

Regular Meeting of County Commissioners
Tuesday October 22, 2024 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened in person and virtually, at 9:02 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, Ed.D., County Commissioner
Deborah Hall, Acting County Administrator
Wes Adams, County Attorney
Carol A. DeSoto, Clerk to the Commissioners

**Ralph Patterson, II, M.A., Vice President, County Commissioner was absent and joined session later this day as noted.*

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, and Collins were present in person.

**Commissioners Stewart and Patterson were absent.*

Commissioners' Comments

Commissioner Bowling requested a briefing on the VanGO services for the elderly and disabled and will submit an agenda request to discuss services available.

Approval of the Minutes of October 8, 2024

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to approve the minutes of October 8, 2024. **Commissioners Stewart and Patterson were not present for the vote.*

Announcement

Next Scheduled Session(s): October 29-30, 2024.

Approval Items

Budget Amendments and Budget Transfers

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

There were no budget amendments or transfers discussed.

Letters of Support and Commitment: Charles County Resiliency Authority Grant Applications

1. Concrete to Green Stormwater Pocket Park Project-Elite Gymnastics (Phase 2)
 2. East Waldorf Residential Stormwater Drainage Improvement (Phase 2)
 3. Nature-Based Climate Solutions on Bensville Park, Robert D. Stethem Memorial Sports Complex
- (Ms. Stacy Schaefer, Director, Resiliency Authority and Mr. Sam Drury, Deputy Director, Department of Recreation, Parks, and Tourism)

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, Stewart and Collins present, voting in favor to approve these three

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(3) letters of support and commitment. **Commissioners Stewart and Patterson were not present for the vote.*

Additional Holiday Leave for County Employees
(Commissioner Stewart)

This approval item was continued later this day under Approval Items (Continued).

Briefing and Request for Approval: Clifford House of Hope Property Improvements

(Dr. Tanisha Sanders, Director, Mr. Justin Hayes, and Ms. Aleata Dawkins, Charles County Department of Social Services; Ms. Jenifer Ellin, Acting Deputy County Administrator, and Ms. Doria Fleisher, Community Engagement Coordinator, Media Services, Office of the County Administrator)

A motion was made by Commissioner Bowling, seconded by Commissioner Coates and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to approve improvements to repair and level driveway and erecting fencing around the pond and behind the house.

**Commissioners Stewart and Patterson were not present for the vote.*

Briefing and Request to Introduce and Schedule a Public Hearing: Proposed Bill 2024-(15) Amendments to the Water and Sewer Ordinance

Mr. Charles Rice, Planning Director, Ms. Melissa Hively, Planner, Ms. Heather Kelley, Planning Supervisor, and Mr. Jason Groth, Acting Director, Department of Planning and Growth Management, reviewed the need to amend the Water and Sewer Ordinance, Chapter 291. This would revise the supplemental policies regarding the Mattawoman Sewer System and the Waldorf Water System:

- Article VI, § 54 – Supplemental service area policies has been amended to refer to the Mattawoman Sewer Service Area and Planned Waldorf Water Area as being those areas delineated on Appendix A-1 and Appendix A, respectively, of the Water & Sewer Ordinance.
- Appendix A, Planned Water Districts has been amended to reflect proposed Planned Water Districts, including the Planned Waldorf Water Area.
- Appendix A-1, Sanitary Sewer Service Areas has been amended to reflect proposed Sanitary Sewer Service Areas, including the Planned Mattawoman Sewer Service Area.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to introduce proposed Bill 2024-15 Amendments to the Water and Sewer Ordinance. **Commissioners Stewart and Patterson were not present for the vote.*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to schedule the public hearing on Tuesday, December 3, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually. **Commissioners Stewart and Patterson were not present for the vote.*

Briefing and Request to Schedule a Public Hearing: Fall 2024 Water and Sewer Category Amendment Cycle

Mr. Charles Rice, Planning Director, Ms. Melissa Hively, Planner, Ms. Heather Kelley, Planning Supervisor, and Mr. Jason Groth, Acting Director, Department of Planning and Growth Management, explained that Category Amendment requests are done on a semi-annual cycle, with application deadlines in February and August. Requests for service category amendments must meet the criteria for

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priority reclassification established in the Comprehensive Water and Sewer Plan. These Category Amendment requests would be contingent on the passage of proposed 2024-15 Amendments to the Water and Sewer Ordinance. These include staff initiated administrative changes as well as four (4) applicant driven amendment requests during this cycle.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to schedule the public hearing on Tuesday, December 3, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually. **Commissioners Stewart and Patterson were not present for the vote.*

Briefing and Request to Introduce and Schedule a Public Hearing: Proposed Bill 2024-(16) Zoning Text Amendment (ZTA) 24-182 Driveways and Parking for Agritourism Projects

Mr. Kirby Blass, Planner III and Ms. Kelly Palmer, Planner III, Department of Planning and Growth Management reviewed the proposed zoning text amendment 24-182 for the required widths of aisles and driveways and parking area surfaces for Agritourism projects.

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to introduce proposed Bill 2024-16 Zoning Text Amendment 24-182 Driveways and Parking for Agritourism Projects. **Commissioners Stewart and Patterson were not present for the vote.*

A motion was made by Commissioner Coates, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, and Collins present, voting in favor to schedule the public hearing on Tuesday, December 3, 2024 at 6pm in the Government Building at 200 Baltimore Street, La Plata, MD to be held hybrid, in-person and virtually. **Commissioners Stewart and Patterson were not present for the vote.*

Annual Update: Docket 90

Mr. Mark Anderson, Vice President of Land Development, Mr. Matthew Wineman, Division President, Lennar; and Mr. Rick Barnas, President, Barnas Engineering, PC, provided a presentation on the Annual Docket 90 report on the St. Charles Community. The St. Charles Planned Unit Development (PUD) includes five (5) residential villages; Smallwood Village, Westlake Village, Fairway Village, Village of Wooded Glen, and Village of Piney Reach. They provided a review of the remaining development, the neighborhood centers, architectural changes, focus on adding affordable housing and the addition of Homes for Heroes program.

**At about 9:58 a.m. Commissioner Stewart joined session in person.*

Commissioner Bowling suggested more collaboration with community and parks and recreation on the amenities, such as pools, to meet the needs of the communities and for swim teams. He stressed the need to design the communities that will benefit the public.

Commissioner Coates stressed the need to keep the community involved so that when the community is released to the Homeowners Association (HOA) clear guidelines and expectations are conveyed.

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Commissioner Collins agreed collaboration is needed especially related to zoning to address the affordable housing within communities.

Review and Request for Approval- Federal Agenda

Ms. Jenifer Ellin, Acting Deputy County Administrator, Office of the County Administrator; Mr. Joseph Green and Ms. Jeanette Tejada de Gomez, G.S. Proctor & Associates, Inc., reviewed the areas of focus that they as lobbyist will pursue related to additional federal funds to support the County's goals in the areas of Economic Development, Quality of Life, Emergency Preparedness Response and Safety, Resiliency and Sustainability, and Institutional Governance. They reviewed the areas they will focus on by identifying, pursuing grants and funding for:

- The resilience for Indian Head and Bryans Road shoreline restoration projects
- The support of small businesses in developing innovative solutions in energetics and related sectors
- Opportunities for the expansion of airport operations
- The revitalization and enhancement of the Western Charles County Technology Corridor
- Training programs that prepare local workers for high-demand jobs in Energetics and advanced manufacturing
- Waitlisted residents in the Housing Choice Voucher program
- The establishment of a mentorship program designed to reduce violent acts committed by and against the youth of Charles County
- The creation of murals throughout the county
- The creation of an application competition
- The Administration for Community Living (ACL) to update its federal funding formula to better align the federal resources with the needs of today's older adults
- The support for hosting intergenerational events that improve engagement and mentoring between older adults and youth
- The maintenance of parks, trails, historic sites, and recreational facilities
- Grants to enhance targeted tourism assets and amenities
- An increase in capabilities within the Charles County Sheriff's Office Digital Forensics Unit to expedite the processing of digital evidence
- Partnerships that support storm water and wastewater infrastructure, including Community Project Funding
- The development of public and cultural amenities within the Waldorf Urban Redevelopment Coordinator (WURC).

The Commissioners present reached a consensus on this plan outlined by the Federal Lobbyist.

Approval Items (Continued)

Additional Holiday Leave for County Employees
(Commissioner Stewart)

A motion was made by Commissioner Stewart, seconded by Commissioner Bowling and passed, with Commissioners Bowling, Coates, Stewart and Collins present, voting in favor to approve the additional holiday closure for County Employees on Wednesday, November 27, 2024; half-day closure on

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Tuesday, December 24, 2024; closure on Thursday, December 26, 2024; and closure on Thursday, January 2, 2025. **Commissioner Patterson was not present for the vote.*

Commissioner Collins requested a more comprehensive discussion on the County leave schedule and potentially codifying changes in the County's Holiday Leave policy. He requested this discussion take place in January and include discussion on recognizing other faiths.

Commissioner Coates added that the Personal Time Off (PTO) policy may address some of the recognition of other faith-based holidays.

Closed Session

At 11:01 a.m., a motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, 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) of the General Provisions Article of the Annotated Code of Maryland receive legal advice related to the process for County's selection of employee benefits. The reason for moving into closed session is to keep legal advice, negotiations, strategies confidential.

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

Summary Closed Session Items

At about 11:03 a.m., the Commissioners went into closed session.

3-305(b)(7) Legal Advice: Legal Advice Related to the Process for County's Selection of Employee Benefits

Present: Commissioners Bowling, Coates, Stewart, and Collins, Wes Adams, Carol DeSoto, Deborah Hall, Jenifer Ellin, Shanna Reese, Jacob Dyer, Alexis Blackwell, and Megan Donnick.

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, provided legal guidance on the future policy discussion and legal guidelines.

At 11:09 a.m., a motion was made by Commissioner Bowling, seconded by Commissioner Stewart and passed, with Commissioners Bowling, Coates, Stewart, and Collins present, voting in favor to end this close session. **Commissioner Patterson was not present for the vote.*

At about 2:33 p.m. the Commissioners returned to open session.

Roll Call

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

**At about 4:18 p.m. Commissioner Patterson joined session in person.*

Discussion: Review Potential Opportunities to Offer Options to Healthcare Coverage and Services

Ms. Megan Donnick, Deputy Director, Department of Human Resources; Mr. David Johnson, Vice President, Bolton USA; and Mr. Nick Webb Associate Consultant provided a presentation on

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healthcare for Charles County Employees. They reviewed the current healthcare medical plans provided, employee thoughts and opinions, and what other Maryland counties provide. In addition, details on the CareFirst contract and CareFirst Equity Initiatives were discussed. Information was provided on the Health Center for ALL as a potential future option for consideration. The proposed timeline for the next Request for Proposal (RFP) for the July 1, 2027 plan year will begin in the Summer/Fall 2026.

The Commissioners directed staff to discuss with the employees and come back for a follow up discussion on next steps.

**Break 3:17 p.m. – 3:23 p.m.*

Briefing: Sheriff's Office Retirement Plan (SORP) Annual Investment and Actuarial Review

Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; Mr. Alton Fryer, Director of Client Services, Ms. Ann Sturner, Senior Consulting Actuary; and Ms. Michelle Boyles, Consulting Actuary, Bolton USA, reviewed the Charles County Sheriff's Office Retirement Plan (SORP). Ms. Sturner provided the July 1, 2023 Actuarial Valuation Update covering the valuation purpose, demographics, key assumptions, actuarially determined contributions, historical funded status and Governmental Accounting Standards Board (GASB) accounting results. Mr. Fryer provided an overview of the SORP plan summary.

Commissioner Bowling requested a future discussion to consider codifying not taking County contributions out of the budget for both the Sheriff's Office Pension Plan and the Charles County Pension Plan.

Briefing: Other Post Employment Benefits (OPEB) Annual Investment and Actuarial Review

Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; Mr. Alton Fryer, Director of Client Services, Bolton USA, provided an overview of the plan summary for the Other Post Employment Benefits noted that Asset Allocation is on target and no rebalancing is recommended.

Briefing: Charles County Pension Plan (CCPP) Annual Investment and Actuarial Review

Mr. Jacob Dyer, Acting Director, Department of Fiscal and Administrative Services; Mr. Lazaro Guzman, Vice President, Full Services Investments, Ms. Darlene Buxton, and Mr. Morris Jackson, Director of Relationship Management, Empower, provided an overview of the actuarial and investment report on the Charles County Pension Plan. Ms Buxton provided the actuarial results for the fiscal year ending on June 30, 2024. She reviewed the contribution summary of method and assumption changes, actuarially determined contributions and funded status; employer contribution, funded status, and investment return history; and Governmental Accounting Standards Board (GASB) highlights. Mr. Lazaro reviewed the net performance results for June 30, 2024 and noted that no adjustments are needed at this time to rebalance the plan.

Work Session: 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, provide a presentation which reviewed the background of the St. Charles Planned Unit Development (PDU) and the applicant requests:

1. Change in middle school site location to Piney Reach Neighborhood two (2) off Piney Church Road.
2. Change in the eighty five percent (85%) Rule that no residential construction of any kind shall begin in the Village of Piney Reach until eighty five percent (85%) of all residential construction has been completed in the Village of Wooded Glen.
3. Modification of Buffer Remediation Plan for MD Route 488 (La Plata Road) since trees and other vegetation had regrown and naturally reestablished the buffer and the planting plan did not need to be implemented in the specified areas.

The Planning Commission recommended approval of the relocation of the middle school site and the amendment to the Buffer Remediation Plan for MD Route 488. The Planning Commission did not recommend approval for the waiver of the eighty five percent (85%) Rule.

Mr. Wes Adams, County Attorney, Office of the County Attorney for Charles County, further explained that Mr. Steve Scott, Attorney representing Lennar, indicated that they were willing to remove the request for the eighty five percent (85%) Rule if this would move the other requested Amendments forward.

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 amendment to change the school site location and the modification of the Buffer Remediation Plan but not approve the eighty five percent (85%) Rule amendment. Commissioner Bowling was opposed. **Commissioner Stewart was not present for the vote.* A roll call of the vote was taken: Commissioner Bowling-no; Commissioner Coates-yes; Commissioner Stewart-absent; Commissioner Patterson-yes; Commissioner Collins-yes. The motion passed three (3) to one (1).

Commissioners' New Business

There was no new business discussed.

At 4:21 p.m., 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 adjourn. **Commissioner Stewart was not present for the vote.*