

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR TUESDAY, FEBRUARY 24, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, February 24, 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 noted he attended the Woodsboro Fire Company dinner Saturday night.

Commissioner Jenkins visited the World War II Memorial in Washington, D.C. and noted it was a great exhibit.

**WORKSESSION**

**New Adequate Public Facilities Ordinance- Roads Text and Guidelines (APFO) - Ron Burns, Permitting and Development Review Division**

Mr. Burns presented the staff report to the Board.

In the level of service threshold, relating to two-way stop controlled intersections, there was a request to make exemption of "D" not "B" in rural areas as outlined on appendix "C" in the staff report. Commissioner Thompson was opposed.

There was consensus to strike all school related language in the exemptions section.

There was consensus to keep the county contracted developer traffic consultant with the developer opt-out option, which staff was directed to bring back to the Board during a future meeting.

There was consensus to include public facilities except under the excitation of state law. Commissioner Jenkins was opposed.

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The Board requested staff bring back a definition of circumstances regarding a developer opt-out provision. Commissioner Jenkins was opposed.

There was consensus to remove special exceptions from APFO and for staff to bring back other options to include in the zoning section.

There was consensus for language to include “Phase I Planned Use Development and Mixed Use Developments shall go through traffic analysis evaluating level of service at intersections” and leave it open to Board discussion in the conditional approval section of the proposed ordinance.

There was consensus to remove #2 in Section H in the determination of adequacy section of the ordinance.

Public comment was taken from:

- Mike Smariga, Frederick Area Committee on Transportation (FACT)
- Mark Friis
- Joe Caloggero

**Agricultural (A) and Resource Conservation (RC) Zoning Districts Use Table and Definitions - Eric Soter, Larry Smith and Shawna Lemonds, Planning Division**

The Board requested this item be rescheduled to Thursday, February 26, 2009, afternoon.

**COMMISSIONERS COMMENTS**

None.

**PUBLIC COMMENTS**

None.

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 12:00 p.m.

Respectfully submitted,

Mary E. Baker  
Recording Secretary