

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY
MEETING MINUTES FOR THURSDAY, APRIL 9, 2009

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, April 9, 2009, at 9:45 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.

COMMISSIONERS COMMENTS

Commissioner Jenkins commented on the advertised Frederick County Public Schools finance position salaries.

CONSENT AGENDA

The following items were presented on the consent agenda:

BID AWARDS

- Purchasing Memo #09-174 – E-Maryland Marketplace Water/Sewer Chemical Solicitations
Award to: Various vendors
Award amount: Estimated total of \$460,778.40

- Purchasing Memo #09-175 - Bid #09-CP-79, Surface Coat of Various Frederick County Roadways (FY 2009)
Award to: Slurry Pavers, Inc.
Estimated Award amount: \$896,305.75

- Purchasing Memo #09-180 - Bid #09-CP-77, Rooftop Condensing Unit Replacement, Frederick County Adult Detention Center
Award to: Conditioned Air Systems, Inc.
Award amount: \$71,270.00

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BUDGET TRANSFERS

- BT-09-159, Housing and Community Development, Citizens Services Division
- BT-09-160, Maintenance, Management Services Division

GRANTS

- FY 2008 Workforce Investment Act Performance Incentive Grant – Laurie Holden, Economic Development Division
- FY 2009 Rural Legacy Grant Agreement and Budget Transfer – Tim Blaser, Planning Division

EASEMENT

- Forest Resource Ordinance Easement for Urbana Athletic Facility (aka Urbana Ball Fields)

CHANGE ORDERS

- Mussetter Road Reconstruction and Bituminous Overlay Project, Contract Nos. C28365 and C29918, Change Order No. 1
- FY 2008 Bituminous Overlay of Various County Roadways, Contract No. C29918, Change Order No. 12

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

ADMINISTRATIVE BUSINESS

Approval of County Commissioners' Meeting Minutes

The following minutes were approved by unanimous consent:

- ◆ Tuesday, March 3, 2009
- ◆ Tuesday, March 3, 2009 (Afternoon)
- ◆ Tuesday, March 3, 2009 (Evening)
- ◆ Thursday, March 5, 2009
- ◆ Two (2) Forms of Statement to Close Meeting on Thursday, March 5, 2009
- ◆ Two (2) Closed Session Minutes for Thursday, March 5, 2009
- ◆ Two (2) Forms of Statement for Open Meeting Following Closed Session on Thursday, March 5, 2009
- ◆ Tuesday, March 10, 2009
- ◆ Thursday, March 12, 2009
- ◆ Form of Statement to Close Meeting on Thursday, March 12, 2009
- ◆ Closed Session Minutes for Thursday, March 12, 2009

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- ◆ Form of Statement for Open Meeting Following Closed Session on Thursday, March 12, 2009

Request to go to Public Hearing - Service Benefit Charge for Certain Condominium Units – Brenda Teach, Utilities and Solid Waste Management Division

Commissioner Gray moved to approve the staff recommendation to proceed to public hearing with the issue. Commissioner Hagen seconded the motion that passed 5-0.

Statement of Procedures and Responsibilities with Respect to Post-Issuance Tax Compliance – John Kroll, Finance Division

Dick Duthoy, Finance Division, commented on the proposed resolution.

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

(A copy of Resolution #09-03 can be obtained in the County Manager's office or from the county's website, www.co.frederick.md.us)

Length of Service Award Program (LOSAP) Resolution Approval and Signature – Doug Orner, County Manager's Office

Commissioner Hagen moved to approve the resolution as presented. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Thompson opposed.

(A copy of Resolution #09-04 can be obtained in the County Manager's office or from the county's website, www.co.frederick.md.us)

Deed of Transfer for the New Market District Volunteer Fire Company – Doug Orner, County Manager's Office and Shirley King, New Market District Volunteer Fire Company

Commissioner Hagen moved to approve the staff recommendation. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Thompson opposed.

Memorandum of Understanding (MOU) Between the Board of County Commissioners and the New Market District Volunteer Fire Company – Doug Orner, County Manager's Office and Shirley King, New Market District Volunteer Fire Company

Michael Chomel, Office of the County Attorney; Al Hudak, Public Works Division; and Barry Stanton, Assistant County Manager, commented on the MOU.

Commissioner Thompson moved to amend the MOU by adding the Board would not interfere with the decision making of the county staff through the design and construction of the facility. The amendment died for lack of a second.

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Commissioner Gray moved to approve the MOU with the amended effective date. Commissioner Hagen seconded the motion that passed 4-1 with Commissioner Thompson opposed.

Legislative Issues

John Mathias, County Attorney, briefed the Board on recent activity in Annapolis during the legislative session. He indicated the session would end on Monday, April 13, 2009.

Director's Report – Paul Dial, Parks and Recreation Division

Mr. Dial gave a status report and PowerPoint presentation on the Catoctin Creek Park and the nature center project taking place within the park.

Alice Nemitsas and Bob Hicks, Parks and Recreation Division, and Sue Putnam, Public Works Division, participated in the discussion

COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS – (3 MINUTE PRESENTATION)

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 11:05 a.m.

Respectfully submitted,

Patricia A. Morrow
Recording Secretary