

Regular Meeting of County Commissioners
Tuesday June 25, 2024 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened 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
Jenifer Ellin, Acting 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 in person.

Commissioners' Comments

Commissioner Patterson:

- Talked about the Jaycees Summer Picnic; the Juneteenth Celebration; and the Charles County Historic preservation Award Ceremony

Commissioner Collins:

- Discussed concerns raised about burial site found near Lennar Homes
- Welcomed the youth participating in Recreation Division's Young Leaders Teen Camp

The Commissioners directed staff to research issue and provide a follow up briefing with staff and to schedule a conversation with Lennar. They also directed staff to have media respond acknowledging that concerns were heard, address any conflicts with public statements given.

Commissioner Stewart:

- Requested staff to address public comments received on the Proposed Amendment to Docket 250 Swan Point.

Commissioner Bowling:

- Stressed that he is listening all the comments he heard about Docket 250; he will not comment on concerns raised about other Commissioners, it is for these Commissioners to respond; he does try to take in impact on the community for decisions he makes; the Commissioners will discuss harassment concerns raised about Charter Board members; agrees that economic development in Indian Head is important; Magnolia Gardens was approved by the Town of La Plata; and since there are drought conditions by Careful, especially on July 4th for fire hazards.

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Approval of the Minutes of June 11, 2024

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to approve the minutes of June 11, 2024.

Announcement

Next Scheduled Session(s): July 9-10, 2024

Approval Items

Request: Reconsider Friday July 5, 2024 as a County Holiday
(Commissioners Patterson and Collins)

A motion was made by Commissioner Patterson, seconded by Commissioner Coates and passed, with all Commissioners present, voting in favor to reconsider the failed motion originally made on June 11, 2024 to make Friday July 5, 2024 a County Holiday .

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to make Friday July 5, 2024 a County Holiday.

Budget Amendments and Budget Transfers

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

FY2024 Budget Transfer Request #144 Planning and Growth Management (PGM) Transfer to Capital Projects (CIP) for Office Renovations

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 #144 for two hundred and fifty-one thousand dollars (\$251,000.00).

FY2024 Budget Amendment Increase #291 Inspection and Review Fund

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2024 Budget Amendment Increase #291 for two hundred and ten thousand dollars (\$210,000.00).

FY2024 Budget Transfer Request #323 Recreation, Parks and Tourism Building Furniture and IT Equipment

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve FY2024 Budget Transfer Request #323 for two hundred and nine thousand dollars (\$209,000.00).

FY2024 Budget Transfer Request #324 Electrical Work at Mallows Bay Broadband

A motion was made by Commissioner Coates , seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to approve FY2024 Budget Transfer Request #324 for seventy thousand dollars (\$70,000.00).

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FY2024 Budget Amendment Increase #326 Animal Shelter Capital Improvement Project (CIP)

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Stewart, and Collins present, voting in favor to approve FY2024 Budget Amendment Increase #326 for three million six hundred and eighty-five thousand dollars (\$3,685,000.00). *Commissioner Coates was opposed, and Commissioner Patterson abstained.* A roll call of the vote was taken: Commissioner Bowling-yes; Commissioner Coates-no; Commissioner Stewart-yes; Commissioner Patterson- abstained; Commissioner Collins- yes. The motion passed three (3) to one (1) and one (1) abstention.

FY2024 Budget Transfer Request #403 Community Options Waiver (COW) Program

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2024 Budget Transfer Request #403 for sixty-five thousand six hundred and ten dollars (\$65,610.00).

FY2024 Budget Amendment Increase #309 Charles County Public Schools (CCPS) Reallocate Funds from La Plata High School to T.C. Martin Project to Cover May-June Invoices

A motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with all Commissioners present, voting in favor to approve FY2024 Budget Transfer Request #309 for three million five hundred and thirty-one thousand dollars (\$3,531,000.00).

Request for Approval: FY2024 Board of Education Intercategory Budget Transfers

(Ms. Karen Acton, Chief Financial Officer, and Ms. Sherri Fischer-Davis, Budget Manager, Charles County Public Schools)

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve the Board of Education’s FY2024 Intercategory Budget Transfers for twelve point eight (\$12.8) million dollars.

Request for Approval: FY2025 Board of Education Budget

(Ms. Karen Acton, Chief Financial Officer, and Ms. Sherri Fischer-Davis, Budget Manager, 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 FY2025 Board of Education Budget Operating Budget in the amount of five hundred and six point 2 (\$506.2) million dollars.

Proposed Revision to Standard Operating Procedure (SOP) # CP.CC.01.002 County Commissioner Expense Policy

(Commissioner Collins)

A motion was made by Commissioner Coates, seconded by Commissioner Patterson and passed, with Commissioners Coates, Patterson, and Collins present, voting in favor to approve the addition to Standard Operating Procedure (SOP) # CP.CC.01.002 County Commissioner Expense Policy 1.6.2.1:

“Mileage funding may also be used to reimburse a County Commissioner for expenses incurred in the employment of an external transportation service for business travel related to the execution of their duties as a County Commissioner”

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).

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Request to Use Community Support Funds: Commission for Veterans Affairs Request for Three hundred Dollars (\$300.00)

(Ms. Omyni Harrell, Vice Chair, and Mr. Michael Moses, Charles County Commission for Veterans Affairs)

Ms. Harrell indicated that Commission for Veterans Affairs needed promotional items to help the public become aware of the Commission. She discussed additional items such as a flag and other promotional items needed.

The Commissioners agreed that this request should be brought back in July with additional items for approval of funds from the FY2025 budget.

Action on Boards and Commissions

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to reappoint Quincy Cobey to the Board of Fire & Rescue.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to appoint Anupa Mukhopadhyay as the Attorney on the Sheriff's Office Disability Review Board.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to reappoint Kathryn Young and Jacqueline Marshall Hall as Citizen Members, appoint Anthony Wilson, Kerwin Wilson and Keeon Johnson as Citizen Members to the Board of Social Services.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to appoint LaTonya Rogers as an At-Large Member to the Homeowners Association Dispute Review Board.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed, with all Commissioners present, voting in favor to reappoint Jennifer Walker and Cynthia Ybanez-Casares as At-Large Members to the Board of Appeals.

Request to Establish February as African American Heritage Month Instead of Black History Month in Charles County

(Commissioner Patterson)

Commissioner Patterson stressed that this would not require any change to past recognition, only moving forward in 2025.

The Commissioners agreed to hold this approval until the end of September 2024 when staff will come back and brief the Commissioners on the community's input.

Briefing: Proposed Blue Zone Initiative

Commissioner Collins; Dr. Dianna Abney, Health Officer, Ms. Amber Starn, Director Community Health, and Ms. Valerie Dent, DEI Coordinator, Community Health, Charles County Health Department; Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; Ms.

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Julie Kosteas Brown, Healthcare Consultant; Ms. Margaret Brown, VP Business Development and Mr. Danny Buettner, EVP and Chief Development Officer, Blue Zones, provided a presentation on a proposal on an Initiative to make Charles County a Blue Zone which emphasis movement, right outlook, eating wisely, and connections by implementing permanent and semi-permanent changes to where people spend the majority of their waking lives to help make healthier choices. The first phase of the proposal would be a study that will provide a detailed analysis of how to improve health and economic stability in the community. The Charles County Health Department would be the lead on this concept and would contract and work directly with Blue Zones, LLC.

Dr. Abney indicated that she would come back with a follow up on her plan after she meets with other stakeholders and identifies how it would be funded.

Briefing and Request to Schedule a Public Hearing: Docket 90 Amendment PDZA #24- 90(23), Villages of Wooded Glen & Piney Reach Master Plan

Ms. Heather Kelly, Planning Supervisor and Mr. Charles Rice, Planning Director, Department of Planning and Growth Management, joined the Commissioners to discuss the proposed Docket 90 Amendment PDZA #24-90(23), Villages of Wooded Glen & Piney Reach Master Plan. The amendment would relocate a proposed Middle School from the Villages of Wooded Glen Neighborhood three (3) to the Villages of Piney Reach Neighborhood two (2), request an exemption to the eighty five percent (85%) buffer rule, and other amendments.

The Commissioners had concerns and questions related to the proposed amendments.

The Commissioners agreed to Commissioner Bowling's request to receive legal advice related to Docket 90 today during closed session.

A motion was made by Commissioner Patterson, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to schedule the public hearing on Tuesday, September 17, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually.

Closed Session

At 11:41 a.m., a 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)(3)(4)(7) of the General Provisions Article of the Annotated Code of Maryland to receive an update on a potential property acquisition; to receive legal advice on request related to an appointment on a Commissioner appointed Board; and to receive an update on a proposed business in the County and amended to include legal advice on Docket 90. The reason for moving into closed session is to keep legal advice, negotiations, strategies, and personnel information confidential.

Summary Closed Session Items

At about 3:00 p.m., the Commissioners went into closed session.

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3-305(b)(3)(7) Update on a Potential Property Acquisition

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

Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator, and Ms. Judy Michael, Property Acquisition Officer, reviewed the appraisal received.

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to approve accepting the appraisal presented.

3-305(b)(1)(7) Legal/Personnel Request Related to an Appointment on a Commissioner Appointed Board

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

Ms. Christina Elkins, Assistant Clerk to the Commissioners, reviewed a violation to the Code of Civility by a current Boards and Commission member to a resident. Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, reviewed potential options for the Commissioners.

The Commissioners provided directions to Mr. Adams on how to proceed.

3-305(b)(7)(8) Update on a Proposed Business in the County

Present: Commissioners Bowling, Coates, Stewart, Patterson, and Collins, Wes Adams, Deborah Hall, Carol DeSoto, and Jenifer Ellin, Kelly Robertson-Slagle, Taylor Yewell, Michelle Frye, Charles Rice, Sheel Patel, and D. Patel

The Commissioners were provided an update on the current business and on potential future expansion and business.

3-305(b)(7) Legal Advice on Docket 90

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

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, provided legal advice to questions from the Commissioners.

The Commissioners provided directions to staff on additional information they would like to have researched.

At 4:18 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 close session.

At about 4:27 p.m. the Commissioners returned to open session.

Roll Call

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

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Briefing: Update on Maryland Airport

Ms. Kelly Robertson-Slagle, Director, Mr. Taylor Yewell, Chief of Business Development, Department of Economic Development; and Mr. Sheel Patel, Director of Operations, PSM Aviation, LLC, Maryland Airport, briefed the Commissioners on operations at the Maryland Airport in Indian Head. Mr. Patel discussed establishing an on-site flight school and continued participation in several other community activities which involve youth programs. He indicated that future plans included several hangar projects and other efforts to build up infrastructure at the airport. He said that any future runway expansion would be five (5) to eight (8) years away and require Federal Aviation Administration (FAA) and Environmental Protection Agency (EPA) approval.

Commissioners' New Business

There was no new business discussed at this point on the agenda but was brought up after the Commissioners' Public Comment Session.

**Break 4:38 p.m. - 4:59 p.m.*

Roll Call

A roll call was taken. All Commissioners were present in person.

Commissioners' Public Comment Session

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 thirteen (13) people who provided comments in person and four (4) person who provided virtual comments. Any written comments received were added to the website for the public to view.

Summary of Public Comments

In Person:

- Speaker expressed concerns with disruptive youth behavior in Stone Haven community and inconsistent action of the Sheriff's Office. Need to hold parents accountable.
- Speaker shared concerns related to Swan Point Docket 250
- Speaker shared concerns related to Swan Point Docket 250
- Speaker expressed concerns about the quality of his home built by Lennar, additional cost to fix driveway, and erosion of topsoil.
- Speaker detailed situation with Commissioner Patterson and the Juneteenth Foundation, not paying for sponsorship he committed to and received tickets for, and his action related to donations for scholarships from the Foundation.
- Speaker shared concerns related to Swan Point Docket 250
- Speaker shared concerns related to Swan Point Docket 250 and community petition submitted.
- Speaker expressed concerns with disruptive youth behavior in Stone Haven community and suggest implementing a curfew.

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- Speaker expressed concerns with disruptive youth behavior and lack of support from the Sheriff's office. Also addressed concerns with failing stormwater systems in the County.
- Speaker shared concerns about lack of explanations or reasons from the Commissioners related to votes, such as abstentions; also concerned about timing of Planning Commission meeting scheduled on July 1, 2024 which may limit public attendance related to impact on zoning issue.
- Speaker expressed concerns with disruptive youth behavior in Stone Haven community and not enough resources for the County's rapid growth and concerns not being adequately being addressed by Sheriff's office.
- Speaker outlines arguments related to the Charter Board and feels that Commissioner Bowling is spreading misinformation related to the proposed Charter.
- Representative from the Sheriff's Office provided comments on behalf of Sherriff Troy Berry related to community concerns about safety in the neighborhoods especially Stonehaven, and appreciates community involvement.

Virtual:

- Speaker expressed concerns about excessive property tax increases.
- Speaker shared concerns related to Swan Point Docket 250 and potential issues related to increased tourism and evacuation plans.
- Speaker, Charter Board chairman, provided an update on the status of the Charter and highlighted the executive structure related to safety issues.
- Speaker expressed concerns of lack of engagement from Commissioner Coates and concerns of increased development; and requests greater transparency and inclusivity in Commissioner Coates' town hall meetings.

Commissioners' New Business

Commissioner Collins spoke about comments received and a video he viewed related to neighborhood issues with behavior of youth and suggested adding an additional agenda to address these issues before the July fourth holiday. Each of the Commissioners added additional comments to this topic and broader issue related to community safety. Specifically, to discuss plans to address potential neighborhood nuisances during the Fourth of July Holiday.

Commissioner Bowling acknowledged the comments made related to Docket 250 and ensured the public that they have not fallen on deaf ears.

Commissioner Stewart requested an upcoming discussion to reconsider the ability to allow the Commissioners to respond the residents after public comments especially for time sensitive issues.

A motion was made by Commissioner Bowling, seconded by Commissioner Patterson and passed with all Commissioners present, voting in favor to hold a special meeting, tomorrow, June 26, 2024 at about 6:00 p.m.

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At 6:32 p.m. A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with all Commissioners present, voting in favor to adjourn.

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President