

Regular Meeting of County Commissioners
Tuesday, February 9, 2010 (1 of 5)

The regularly scheduled meeting of the County Commissioners was convened at 9:05 a.m. with the following persons in attendance:

Wayne Cooper, President, County Commissioners
Edith J. Patterson, Vice President, County Commissioners
Reuben B. Collins, II, County Commissioner
Samuel N. Graves, Jr., County Commissioner
Gary V. Hodge, County Commissioner
Rebecca B. Bridgett, County Administrator
Roger L. Fink, County Attorney
Joyce A. Schmidt, Chief of Staff
Denise M. Ferguson, Clerk to the Commissioners

Closed Session

At 9:05 a.m., a motion was made by Commissioner Patterson, seconded by Commissioner Graves, and passed with all Commissioners present voting in favor to go into closed session pursuant to Section 10-508 of the State Government Article of the Annotated Code of Maryland to discuss:

Two personnel matters;
One matter related to a business wishing to locate in the County;
One legal item; and
One matter related to the acquisition of County property.

Summary of Closed Session Items

The Commissioners and County Administrator met with a Charles County Sheriff's representative to discuss a personnel matter. Action related to this issue is recorded in New Business on Page 3 of these Minutes.

The Commissioners and County Administrator met with an individual regarding a personnel matter.

The Commissioners, County Administrator, and County Attorney met with third party representatives to discuss a business wishing to locate or remain in the County.

The Commissioners, County Administrator, County Attorney, Deputy County Attorney, Director of Fiscal & Administrative Services, Chief of Budget, and Property Acquisition Officer met with outside representatives to discuss the negotiations related to the potential acquisition of County property.

Mr. Roger Fink, County Attorney, briefed the Commissioners on the status of a legal matter related to County contracts. The Commissioners provided Mr. Fink with direction related to this matter.

**Closed session concluded at 11:16 a.m.*

The public meeting was opened at 11:30 a.m. with the Pledge of Allegiance to the Flag led by Commissioner Collins.

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County Business

FY2010 Budget Transfer Request, \$37,000, Water & Sewer Operations, Mattawoman Waste Water Treatment Plant

Ms. Deborah Hudson, Director of Fiscal & Administrative Services, and Mr. David Eicholtz, Chief of Budget, presented the Commissioners with a FY2010 Budget Transfer Request in the amount of \$37,000 to transfer funds from the MWWTP Chemical Building Electrical Improvement /A&E and Contingency projects to the MWWTP Electrical System Replacement Study/A&E project. This transfer is a budgeting/accounting adjustment and consolidation of related projects.

A motion was made by Commissioner Patterson, seconded by Commissioner Graves, and passed with all Commissioners present voting to approve the Budget Transfer as presented.

Lunch

The Commissioners took a lunch break from 11:35 a.m. – 12:38 p.m.

Budget Work Session: Fiscal Year 2011-2015 Capital Improvement Program (CIP)

The Commissioners conducted a budget work session on the proposed Fiscal Year 2011-2015 Capital Improvement Program (CIP) budget. Ms. Deborah Hudson, Director of Fiscal & administrative Services, and Mr. David Eicholtz, Chief of Budget, joined this session to begin the three step budget process: 1) CIP, 2) Enterprise Funds (March), and 3) General Fund Review (adoption in the May-June time frame).

Ms. Hudson provided a summary of the annual budget review process, the grouping of ‘proposed’ and ‘unaffordable’ projects within the CIP, and explained the two categories of the CIP as Governmental, which are financed by general obligation bonds, operating revenue, loans, state or federal grants, donations, and developer contributions; and Enterprise, which are specific to self-supporting operations such as the Water and Sewer or Landfill funds and are financed by the fund the project is serving.

Mr. Eicholtz explained that the CIP request totals \$315 million for Proposed and Unaffordable projects, and that the Proposed projects equal \$201 million or 64% of the total requested projects. He also explained that the Board of Education projects will require State funding of \$70 million for Proposed Projects over five years. Mr. Eicholtz then provided a review of the Proposed Projects and financing sources.

Ms. Hudson then reviewed the Proposed Projects and financing statements over the five-year plan.

The work session continued with Mr. Eicholtz providing a review of the individual Proposed Projects in department priority order.

Mr. Jerry Barrett and Mr. Chuck Wineland, Charles County Public Schools, participated in the work session to answer specific questions related the Board of Education projects.

Ms. Hudson noted the option of the Commissioners to move Proposed Projects to Unaffordable Projects and visa versa.

**The Commissioners took a break from 1:30 – 1:39 p.m.*

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Briefing: County's Grant Program

Ms. Deborah Hudson, Director of Fiscal & administrative Services, Mr. David Eicholtz, Chief of Budget, and Ms. Debbie Posey, Grants Analyst, provided the Commissioners with a briefing on the County's Grant Programs.

Ms. Posey's Power Point presentation provided an overview of the types of grant funding, funding opportunities and the current status thereof (including Community Services, Economic Development, Judicial, Planning, Parks & Recreation, Public Facilities, Public Safety, Other, and FY2010 American Recovery and Reinvestment Grants), and actual grant funding received by the County in Fiscal Years 2008 and 2009. She also reviewed the grant information that is available on the County's Grant Website.

**The Commissioners took a break from 2:11 – 2:18 p.m.*

New Business

1. Charles County Sheriff's Office – Additional Sergeant Position – Major Buddy, Gibson, Charles County Sheriff's Office, and Ms. Deborah Hudson, Director of Fiscal & Administrative Services, presented the Commissioners with a request to the Commissioners from the Sheriff to approve an additional Sergeant position to assist the agency in fulfilling its obligations to the community and its personnel of providing sufficient supervision. The fiscal impact of the request would be approximately \$2,118 for FY2010, and an annual increase of approximately \$7,100 for FY2011 and would be absorbed within the Sheriff's current fiscal budget.

A motion was made by Commissioner Patterson, seconded by Commissioner Collins, and passed with all Commissioners present voting in favor to approve the request.

2. Regency Furniture Stadium Skybox – Dr. Rebecca Bridgett, County Administrator, presented the Commissioners with the following options with respect to a skybox at Regency Furniture Stadium for the 2010 season:

-The Blue Crabs offered to provide a skybox (\$25,000 value), contractor lawn storage, and 250 box seat ticket vouchers to the County at no cost. This would be in exchange for the County's agreement to provide recycling and trash removal, and the exterior office for team use (\$9,600 + lawn maintenance contractor cost). Dr. Bridgett suggested that if this option was exercised that there be a new County policy developed for an organized community outreach program whereby the County Administrator would schedule the skybox for use by non-profit organizations. An application would be made available on the County's website for the non-profits.

-An outside sponsor has offered the County use of its skybox for ten (10) games at no charge to the County that could be used for non-profit groups.

Following discussion regarding the skybox options, a motion was made by Commissioner Patterson, seconded by Commissioner Hodge, and passed with all Commissioners voting in favor to accept the ten (10) games from the outside sponsor as offered to the County.

3. Approval of Minutes of January 26, 2010 – The Commissioners deferred the approval of the Minutes of January 26, 2010 until March 2, 2010.
4. Consent Agenda – A motion was made by Commissioner Patterson, seconded by Commissioner Hodge, and passed with all Commissioners present voting in favor to approve the Consent Agenda, as presented.

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Old Business

1. National Association of Counties (NACo) Prescription Drug Program – in follow-up to the Commissioners' request to receive information related to the NACo Prescription Drug Program, Mr. Steve Brayman, Director of Human Resources, gave a Power Point presentation on the Program which provides discount prescription cards for member counties to uninsured and underinsured residents through a contract with CVS Caremark. Mr. Brayman's presentation provided an overview of the Program, which is free to the County and to residents and can be used unlimited nationwide at participating pharmacies. He also provided an overview of the average savings of the Program, NACo's Marketing Plan, and the Charles County Government's Internal and External Marketing Strategies.

Mr. Brayman noted the estimated launch date for the Charles County Program is March 15, 2010. He indicated that his department would track the Charles County savings on a monthly and annual basis.

Introduction/Briefing: Waldorf Urban Design Study Legislative Package (Exhibits A-E)

Mr. Mike Hinchy and Mr. Steve Ball, Department of Planning & Growth Management, joined the Commissioners to brief them on the proposed legislative package that will implement the Waldorf Urban Design Study by changing the pattern of development in the Waldorf study area from strip commercial to a mixed-use, walkable community that supports future mass transit. Mr. Ball provided a review of the legislative package being recommended which consists of the following:

Exhibit A: Vision plan and Design Guidelines – establishes the vision and the architectural and urban design criteria.

Exhibit B: Zoning Text Amendment #09-110 – Waldorf Activity Center Zones – establishes permitted uses, densities, and other development standards in the two new zoning districts – Waldorf Central (WC) and Acton Urban Center (AUC).

Exhibit C: Subdivision Regulation Amendment #09-13 – Waldorf Activity Center Zones – recognizes the new zoning districts in the Subdivision Regulations and referenced relevant standards related to landscaping and road classification.

Exhibit D: Zoning Map Amendment #09-38 – Waldorf Activity Center Zones – applies to new zones by revising tax maps 8 and 15.

Exhibit E: Zoning Text Amendment #09-111 – Revisions to CRR/CER Zones – makes revisions to development and design standards in the CRR and CER Zones in order to make them more consistent with the new Waldorf Zoning districts.

Mr. Ball noted that *Exhibit F: Zoning Text Amendment #09-113 – Revisions to Planned Development Zones* was still being worked on by the Planning Commission and that the Planning Commission should conclude its work on February 22, 2010.

A motion was made by Commissioner Hodge, seconded by Commissioner Collins, and passed with all Commissioners present voting in favor to introduce Exhibits A-E, as listed above, and to set a date and time for a public hearing on the Exhibits.

Commissioner Hodge amended his motion to include Exhibit F, providing the Planning Commission completes its review, Commissioner Collins seconded the amended motion and the motion carried unanimously.

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Introduction/Briefing: Waldorf Urban Design Study Legislative Package (Exhibits A-E) - continued

The Commissioners set the public hearing for Tuesday, March 9, 2010 at 3:00 p.m.

**The Commissioners took a break from 3:15 – 3:31 p.m.*

Public Hearing: Proposed Stormwater Management Ordinance and Storm Drainage Ordinance Amendments

The Commissioners conducted a public hearing on the proposed amendments to the County's Stormwater Management and Storm Drainage Ordinances. The purpose of the two ordinances is to enact revised standards for the design of stormwater management and drainage systems in Charles County. The legislation is a requirement of the Maryland Stormwater Management Act of 2007 and will repeal and reenact Chapter 274 – Stormwater Management, of the Code of Charles County.

Mr. Mike Hinchy and Mr. Frank Ward, Department of Planning and Growth Management, provided an overview of the proposed amendments and noted that there has been new attention related to the legislation by the Maryland General Assembly and Maryland Association of Counties (MACo). For this reason, Mr. Ward recommended that the Commissioners keep the public record open for comments regarding the amendments until the State completes its process. He also noted that staff was presenting the legislation to the Commissioners due to the State requirement to do so.

Commissioner Cooper shared that these amendments were discussed at MACo last week, and that this is the law and the County is being required to move forward.

Commissioner Hodge indicated that before making a decision, the Commissioners need a professional opinion from staff that these amendments won't obstruct efforts of smart growth and redevelopment of the urban core of Waldorf. Mr. Ward responded that staff could not give that assurance today but would endeavor to have this information before the Commissioners adopt the ordinance, and that re-development is an issue with the Ordinances.

Commissioner Patterson echoed Commissioner Hodge's concerns with respect to the Bryans Road Sub Area Plan.

Commissioner Cooper read the rules of the public hearing and opened the hearing up to those who signed up to comment on the proposed amendments.

There were three people who spoke as generally opposed to the proposed amendments.

In response to a suggestion that the Commissioners delay implementation until absolutely required, Mr. Fink stated that he would need to perform legal review of the Maryland Department of the Environment (MDE) regulatory authority with respect to the proposed amendments, and also Federal regulations (Clean Water Act).

The Commissioners collectively agreed to leave the public record open for comment until 4:30 p.m. on April 2, 2010 and to conduct a work session on April 6, 2010.

There being no further business, the meeting was adjourned at 4:04 p.m.

Special Report (Snow Coverage)

The Commissioners provided Channel 95 viewers with a special report related to the pending snow storm.

Denise M. Ferguson, Clerk

Wayne Cooper, President