

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR TUESDAY, APRIL 21, 2009

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Tuesday, April 21, 2009, at 8:30 a.m. Present were Commissioners David Gray, *Vice President*; 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

It was noted the delegation from Morzheim, Germany, the sister city of Frederick was visiting.

Commissioner Gardner noted the passing of Delegate Paul Stull’s wife.

Commissioner Jenkins noted the recent tragic death of a Middletown family.

Commissioner Jenkins noted this past Saturday he attended the 50th Anniversary of the Brunswick Volunteer Ambulance Company. He wished to recognize the women’s auxiliary for their donation of \$30,000 for FY 2009 and \$50,000 for FY 2010, which was accomplished by fund raisers.

Commissioner Gray noted last evening he attended the Frederick County Volunteer Fire and Rescue Association Hall of Fame Banquet.

Commissioner Gardner noted this past Friday night she attended an honorary ceremony for the career firefighters.

WORKSESSION

Goodwill Industries Week Proclamation

Commissioner Gray presented the proclamation.

Earth Day Proclamation

Commissioner Gardner presented the proclamation.

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Bike to Work Day Proclamation

Commissioner Gardner presented the proclamation.

ADMINISTRATIVE BUSINESS

Engineering Services Memorandum of Understanding (MOU) with the Town of Walkersville - Mike Marschner, Utilities and Solid Waste Management Division

Mr. Marschner presented information regarding the MOU between the Board and the Town of Walkersville, which would permanently interconnect the county and the Waterside subdivision enabling a more reliable emergency water supply if needed.

Commissioner Gray moved to approve the MOU as presented. Commissioner Jenkins seconded the motion that passed 5-0.

System Benefit Charges (SBC) and Tipping Fee Projections - Mike Marschner, Utilities and Solid Waste Management Division

Mr. Marschner presented various projections and possible increases for SBC and tipping fees.

Discussion on Projected Landfill Size – 50 Year Planning Period - Mike Marschner, Utilities and Solid Waste Management Division

Mr. Marschner presented information regarding landfill size, which would meet Code of Maryland Regulation requirements.

Commissioner Thompson moved to no longer evaluate quarries as possible landfill sites. Commissioner Jenkins seconded the motion that passed 5-0.

Informational Trip to 24th International Conference on Solid Waste Technology and Management/ArrowBio - Commissioners Jan Gardner and Charles Jenkins

Commissioners Gardner and Jenkins presented the information they obtained from attending the conference.

Public comment was taken from:

- Rolan Clark
- Karin Tome
- Caroline Eader
- Bill Ashton
- Steve Cassas
- Dave Twigg

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The Board requested this item be rescheduled as Administrative Business on Tuesday, April 28, 2009.

The Board also requested Mr. Marschner clarify what steps would need to be taken if other sites were to be considered and bring the findings to the meeting on Tuesday.

CLOSED SESSION

Commissioner Jenkins moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Hagen seconded the motion that passed 5-0.

COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 12:35 p.m.

Respectfully submitted,

Mary E. Baker
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR TUESDAY, APRIL 21, 2009**

**FORM OF STATEMENT FOR
CLOSING THE MEETING OF TUESDAY APRIL 21, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

- (7) To consult with counsel to obtain legal advice on a legal matter; and
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Motion:

Commissioner Jenkins moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Hagen seconded the motion that passed 5-0.

Topic to be Discussed:

To discuss the settlement of a pending lawsuit.

Mary E. Baker
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR TUESDAY, APRIL 21, 2009**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, APRIL 21, 2009,
FOLLOWING THE CLOSED MEETING OF TUESDAY, APRIL 21, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

- (7) To consult with counsel to obtain legal advice on a legal matter; and
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Motion:

Commissioner Jenkins moved to proceed to closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Hagen seconded the motion that passed 5-0.

Others in Attendance:

J. Mathias, R. Hart, B. Stanton, M. Beard, G. Mellin and M. Baker

Topic Discussed:

To discuss the settlement of a pending lawsuit.

Action Taken:

The Board approved staff’s recommendation as presented.

Mary E. Baker
Recording Secretary