

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR TUESDAY, JANUARY 6, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, January 6, 2009, at 8:30 a.m. Present were Commissioners David Gray, *Vice President*, Kai Hagen, Charles Jenkins and John Thompson, Jr. Also present were Ron Hart, County Manager and Mary Baker, 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'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](http://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 extended congratulations to the women's auxiliary of Vigilant Hose Company for all of their hard work.

**ADMINISTRATIVE BUSINESS**

**American Red Cross National Blood Donor Month Proclamation**

Commissioner Gardner presented the proclamation.

**Decision on the Twelfth Amendment to the Frederick County Employees Retirement Plan – Tracy Lobuts, Human Resources Division**

Ms. Lobuts presented information regarding a proposed ordinance regarding changes to the Frederick County Employees Retirement Plan. It was noted the public hearing on the proposed ordinance was held on Thursday, December 16, 2008.

Commissioner Gray moved to approve Ordinance #09-01-505 as presented. Commissioner Hagen seconded the motion that passed 5-0.

(A copy of Ordinance #09-01-505 can be obtained in the County Manager's office or from the county's website, [www.co.frederick.md.us](http://www.co.frederick.md.us))

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**Bid Awards – Hal Good, Finance Division**

**Purchasing Memo #09-126 – Approval of SCADA System Upgrade**

Mr. Good and Mike Marschner, Utilities and Solid Waste Management Division, presented information regarding the supervisory control and data acquisition system upgrade, which electronically monitors facility parameters.

Commissioner Gray moved to approve purchasing memo #09-126 as presented.  
Commissioner Hagen seconded the motion that passed 5-0.

**Purchasing Memo #09-127 – Approval of Emergency Replacement of HVAC Unit at  
Emmitsburg Community Center and Budget Transfer**

Mr. Good and Austin Abraham, Management Services Division, presented information regarding the replacement of the HVAC unit.

Commissioner Hagen moved to approve purchasing memo #09-127 and budget transfer as presented. Commissioner Gray seconded the motion that passed 3-2 with Commissioners Jenkins and Thompson opposed.

Commissioner Jenkins made an amended motion to approve only the upgrades and repairs to the HVAC unit already in place. Commissioner Thompson seconded the motion that failed 2-3 with Commissioners Gardner, Gray and Hagen opposed.

**Purchasing Memo #09-128 – Purchase of an Elgin Street Sweeper (Piggyback Contract)**

Mr. Good presented information to the Board regarding the purchase of the Elgin street sweeper.

Commissioner Jenkins moved to approve purchasing memo #09-128 as presented.  
Commissioner Gray seconded the motion that passed 5-0.

**Budget Transfers – Mike Gastley, Finance Division**

- BT-09-103 – Accounting
- BT-09-104 – Accounting
- BT-09-105 – Frederick County Public Libraries
- BT-09-106 - Accounting

Commissioner Gray moved to approve the above budget transfers as presented.  
Commissioner Hagen seconded the motion that passed 5-0.

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**Consideration of an Agreement Between the Department of Aging and the Maryland Chapter of the Arthritis Foundation – Kitty Devilbiss, Citizens Services Division**

Ms. Devilbiss presented information regarding the Board, on behalf of the Department of Aging, entering into an agreement with the Maryland Chapter of the Arthritis Foundation to offer authorized classes, which would provide seniors and disabled adults throughout the county an opportunity to participate in a fitness program specific to arthritis and autoimmune conditions.

Commissioner Jenkins moved to approve the agreement as presented. Commissioner Hagen seconded the motion that passed 5-0.

Commissioner Thompson moved to add language stating all costs are to be absorbed by the participants, not the taxpayers. There was no objection to the motion.

**Debt Affordability Analysis and Other Capital Improvements Program (CIP) Revenue Information – Kelly Weaver, Finance Division**

Ms. Weaver presented CIP information to the Board as presented in the staff report.

Commissioner Hagen moved to approve the CIP revenue projections as presented. Commissioner Gray seconded the motion.

(Commissioner Gray left the meeting.)

The motion passed 4-0.

Commissioner Thompson moved to amend the property tax rate to ninety cents. The motion failed due to lack of a second.

(Commissioner Gray re-entered the meeting.)

**Proposal to Allow a Commercial Airstrip – Commissioner Charles Jenkins**

Commissioner Jenkins presented information regarding a proposed zoning text amendment for a private airstrip to be converted to a small commercial airstrip within guidelines set forth by the Federal Aviation Administration and the Maryland Aviation Administration.

Commissioner Gardner requested this item be proposed to the City of Frederick and the Frederick Airport Commission for input.

There was majority consent to deny the request to allow a commercial airstrip in Ijamsville.

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**Alarm System Registration “Transfer of Administrative Responsibilities” – Sheriff  
Chuck Jenkins and Gary Hessong, Permitting and Development Review Division  
(DPDR)**

Mr. Hessong and Sheriff Jenkins presented information to the Board regarding a transfer of administrative responsibilities of Chapter 1-24 of the county alarm code, alarm system registration from the Sheriff's Office to DPDR, which would also cut cost due to shift in staff.

Commissioner Hagen moved to transfer the responsibilities to DPDR, eliminate one full-time position from the Sheriff's Office, and for staff to come back with any recommendations or suggestions to the revenues and regulations as presented. Commissioner Gray seconded the motion that passed 5-0.

**WORKSESSION**

**Discussion on “Structure Destroyed by a Catastrophic Event” – Mark Depo and Larry  
Smith, Planning Division**

Mr. Depo and Mr. Smith presented information regarding a possible text amendment to allow reconstruction of an existing structure destroyed by a catastrophic event without obtaining site plan approval from the Frederick County Planning Commission.

Commissioner Hagen moved to take this item to public hearing as presented and make the effective date retroactive to July 1, 2008.

**ADMINISTRATIVE BUSINESS**

**Discussion of Maryland Clean Energy Center – Commissioners Jan Gardner and David  
Gray**

Commissioner Gardner and Commissioner Gray presented information regarding a clean energy center in Frederick, which would comply with clean energy legislation.

There was Board consensus to move forward with the proposal for a clean energy center in Frederick.

**Requests for Additional Representation to the AG/RC House of Worship Workgroup –  
Board of County Commissioners**

Commissioner Gardner presented information regarding appointments to the workgroup.

There was consensus to invite both the Friends of Frederick County and Frederick County Farm Bureau representatives to the meetings, but not appoint them to the workgroup.

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**COMMISSIONERS COMMENTS**

None.

**PUBLIC COMMENTS**

None.

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Mary E. Baker  
Recording Secretary