

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR TUESDAY, MAY 5, 2009

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Tuesday, May 5, 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 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.

WORKSESSION

Correctional Officers Week Proclamation

Commissioner Jenkins presented the proclamation.

COMMISSIONERS COMMENTS

Commissioner Gardner noted a request from Ms. Pat Hanberry, Chief Executive Officer, Mental Health Association of Frederick County, regarding hearing their request for a community development block grant which staff was previously directed not to move forward with due to funding issues. If the grant did not fund this project, the county would be financially responsible. It was noted there was a personal guarantee to back the funding.

Commissioners Gray and Hagen approved to have the request placed on a future agenda.

Commissioner Thompson requested more information before agreeing to hear the request.

This item was tentatively scheduled for Thursday, May 21, 2009.

WORKSESSION

Annual Transportation Priorities Review – Summary for State Submittal – John Thomas, Planning Division

Mr. Thomas presented the staff report to the Board.

The Board requested the following changes be made:

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- I-70/Meadow Road Interchange, add a sentence, “*If the state agreed to advance the project, the county would consider contributing up to \$500,000.00*”;
- MD 85, Phase III, to divide the information clarifying the interim improvements should move forward as soon as possible and another paragraph detailing a separate evaluation of project planning of the larger project (North of Solarex Drive and Ballenger Creek); and
- Shift MD 194 to #1, MD 144 to #2 and keep MD 464 as #3.

(Commissioner Jenkins left the meeting.)

Commissioner Gray moved to submit the Frederick County 2009 Annual Transportation Priorities to the delegation for review then to the Secretary of the Maryland Department of Transportation. Commissioner Hagen seconded the motion that passed 4-0 with Commissioner Jenkins out of the room.

Public comments were taken from:

- Senator David Brinkley

**Proposed Rose Hill Manor Park Master Plan – Paul Dial, Parks and Recreation Division;
Sally Malena and John Rohde, Human and Rohde, Inc.**

(Commissioner Jenkins entered the meeting.)

Staff presented information to the Board. In 1986 a committee was formed with representatives from each of Rose Hill Manor’s volunteer groups, the Parks and Recreation Commission and staff to prepare a recommended master plan. In the fall of 2007 the committee initiated a new master plan development process. On January 8, 2009, they unanimously voted to recommend the Rose Hill Manor master plan be forwarded to the Board for final approval.

Public comments were taken from:

- Chris Hall

Commissioner Hagen moved to approve the master plan as presented. Commissioner Gray seconded the motion.

Commissioner Thompson amended the motion requesting financing of improvements be funded by philanthropy rather than by public funds. This motion failed due to lack of a second.

The motion by Commissioner Hagen, seconded by Commissioner Gray, passed 3-2 with Commissioners Jenkins and Thompson opposed.

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**Adequate Public Facilities Ordinance – Roads Text Amendment and Guidelines – Ron
Burns, Permitting and Development Review Division**

Mr. Burns presented the staff report to the Board.

The Board requested the following changes be made:

- Page 11, 1-20-30, Thresholds, to keep “B” and “D” as requirements and have “A” and “C” as considerations, change the wording in “C” to state “*has been vacant for some period of time*” and define vacant building;
- Page 8, 1-20-12, Escrow Funds for Road Improvements, “C” change the word from “of” to “or”;
- Page 11, 1-20-30, Thresholds, keep as 25;
- Page 9, 1-20-12, Escrow Funds for Road Improvements, “D” add “5 or more”;
- Page 6, Exhibit 2, line 333, strike “*approximately*” and “*about*” and add “*or as otherwise agreed to by staff and applicant*”;
- Page 13, 1-20-31, Determination of Adequacy, (1), take original language to public hearing;
- Page 18, 1-20-31, Determination of Adequacy, (H), add a number 5 to address interchange ramp situations;
- Page 8 of staff report, remove Right-of-Way Acquisition by the Board on Behalf of a Developer, as there was no interest in proceeding with this item; and
- Reschedule the remainder of the staff report for Thursday, May 7, 2009, which would include:
 - Offsite Bike and Pedestrian Facilities Scope and Analysis; and
 - Road Rating Systems.

Public comments were taken from:

- Rand Weinberg, Esquire

COMMISSIONERS COMMENTS

None.

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PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 1:15 p.m.

Respectfully submitted,

Mary E. Baker
Recording Secretary