

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, OCTOBER 2, 2008**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, October 2, 2008, at 10:25 a.m. Present were Commissioners David Gray, *Vice President*, Charles Jenkins and John Thompson, Jr. Also present were Ron Hart, County Manager and Mary Baker, Recording Secretary. Commissioner Kai Hagen was absent. (Note arrival time for Commissioner Gray.)

(Official minutes of the Board of County Commissioners' meetings are kept on file in the County Manager's Office; the meetings are also video recorded. Approved minutes are available on the county's website. To receive a copy of meetings recorded on videotape or DVD, please contact the Board of County Commissioners at 301-600-1100 or visit the county's website at www.co.frederick.md.us)

NOTE: Copies of all staff reports are available in the OnBase system. If you need assistance with the OnBase system, please contact the recording secretary.

PLEDGE OF ALLEGIANCE

The meeting began with the Pledge of Allegiance.

COMMISSIONERS COMMENTS

Commissioner Jenkins apologized for the Board running late from the earlier meeting. He also noted Frederick Community College hosted college night recently where he represented James Madison University and felt it was a wonderful experience.

AGENDA BRIEFING

Staff briefed the Board on the following items scheduled for Tuesday, October 7, 2008, at 7:00 p.m.:

- Fire Prevention Week Proclamation
- Public Hearing regarding Elmer Derr Road Closure/Alteration - Public Works Division
- TriData Implementation Committee Final Report - County Manager's Office and Fire and Rescue Services Division

CONSENT AGENDA

The following items were on the consent agenda:

(Commissioner Gray arrived at the meeting at 10:30 a.m.)

BID AWARDS

1. Purchasing Memo #09-66 – Award Recommendation for Legal Services for the Department of Social Services
Award to: Hamlin & Swain, LLC

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, OCTOBER 2, 2008**

Award amount: Estimated total of \$699,860.00 for the initial one-year contract and three – one-year renewal periods

2. Purchasing Memo #09-69 – Purchase Roll-Off Truck, (Piggybacking Pennsylvania COSTARS Contract)
Award to: Berman Freightliner of Leesport, Pennsylvania
Award amount: \$131,578.00
3. Purchasing Memo #09-70 – Purchase Storage Area Network Storage Modules and Support Piggyback GSA Contract
Award to: Niksar Data Management of Marriottsville, Maryland
Award amount: \$458,076.00

BUDGET TRANSFERS

1. BT-08-234, Citizens Services Division
2. BT-08-235, Citizens Services Division
3. BT-09-062, Health Services Division

GRANT

1. Renewal of Rental Allowance Program 2009 Grant - Jenny Short, Citizens Services Division

Commissioner Gray moved to approve the consent agenda as presented with the exception of bid award #3, he requested background information on this item. Commissioner Jenkins seconded the motion that passed 4-0 with Commissioner Hagen absent.

Sherry Weakley and staff presented information on bid award #3.

Commissioner Gray moved to approve bid award #3 as presented. Commissioner Jenkins seconded the motion that passed 4-0 with Commissioner Hagen absent.

ADMINISTRATIVE BUSINESS

Possible Amendments to the Forest Resource Ordinance (FRO) – Fee-in-Lieu Funds and Gypsy Moth Control - Kathy Mitchell, County Attorney

John Mathias, County Attorney and Ms. Mitchell presented information to the Board regarding the FRO to determine if the Board wished to use fee-in-lieu of funds directly to pay for gypsy moth control and noted a change in the state law would be required if approved.

This item failed by majority discussion. Commissioner Hagen was absent.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, OCTOBER 2, 2008**

**Proposed Petition for a Declaratory Ruling by the State Board of Education -
Commissioner John L. Thompson, Jr.**

Commissioner Thompson presented information to the Board regarding a resolution requesting the State of Maryland Board of Education to issue a declaratory ruling as to whether a local school system may collect documents/information indicating if a student was lawfully in the United States.

Commissioner Thompson moved to adopt Resolution #08-31 as presented. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Hagen absent.

(A copy of Resolution #08-31 can be obtained in the County Manager's office or from the county's website, www.co.frederick.md.us)

COMMISSIONERS COMMENTS

Commissioner Jenkins noted this weekend was Brunswick Railroad Days and the City of Frederick was hosting "In the Streets."

PUBLIC COMMENTS

Hal Good, Finance Division, wished to clarify the amount of bid award #3 was not to exceed \$384,000.00.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 11:40 a.m.

Respectfully submitted,

Mary E. Baker
Recording Secretary