

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR TUESDAY, JULY 14, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Tuesday, July 14, 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](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.

**COMMISSIONER COMMENTS**

Commissioner Jenkins congratulated and wished good luck to the Brunswick 10–11 year old little league team for their win Saturday. They will be in the championship games in Salisbury, Maryland.

**Site Plan Review Process - Mark Depo and Shawna Lemonds, Planning Division**

Mr. Depo and Ms. Lemonds presented updates to the site plan review process.

Public comment was taken from:

- David Severn, Esquire, Severn, O’Connor and Kresslein

Commissioner Jenkins moved to approve the added language in Section 1-19-3.300.4, Approval Criteria, “*standards and*” in the last sentence to read “has met the following criteria based upon the *standards and* provisions of this chapter.” The motion passed 4-0-1 with Commissioner Gray abstaining.

Commissioner Jenkins moved to approve the proposed changes and ordinance including the changes as noted, which would apply to all applications submitted after July 24, 2009, with an effective date of July 24, 2009. Commissioner Hagen seconded the motion that passed 5-0.

(A copy of Ordinance #09-21-525 can be obtained in the County Manager’s Office or from the county’s website, [www.co.frederick.md.us](http://www.co.frederick.md.us))

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**Reconsideration of the Head Start One Time Program Improvements Grant - Pat  
Rosensteel and Ann Silverman, Citizens Services Division**

The following actions were made on July 9, 2009, regarding this grant:

- Commissioner Hagen moved to approve the balance of the consent agenda with the exception of Grant #1 and Easement #1. Commissioner Jenkins seconded the motion that passed 4-0 with Commissioner Gray absent.
- Commissioner Hagen moved to approve Grant #1 as presented. Commissioner Gardner seconded the motion that tied 2-2 with Commissioners Jenkins and Thompson opposed.
- Commissioner Thompson moved to strike the ice maker purchase as part of the grant package. Commissioner Jenkins seconded the motion that passed 3-1 with Commissioner Hagen opposed and Commissioner Gray absent.
- Commissioner Gardner requested to table Grant #1 until Commissioner Gray was present.

Commissioner Gray moved to approve the grant as presented and to include the ice maker. Commissioner Hagen seconded the motion.

Discussion followed with Commissioner Thompson reminding the Board that a motion was passed (3-1) on July 9 to exclude the ice maker and if it was the desire of the Board to now include the icemaker, then one of the commissioners who voted in the majority would have to make the motion to do so.

A motion was made by Commissioner Gardner to include the ice maker. The motion was seconded by Commissioner Hagen and passed 3-2 with Commissioners Jenkins and Thompson opposed.

Commissioner Jenkins offered an amendment to Commissioner Gray's motion that all items purchased under this grant were to be American made. Commissioner Thompson seconded the motion that failed 2-3 with Commissioners Gardner, Gray and Hagen opposed.

The main motion was voted on and passed 3-2 with Commissioners Jenkins and Thompson opposed.

**Reconsideration of an Easement Over Tourism Council New Visitor Center Property,  
East Street - Bruce Dean, Esquire, McEvoy and Dean**

The following actions were made on July 9, 2009, regarding this easement:

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- Commissioner Hagen moved to approve the balance of the consent agenda with the exception of Grant #1 and Easement #1. Commissioner Jenkins seconded the motion that passed 4-0 with Commissioner Gray absent.
- Commissioner Jenkins moved to deny Easement #1. Commissioner Thompson seconded the motion that tied 2-2 with Commissioners Gardner and Hagen opposed.
- Commissioner Gardner moved to table Easement #1 until Commissioner Gray was present.

Commissioner Hagen moved to approve the easement as presented. Commissioner Gray seconded the motion that passed 3-2 with Commissioners Jenkins and Thompson opposed.

**Continued Discussion on the Proposed Ordinance Extending Development Deadlines and Approvals (Public Hearing Scheduled for Tuesday, July 14, 2009, at 7:00 p.m.) - Gary Hessong, Permitting and Development Review Division; Kathy Mitchell, Office of the County Attorney**

Staff briefed the Board on this item for the public hearing scheduled for tonight at 7:00 p.m.

**Proposed Alignment for Reels Mill Road, Phase I - Jason Stitt, Public Works Division**

Mr. Stitt presented information regarding the proposed alignment.

There was no public comment.

Commissioner Jenkins moved to leave the alignment "as is." Commissioner Hagen seconded the motion that failed 2-3 with Commissioners Gardner, Gray and Thompson opposed.

Commissioner Gray moved for the Board to hold an evening public meeting in September at the Reichs Ford Road Public Safety Training Facility to obtain public input. Commissioner Hagen seconded the motion.

Commissioner Thompson moved to amend the motion to have a staff member from the Sheriff's Office in attendance to field questions and provide information regarding speeding concerns.

Commissioner Thompson moved to further amend the motion to have a discussion of speed cameras/speed enforcement on the night of the public meeting.

The motion made by Commissioner Gray, seconded by Commissioner Hagen, passed 5-0.

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**Creation of the Carroll Manor/Point of Rocks Recreation Council - Jeremy Kortright,  
Parks and Recreation Division**

Mr. Kortright presented information regarding the creation of the recreation council.

There were no public comments.

Commissioner Gray moved approval of the creation of the Carroll Manor/Point of Rocks Recreation Council as presented. Commissioner Hagen seconded the motion that passed 5-0.

**Neighborhood Stabilization Program 2 - Approval to Participate in Consortium and  
Submit Application - Jenny Short, Citizens Services Division**

Ms. Short presented information regarding the application, which if approved, would allocate federal funding under the American Reinvestment and Recovery Act of 2009 for the purchase of abandoned and foreclosed homes.

Public comment was taken from:

- Ron Kramer, Executive Director, Habitat for Humanity
- Frank Lucician, Associate Director of Multi-Family Programs, Interfaith Housing Alliance
- Steve Fox, Fox Realty
- Carroll Jones, Mayor, City of Brunswick
- Tamara Osterman, Frederick County Association of Realtors

Commissioner Hagen moved to approve the staff report as presented. Commissioner Gray seconded the motion that passed 3-2 with Commissioners Jenkins and Thompson opposed.

**CLOSED SESSION**

Commissioner Jenkins moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Hagen seconded the motion that failed 2-3 with Commissioners Gardner, Gray and Thompson opposed.

The closed session was rescheduled to Thursday, July 16, 2009.

**COMMISSIONERS COMMENTS**

None.

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**PUBLIC COMMENTS**

None.

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 12:45 p.m.

Respectfully submitted,

Mary E. Baker  
Recording Secretary