

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 19, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, March 19, 2009, at 9:55 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 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).

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 Hagen noted his family picked up their new dog from the Frederick County Animal Control Division last evening.

Commissioner Thompson noted the topic of discussion in the local news has been the American International Group, Inc. (AIG) bailout issue, he noted he has always been against business bailouts such as this.

Commissioner Gardner noted there was a press release sent out regarding the new sustainability webpage, which was designed by Hillari Varnadore, Office of Environmental Sustainability.

CONSENT AGENDA

BID AWARDS

1. Purchasing Memo #09-159 – Award Recommendation, RFP #09-14, Bookmobiles
Award to: OBS, Inc.
Award amount: \$336,756.00
2. Purchasing Memo #09-160 – FY 2009 Replacement Vehicle Purchase, Two (2) 2009 Ford F350 One Ton Dump Truck, Cab and Chassis (Piggyback Contract)
Award to: Mandebach Ford
Award amount: \$56,080.00

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3. Purchasing Memo #09-161 – FY 2009 Replacement Vehicle Purchase/Install Two (2) Dump Bodies and Snow Removal Equipment (Piggyback Contract)
Award to: Industrial Motor Supply, Inc.
Award amount: \$67,367.04
4. Purchasing Memo #09-162 – Request to Purchase Microsoft Licenses (Piggyback Contract)
Award to: Software House International
Award amount: \$263,665.10
5. Purchasing Memo #09-164 – Furniture Purchase Award Recommendation Winchester Hall West Wing Renovation
Award to: B-K Office Supply, Inc.
Award amount: \$73,249.13

BUDGET TRANSFER

1. BT-09-143, Frederick County Public Libraries

GRANTS

1. Grant Application to the Emergency Number Systems Board, Acceptance of Funds, and Approval of Associated Budget Transfers – Chip Jewell, Emergency Management Division
2. Certified Local Government Educational Set-Aside Application, FFY 2009 – Janet Davis, Planning Division

Commissioner Gray moved to approve the consent agenda as presented. Commissioner Hagen seconded the motion that passed 5-0.

ADMINISTRATIVE BUSINESS

Extension of Development Approval Expiration Dates and Deadline - Gary Hessong, Permitting and Development Review Division

Mr. Hessong and Eric Soter, Planning Division, presented the staff report to the Board. There had been discussions about extending expiration dates and deadlines for certain development applications and approvals, which surfaced in light of the current economic slowdown and the extensions recently adopted by other Maryland counties.

Commissioner Hagen moved to take to public hearing the proposal allowing up to a three (3) year extension, excluding building permits, and for staff to present a matrix of recommendations to the Planning Commission and to the Board regarding the extensions. Commissioner Jenkins seconded the motion that passed 4-1 with Commissioner Thompson opposed.

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Legislative Issues

Mr. Mathias noted there were no updates to legislative issues; a tracking sheet was provided for reference.

DIRECTOR'S REPORT – Al Hudak, Public Works Division

The report was not presented.

CLOSED SESSION

Commissioner Hagen moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(10) To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including: (I) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans; and (7) To consult with counsel to obtain legal advice. Commissioner Gray seconded the motion that passed 5-0.

COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 10:50 p.m.

Respectfully submitted,

Mary E. Baker
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, MARCH 19, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(10) To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

Motion:

Commissioner Hagen moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(10) To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans; and (7) To consult with counsel to obtain legal advice. Commissioner Gray seconded the motion that passed 5-0.

Topic to be Discussed:

To discuss the development and implementation of emergency plans.

Mary E. Baker
Recording Secretary

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(7) To consult with counsel to obtain legal advice.

Motion:

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Topic to be Discussed:

To discuss legal issues concerning a tenancy on county property.

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, MARCH 19, 2009,
FOLLOWING THE CLOSED MEETING OF THURSDAY, MARCH 19, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(10) To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

Motion:

Commissioner Hagen moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(10) To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans; and (7) To consult with counsel to obtain legal advice. Commissioner Gray seconded the motion that passed 5-0.

Also present were:

J. Mathias, M. Chomel, R. Hart, B. Stanton, C. Jenkins, M. Landahl, J. Markey, D. Martin, G. Mellin, S. Mooney and M. Baker.

Topics Discussed:

To discuss the development and implementation of emergency plans.

Action Taken:

The Board approved staff's recommendations.

Mary E. Baker
Recording Secretary

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STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(7) To consult with counsel to obtain legal advice.

Motion:

Commissioner Hagen moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(10) To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans; and (7) To consult with counsel to obtain legal advice. Commissioner Gray seconded the motion that passed 5-0.

Also present were:

J. Mathias, M. Chomel, R. Hart, B, Stanton, A. Abraham, M. Beard, P. Dial, M. Nusbaum and M. Baker.

Topics Discussed:

To discuss legal issues concerning a tenancy on county property.

Action Taken:

Staff was directed to take appropriate action.

Mary E. Baker
Recording Secretary