

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, SEPTEMBER 24, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, September 24, 2009, at 10:15 a.m. Present were Commissioners Kai Hagen, Charles Jenkins and John L. Thompson, Jr. Also present were Ron Hart, County Manager and Mary Baker, Recording Secretary. Commissioner David Gray, *Vice President*, was absent.

(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 Thompson noted land use decisions were in no way influenced by outside attorneys.

Commissioner Jenkins noted the comment made by Carroll Jones, Mayor, City of Brunswick, in *The Frederick News-Post* about the Board not listening to him was false. The fact was the Board allowed Mayor Jones to speak during the Administrative Business meeting when the normal procedure is not to allow public comments.

Commissioner Jenkins commented on growth boundary issues in and around the Brunswick area, particularly annexation issues involving those property owners who were opposed to annexations which would affect their property.

Commissioner Hagen also commented on growth boundary and annexation issues in and around the Brunswick area.

Commissioner Gardner commented on general growth boundary issues within the county.

AGENDA BREIFING

Staff briefed the Board on the following public hearing item scheduled for:

Tuesday, September 29, 2009, at 8:30 a.m.

PUBLIC HEARING

- Forest Resource Ordinance Text Amendment (FT-09-01) – Mike Wilkins, Permitting and Development Review Division and Kathy Mitchell, Office of the County Attorney

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CONSENT AGENDA

BID AWARDS

1. Purchasing Memo #10-51 – Purchase of Bakery Products (Piggyback contract)
Award to: Schmidt Bakery Company, Inc.
Estimated award amount: \$65,000.00
2. Purchasing Memo #10-52 – Purchase of Milk Products (Piggyback contract)
Award to: Dairy Maid Dairy, Inc.
Estimated award amount: \$68,000.00

BUDGET TRANSFER

1. #BT-09-231, Transit Services Division

EASEMENTS

1. Declaration to Establish and Retain Stormwater Management Easement – Ballenger-McKinney Enhanced Nutrient Removal Waste Water Treatment Plant Expansion – Beth Ramacciotti, Utilities and Solid Waste Management Division
2. Declaration to Establish and Retain Forest Resources Easement Urbana District Park Phase I Development Project – Bob Hicks, Parks and Recreation Division

GRANTS

1. The Community Foundation's Universal Grant Application – Extended Therapeutic Services and Video Equipment Grant Approval and Associated Budget Transfer – Joy Rowe, Citizens Services Division
2. The Community Foundation's Universal Grant Application – Legal/Interpreting Services and Mediation Training and Associated Budget Transfer – Margaret Nusbaum, Citizens Services Division
3. Family Support Program Improvement Award and Budget Transfer BT-10-037 – Shelly Toms, Citizens Services Division

Commissioner Jenkins requested Grant #2 be pulled from the consent agenda.

Commissioner Thompson requested Grant #1 be pulled from the consent agenda and clarification made on Bid Award #2.

Commissioner Thompson requested for future bids regarding this product, staff bring bovine somatotropin (bST) (growth hormone) free products for comparison as another option.

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Commissioner Hagen moved to approve the consent agenda with the exception of Grants #1 and #2. Commissioner Jenkins seconded the motion that passed 4-0 with Commissioner Gray absent.

Commissioner Hagen moved approval of Grant #2 as presented. Commissioner Gardner seconded the motion.

Commissioner Thompson moved to amend the motion to have the beneficiary of the training (the citizens being served) to be screened to verify lawful citizenship. Commissioner Jenkins seconded the motion that tied 2-2 with Commissioners Gardner and Hagen opposed and Commissioner Gray absent.

The main motion was voted on and tied 2-2 with Commissioners Jenkins and Thomson opposed and Commissioner Gray absent.

It was noted this item would be rescheduled to Tuesday, September 29, 2009, when Commissioner Gray would be present.

Ms. Rowe and Ms. Nusbaum presented information regarding Grant #1.

Commissioner Hagen moved approval of Grant #1. Commissioner Jenkins seconded the motion.

Commissioner Thompson moved to amend the motion to have one ethnic representation of the dolls used in the program and have it be chosen at random. This motion failed due to lack of a second.

The main motion passed 3-1 with Commissioner Thompson opposed and Commissioner Gray absent.

ADMINISTRATIVE BUSINESS

Approval of Board of County Commissioners' Meeting Minutes

The following minutes were approved by unanimous consent:

- ◆ Thursday, August 6, 2009
- ◆ Tuesday, August 11, 2009
- ◆ Thursday, August 18, 2009
- ◆ Thursday, August 18, 2009 (Closed Session)
- ◆ Thursday, August 18, 2009 (Evening)
- ◆ Thursday, August 20, 2009
- ◆ Thursday, August 20, 2009 (Closed Session)
- ◆ Tuesday, August 25, 2009
- ◆ Thursday, August 27, 2009

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COMMISSIONERS COMMENTS

Commissioner Gardner noted the Frederick County Fair was taking place this week and it was also Business Appreciation Week.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 11:15 a.m.

Mary E. Baker
Recording Secretary