attorney for Charles County)

The Commissioners reached a consensus to review this legislation further before taking a position. It will be tracked during upcoming legislative updates.

Briefing and Request to Introduce and Schedule Public Hearing: Bill 2024-01 Zoning Text Amendment for Cannabis Dispensaries

Mr. Charles Rice, Planning Director, Ms. Melissa Hively, Planner I, Department of Planning and Growth Management, reviewed the proposed amendments to the Zoning Ordinance. These changes include removing the term “medical” from all three (3) cannabis-related uses; replacing the name “Maryland medical Cannabis Commission (MMCC)” to “Maryland Cannabis Administration” in all three (3) cannabis-related uses; adding a fourth condition for dispensary operations; and corrections for typographical errors and drafting errors.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to introduce Bill 2024-01 Zoning Text Amendment for Cannabis Dispensaries.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to schedule a public hearing on Wednesday February 7, 2024 at 6:00 p.m. in the Government Building at 200 Baltimore Street, La Plata, Maryland to be held in-person and virtually.

Briefing and Request to Schedule a Public Hearing: Proposed Amendment to Indenture Docket 250 Villages at Swan Point

Ms. Heather Kelley, Planning Supervisor, Mr. Charles Rice, Planning Director, Mr. Ben Yeckley, Planner III, and Ms. Lynn Knaggs, Planning Supervisor, Department of Planning and Growth Management; and Ms. Elizabeth Theobalds, Deputy County Attorney, Office of the County Attorney for Charles County, joined the Commissioners to discuss the proposed amendment. Ms. Kelly reviewed the background on the Villages at Swan Point and explained that it is regulated by Docket 250 and its amendments in addition to other approvals. She then went on to review the requested amendments throughout the document that were approved by the Planning Commission unanimously.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to schedule a public hearing on Tuesday March 5, 2024 at 6:00 p.m. in the Government Building at 200 Baltimore Street, La Plata, Maryland to be held in-person and virtually.

Briefing: Public, Private, Partnership (P3) Financial Advisory Report

Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; Ms. Lindsay Stowell, JLL; Shesi Xie, SXM Strategies; Mr. Eric Feiss, GWWO Architects; and Mr. Michael Heim, Chief of the Office of Operations and Supporting Services, and Mr. Steve Andritz, Director of Planning and Construction, Charles County Public Schools, joined the Commissioners for a review of the financial advisory report on the possibility of using the public-private partnerships for school construction.

The Commissioners directed staff to meet with the Board of Education to discuss the potential options.

Work Session: Bill 2023-(09) Healthy Meals for Children

Ms. Danielle Mitchell, Assistant Deputy County Attorney, Office of the County Attorney for Charles

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County, reviewed the amendments the Commissioners approved on December 12, 2023 excluding juice as a serving option and flavored milk due to the high sugar content in both.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to adopt Bill 2023-09 Healthy Meals for Children.

Briefing: Update on Charles County Climate Resilience and Sustainability

Ms. Beth Groth, Climate and Resilience and Sustainability Officer, Department of Planning and Growth Management, provided a presentation outlining an update on the Climate Action Planning Process, the Southern Maryland Electric Cooperative (SMECO) Electric Vehicle (EV) Re-Charge Program, the County's participation in Federal Grant opportunities; and the partnership with the Resilience Authority of Charles County.

Commissioner Bowling requested to have staff look at erosion control of shorelines along waterfront communities and provide regular updates on this topic.

Commissioner's New Business

Commissioner Bowling discussed legislative items before the Maryland General Assembly and requested more information such as the Public, Private, Partnership (P3); the College of Southern Maryland (CSM) Pool; Western County Treatment Plant; Conversion of the Indian Head as a technology Corridor; implications of the Renewable Energy mandates for solar farms and tax implications as well as impact to farmers.

Commissioner Bowling received agreement for the Board to have staff bring back information and potential legislation related to making all Commissioners full time including benefits and pension. Commissioner Collins requested information on salaries comparable to other councils.

Closed Session

At 11:22 a.m., motion was made by Commissioner Patterson, seconded by Commissioner Bowling 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 a personnel issue; and to receive an update on a litigation matter. The reason for moving into closed session is to keep legal advice, negotiations, strategies, and personnel information confidential.

Announcement of Evening Schedule Changes Due to Inclement Weather

5:00 p.m. Public Comment Session canceled. Next scheduled session would be January 30, 2024

6:00 p.m. Public Hearings Rescheduled to Wednesday February 7, 2024 at 6:00 p.m. in the Government Building at 200 Baltimore Street, La Plata, Maryland to be held in-person and virtually.

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Stewart, Patterson, and Collins present, voting in favor to schedule a Public Comment Session on January 23, 2024. Commissioner Coates was opposed. A roll call of the vote was

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taken: Commissioner Bowling-yes; Commissioner Coates-no; Commissioner Stewart-yes; Commissioner Patterson-yes; Commissioner Collins-yes. The motion passed four (4) to one (1).

Summary Closed Session Items

At 11:46 a.m., the Commissioners went into closed session.

3-305(b)(1) Personnel

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

The Commissioners provided directions to Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, on information to discuss and clarify with outside counsel.

3-305(b)(7)(8)Update: Litigation Issue

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

Mr. Wes Adams, County Attorney, Office of the County Attorney, provided an update on a litigation issue and the next steps.

At 12:13 p.m., a motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to end this closed session and adjourn.

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President