

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
**MEETING MINUTES FOR TUESDAY FEBRUARY 3, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, February 3, 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](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.

**COMMISSIONER COMMENTS**

Commissioner Gardner commented on the Family Friendly Business Awards Ceremony she attended recently.

**ADMINISTRATIVE BUSINESS**

**Discussion of a Waste to Energy (WTE) Facility – Mike Marschner, Utilities and Solid Waste Management Division (DUSWM) and Robin Davidov, Northeast Maryland Waste Disposal Authority (NEA)**

Mr. Marschner introduced the consultants present:

- Chris Skaggs, Deputy Director, NEA
- Eric Saper, Esquire, Hawkins, Delafield and Wood LLP
- John Williams, National Director of Sustainability Development, HDR Engineering
- Mark Lyons, Wheelabrator Technologies, Inc.
- James Connolly, Senior Manager for Environmental Permitting, Wheelabrator Technologies, Inc.
- Cal Disney, Whiting Turner Contracting
- Paul Chrostowski, Ph.D., CPF Associates, Inc.

Mr. Marschner and Kevin Demosky, DUSWM, presented a PowerPoint presentation. A brief history of the project was included in the presentation. The Board was briefed on the four (4) preliminary WTE sites.

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Ms. Davidov reviewed the memorandum of understanding (MOU) for the development of a regional energy recovery facility (WTE). The MOU would tie together Frederick County, Carroll County and the NEA.

Mr. Saper reviewed the final draft service contract for the design, construction and operation of the energy recovery facility between the NEA and Wheelabrator. Mr. Saper indicated the construction period for the WTE facility would be 39 months.

The Board recessed the meeting at 12:15 p.m. for lunch and reconvened at 1:15 p.m.

Mr. Connolly presented the permitting process to the Board.

Mr. Demosky commented on the site plan approval for a proposed WTE facility.

Ms. Davidov reviewed the financial tables with the Board. Mr. Joe Mason, Davenport and Company, LLC, commented regarding debt service and bond ratings.

Dr. Chrostowski spoke on the life cycle issues.

Staff was directed to bring the following items back to the Board during an administrative business meeting to be scheduled for Tuesday, February 17, 2009, at 6:00 p.m.:

- Comparison of emission standards Europe vs. United States;
- History (data) of waste tonnage with tipping fee increases;
- Financial modeling scenarios with additional wastes in the early years expressed as truck loads;
- Adjustments to the Service Benefit Charge (SBC), or tipping fee under the various options and
- Population projections using Maryland Department of Planning (MDP) and its effect on waste generation.

The Board indicated the administrative business meeting would be followed by a public hearing at 7:00 p.m. to hear public comment on the proposed WTE facility.

Commissioner Jenkins moved to take the proposed WTE facility to public hearing on Thursday, February 19, 2009, to discuss two (2) proposed sites – McKinney and Allegheny Power site. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Hagen opposed.

Public comment was heard from Chris Judd.

**QUESTIONS – PRESS**

None.

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**ADJOURN**

The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Patricia A. Morrow  
Recording Secretary