

PUBLIC MEETING MINUTES FOR TUESDAY, OCTOBER 7, 2008

A public meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, October 7, 2008, was called to order at 7:00 p.m. by Commissioner Jan Gardner, *President*. Present were Commissioners David Gray, *Vice President*; Kai Hagen, Charles Jenkins and John L. Thompson, Jr. Also in attendance were Ron Hart, County Manager; and Patti Morrow, Recording Secretary.

(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 web page. 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 web page 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.

The meeting began with the recitation of the Pledge of Allegiance.

Fire Prevention Week Proclamation

The Board proclaimed Fire Prevention Week.

PUBLIC HEARING

To Consider the Petition to Close, Realign, and Rename a Portion of Elmer Derr Road and to Open the Relocated Elmer Derr Road, and Extend and Open a Portion of Roadway to be Designated as English Muffin Way – Dave Olney, Public Works Division

A public hearing was held, as duly advertised, on a request from Mr. Mark C. Matan, representing YBC Investors, LLC and Mr. Dustin L. Albers, representing The Drees Company, to close, realign, and rename a portion of Elmer Derr Road and to open the relocated Elmer Derr Road, and extend and open a portion of roadway to be designated as English Muffin Way.

Dave Olney presented the staff report. Robert Shen, Public Works Division, participated in the discussion.

Rand Weinberg, Esquire, Weinberg and Miller, commented on the petition on behalf of the petitioner.

There was no public comment.

Michael Chomel, County Attorney's Office, commented on the ordinance.

Commissioner Jenkins moved to approve an ordinance to close, realign, and rename a portion of Elmer Derr Road and to open the relocated Elmer Derr Road and extend and open a portion of roadway to be designated as English Muffin Way with the understanding the ordinance would require a right-of-way for utility easements before the abandonment of a portion of the road. Commissioner Hagen seconded the motion.

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Commissioner Thompson offered an amendment for the developer to pay \$1 million as a condition of the approval to represent the participating cost for the county to maintain the additional mileage to the county road system. The amendment died for lack of a second.

The vote on the motion was 4-1 with Commissioner Thompson opposed.

(A copy of Ordinance #08-27-503 can be obtained in the County Manager's office or from the county's website, www.co.frederick.md.us)

GENERAL BUSINESS

TriData Implementation Committee Final Report – Barry Stanton, Assistant County Manager; Gene Mellin, Fire and Rescue Services Division; and Kiona Black, Frederick County Volunteer Fire and Rescue Association

Mr. Stanton introduced the members of the TriData Committee. The committee was tasked with the review and analysis of the 72 recommendations from a report on the comprehensive analysis of the Frederick County Fire, Rescue and Emergency Management Services by TriData of Arlington, Virginia.

Ms. Black and Mr. Mellin reviewed the top 10 recommendations.

Public comment was heard from:

- Micky Fyock
Frederick County Volunteer Fire and Rescue Association (FCVFRA)
- Judith White
13730 Hillside Avenue, Thurmont
- John Neary
6 Wagonshed Lane, Middletown
- Pinoak Browning
Libertytown
- Susie Nicol
- Ed Johnson
Carroll Manor Fire Company
- Tim Ganley
7369 Old Line Court

Commissioner Hagen moved to accept the report. Commissioner Gray seconded the motion.

Commissioner Thompson offered an amendment to receive the report. By unanimous consent the motion was accepted as amended.

Commissioner Thompson moved to not implement #1-9 of the priority recommendations. Commissioner Jenkins seconded the motion.

Commissioner Thompson moved to divide the questions.

(Commissioner Gardner passed the gavel to Commissioner Gray.)

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Commissioner Gardner offered a substitute motion to not create the position of fire chief. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Jenkins opposed.

The vote on the main motion as amended eliminating the position of fire chief passed 5-0.

(Commissioner Gray passed the gavel back to Commissioner Gardner.)

The votes on the top priorities are listed below:

- The Board of County Commissioners should create the Frederick County Division of Fire and Rescue Services that has the legal authority to operate as the primary fire and rescue service provider for Frederick County.

The vote to decline to accept this item failed 2-3 with Commissioners Gardner, Gray and Hagen opposed.

- The Board of County Commissioners should create a Fire and Rescue Advisory Board to serve in an advisory capacity to the Chief of Fire and Rescue Services for Frederick County.

The vote to eliminate this item was 3-2 with Commissioners Gray and Hagen opposed.

- The Fire Chief, once named, should develop a plan to standardize all emergency and routine operations and The Fire Chief, once named, should develop short-, medium-, and long-term strategic plans for the Division of Fire and Rescue Services.

The vote on these two (2) items to be eliminated (with the fire chief component not included) failed by a vote of 2-3 with Commissioners Gardner, Gray and Hagen opposed.

(Commissioner Gardner passed the gavel to Commissioner Gray.)

Commissioner Gardner moved to leave the last five (5) recommendations on the table as recommendations for further discussion. Commissioner Hagen seconded the motion.

(Commissioner Gray passed the gavel back to Commissioner Gardner.)

The request was made to vote on the following recommendations separately.

- The Division should establish a centralized countywide Records Management System (RMS) that collects all county incident data. The system must be automatically populated with data from both the 911 system and CAD software to ensure completion.

The vote to leave this item on the table for further discussion was 3-2 with Commissioners Jenkins and Thompson opposed.

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- The Board of County Commissioners should authorize the Division of Fire and Rescue Services to assume responsibility for recruitment, retention, and management of volunteer fire and rescue organizations and their members.

The vote to leave this item on the table for further discussion was 3-2 with Commissioners Jenkins and Thompson opposed.

- The Division, including volunteer and career components, should make a concerted, formal, and sustained effort to increase and maintain lines of effective communication between volunteer and career leadership.

The vote to leave this item on the table for further discussion was 4-1 with Commissioner Thompson opposed.

- The Board of County Commissioners should create a single tax rate to be assessed to all real property within the geopolitical boundaries of Frederick County.

The vote to leave this item on the table for further discussion was 3-2 with Commissioners Hagen and Thompson opposed.

- The county Equipment Services Division needs to have Emergency Vehicle Technician certified personnel available to maintain and repair FCFRS equipment on a 24/7 basis including the ability to deliver emergency repair in the field day and night.

The vote to leave this item on the table for further discussion was 5-0.

Mike Gastley, Finance Division, commented on the scheduling of the items.

It was indicated a discussion would be scheduled in December to discuss the direction for staff and to hear input from the FCFVRA.

PUBLIC COMMENTS AND/OR REQUESTS

None.

ADJOURN

The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Patricia A. Morrow
Recording Secretary