

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR TUESDAY, JANUARY 13, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, January 13, 2009, at 8:30 a.m. Present were Commissioners David Gray, *Vice President*; Kai Hagen, and John L. Thompson, Jr. Also present were Ron Hart, County Manager and Mary Baker, Recording Secretary. Commissioner Charles Jenkins was absent.

(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 Gardner noted she attended the state growth task force meeting in Annapolis.

It was noted the Board would be attending a ribbon cutting ceremony for the new solid waste facility at one o'clock today.

WORKSESSION

Martin Luther King, Jr., Day Proclamation

Commissioner Gardner presented the proclamation.

FY 2010 - 2011 Mental Health Service Plan - Robert Pitcher, Mental Health Management Agency of Frederick County, Inc.

Mr. Pitcher presented the FY 2010-2011 Mental Health Management Agency's Service Plan to the Board and requested approval of a letter of support to be sent to Mr. Brian Hepburn, Director of Mental Hygiene Administration at Spring Grove Hospital Center.

(Commissioner Jenkins arrived at the meeting.)

Public comment was taken by:

- Pat Hanberry

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Commissioner Hagen moved to authorize Commissioner Gardner to sign, on behalf of the Board, the letter of support for the Mental Health Management Agency as presented. Commissioner Gray seconded the motion that passed 5-0.

Amendment to the Federal Farm and Protection Program Agreements (FFRP) - Tim Blaser, Planning Division

Mr. Blaser presented information to the Board regarding the amendments.

The original grant for the FFRP for FY 2004 was \$319,400 and for FY 2005 was \$426,000. Since the original grants were executed, the Mid-Maryland Land Trust Association has become inactive and no longer can administer the grants therefore; the Frederick County Planning staff has agreed to administer these grants. Funding was to be utilized on the Ray and Michelle Mara properties approved by the Board for easement acquisition on November 13, 2008. The amendment will increase the funding for FY 2004 from \$319,400 to \$480,000 and increase the FY 2005 grant from \$426,000 to \$524,000 and eliminate Mid-Maryland Land trust Association from both grants.

Commissioner Hagen moved to approve the amendments and budget transfer as presented. Commissioner Gray seconded the motion that passed 5-0.

Commissioner Gardner discussed President-Elect Barrack Obama's inauguration details.

Commissioner Hagen moved to make the first floor hearing room available to broadcast the inauguration on Tuesday, January 20, 2009, from 11:30 a.m.–1:00 p.m. for staff and citizens to view and under the direction of the County Manager, enable all county staff to view the inauguration. Commissioner Gray seconded the motion that passed 3-1-1 with Commissioner Thompson opposed and Commissioner Jenkins abstained.

The Board's meeting schedule for Tuesday, January 20, 2009, would begin at 8:30 a.m., end at 11:30 a.m., and resume at 2:00 p.m. with the joint meeting with the Board of Education. The Adequate Facilities Ordinance meeting would be moved and listed as the second item on the agenda during the 7:00 p.m. public hearing.

Update on FY 2009 County Revenue Shortfalls - Mike Gastley, Finance Division

Mr. Gastley presented information regarding the revenue shortfalls. On October 21, 2008, the county faced a \$7 million dollar shortfall. By January 13, 2009, the county had recovered funds which now brought the shortfall to \$3.8 million dollars.

Commissioner Gardner requested the Board of Education (BOE) return money left over from project funds which was an estimated \$615,000.

Commissioner Gardner requested highway user revenue and unallocated building excise funds backfill to reduce highway maintenance funding.

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It was noted with these changes the county still had a \$1.3 million dollar shortfall.

(Commissioner Gray left the meeting.)

There was Board consensus to meet and talk with the BOE regarding savings before making decisions. The budget meeting would be tabled until January 27, 2009.

CLOSED SESSION

Commissioner Hagen moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Thompson seconded the motion that passed 4-0 with Commissioner Gray absent.

COMMISSIONERS COMMENTS

Commissioner Jenkins complemented the Middletown Volunteer Fire Company auxiliary members for raising \$15,000 for the fire company.

Commissioner Gardner noted the first Houses of Worship/Places of Assembly workgroup meeting went well.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 10:50 a.m.

Respectfully submitted,

Mary E. Baker
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF TUESDAY, JANUARY 13, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Hagen moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Thompson seconded the motion that passed 4-0 with Commissioner Gray absent.

Topic to be Discussed:

To consider the acquisition of real property for park purposes.

Mary E. Baker
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, JANUARY 13, 2009
FOLLOWING THE CLOSED MEETING OF TUESDAY, JANUARY 13, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Hagen moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Thompson seconded the motion that passed 4-0 with Commissioner Gray absent.

J. Mathias, M. Chomel, R. Hart, C. Chamberlain, P. Dial and M. Baker.

Topics Discussed:

To consider the acquisition of real property for park purposes.

Action Taken:

The Board provided direction to staff to obtain an appraisal on the first property and there was no interest on the second property.

Mary E. Baker
Recording Secretary