

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY
MEETING MINUTES FOR TUESDAY JANUARY 27, 2009

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, January 27, 2009, at 8:30 a.m. Present were Commissioners David Gray, *Vice President*, Kai Hagen, Charles Jenkins and John L. Thompson, Jr. Also present 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'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.

COMMISSIONER COMMENTS

The Board commented on the various fire company banquets they attended over the weekend acknowledging the sizeable contributions made by the auxiliaries.

WORKSESSION

Community Marriage Week Proclamation

The Board proclaimed the week of February 6 – 14 as Community Marriage Week.

Primary Lateral Sclerosis Awareness Month Proclamation

The Board proclaimed the month of February as Primary Lateral Sclerosis Awareness Month.

Proposal to Establish Headquarters of the Maryland Clean Energy Center in Frederick County – Hilari Varnadore, Office of Environmental Sustainability

Ms. Varnadore presented the staff report requesting support from the Board regarding the proposal to establish the headquarters for the Maryland Clean Energy Center in Frederick County.

There were no public comments.

Commissioner Hagen moved to support an expression of interest for the Maryland Clean Energy Center as presented with minor additions. Commissioner Gray seconded the motion that passed 5-0.

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Insurance Comparison – Mike Beard, Finance Division

Mr. Beard presented the staff report on a comparison of contractor insurance requirements with other counties in the state.

There was no public comment.

By consensus, the Board authorized Mr. Beard to continue to recommend appropriate levels of required coverage and make reasonable exceptions when necessary.

ADMINISTRATIVE BUSINESS

FY 2009 Operating Budget; Revenue Shortfall Update – Mike Gastley, Finance Division

Mr. Gastley presented the second FY 2009 budget update for the general fund and reviewed the potential expenditure savings or recovery increases with the Board.

Kelly Weaver, Finance Division, reviewed the capital project status from the Frederick County Public Schools (FCPS).

John Kroll, Finance Division, and Ray Barnes, FCPS, participated in the discussion.

Commissioner Hagen moved to close the gap in the FY 2009 operating budget by a total of \$2,855,000, with the following actions:

- Reducing appropriation to Permitting and Development Review Division (DPDR) by \$400,000;
- Reducing Fire Loan Fund reserves by \$441,000;
- Recognizing increase recoveries from ICE - \$100,000;
- Removing \$200,000 from the fuel contingency fund;
- Acknowledging \$150,000 from fuel conservation savings;
- Reducing debt service by \$150,000; and
- Request the Board of Education (BOE) to contribute \$500,000 from the fund balances from the Linganore High School and the West Frederick Middle School's renovation projects and \$414,000 surplus from projects already closed.

Commissioner Gray seconded the motion that passed 5-0.

It was indicated a letter would be drafted requesting the BOE to initiate a budget transfer to complete the request.

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FY 2010 – 2015 Capital Improvements Program (CIP) Draft Briefing – Kelly Weaver,
Finance Division

Ms. Weaver indicated the CIP committee had modified the process with the departments and agencies requested to make two submissions. Their main focus was maintaining the funding for ongoing projects and maintaining existing assets. She noted the CIP draft took in full funding from the general fund.

Doug Browning, Frederick Community College, commented on the funding for Building F. The Board indicated a discussion would be held on the request on forward funding for the project.

Austin Abraham, Management Services Division, commented on the BOE properties. A discussion would be scheduled on the disposition of the BOE properties specifically a memorandum of understanding for the Haywood Road property.

By consensus, a 2% assumption for the first two (2) years with a 5% assumption in the out years, would be an added option.

FY 2010 Operating Budget; Maximum Agency Request Ceiling (MARC) Revenue
Shortfall Update – Mike Gastley, Finance Division

Mr. Gastley reviewed the upcoming schedule for the FY 2010 operating budget.

The Board agreed to rename the “budget appeals” to “budget review.”

The program budget review was discussed. It was indicated the proposed 3% and 5% reductions would be available prior to the discussion.

Mr. Gastley reviewed the potential reductions/enhancements for the Board to consider.

Staff was directed to work with the Human Resources Division regarding the prorating of employee benefits for part-time employees.

Commissioner Thompson moved to authorize the County Manager and staff to present a balanced staff operating budget for FY 2010. Commissioner Jenkins seconded the motion that failed 2-3 with Commissioners Gardner, Gray and Hagen opposed.

Ms. Weaver noted the staff recommended CIP would be published on February 9, 2009, based on full funding of the general fund.

Mr. Gastley stated the recommended FY 2010 operating budget would show approximately a \$24 million deficit.

Commissioner Jenkins moved for each commissioner to bring in \$37 million worth of cuts to the FY 2010 operating budget. Commissioner Jenkins withdrew his motion.

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PUBLIC COMMENTS (3 MINUTE PRESENTATION)

None.

QUESTIONS – PRESS

None.

CLOSED SESSION

Commissioner Hagen moved to go into closed session under Maryland Annotated Code State Government Article § 10-508(a) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals. Commissioner Gray seconded the motion that passed 5-0.

ADJOURN

The meeting adjourned at 12:30 p.m.

Respectfully submitted,

Patricia A. Morrow
Recording Secretary

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Final Copy
FORM OF STATEMENT FOR
CLOSING THE MEETING OF TUESDAY, JANUARY 27, 2009

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

Motion:

Commissioner Hagen moved to go into closed session in accordance with the Maryland Annotated Code State Government Article § 10-508(a) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals. Commissioner Gray seconded the motion that passed 5-0.

Topic To Be Discussed:

To consider personnel issues involving individual county employees.

Patricia A. Morrow
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, JANUARY 29, 2009
FOLLOWING THE CLOSED MEETING OF TUESDAY, JANUARY 27, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

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Others in Attendance:

R. Hart, J. Mathias, M. Hose, R. Kaplan, K. Hammond and P. Morrow.

Topic Discussed:

To consider personnel issues involving individual county employees.

Action Taken:

No action was taken.

Patricia A. Morrow
Recording Secretary