

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY
MEETING MINUTES FOR THURSDAY, SEPTEMBER 17, 2009

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, September 17, 2009, at 9:55 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 Hagen addressed comments made in a recent letter from Tom Lynch published in The Frederick News-Post.

WORKSESSION

Introduction of Ukraine Guests – Board of County Commissioners

The Ukrainian guests were introduced.

CONSENT AGENDA

The following item was removed from the consent agenda:

Infants and Toddlers Program - American Recovery and Reinvestment Act (ARRA) Funds – Extended Option - Dr. Monica Grant, Health Services Division

The following items were considered on the consent agenda:

BUDGET TRANSFER

1. #BT-10-039, Housing, Citizens Services Division

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CHANGE ORDER

1. New Market Water Main, Contract 96-W, Change Order No. 7 - Chuck Nipe, Public Works Division

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

ADMINISTRATIVE BUSINESS

Infants and Toddlers Program - American Recovery and Reinvestment Act (ARRA) Funds – Extended Option - Dr. Monica Grant, Health Services Division

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

Memorandum of Understanding between the Board of County Commissioners and the Hagerstown Community College - Richard Himes, Fire and Rescue Services Division

Commissioner Jenkins moved to approve the staff recommendation. Commissioner Hagen seconded the motion that passed 5-0.

Proposal to Require Negotiating Committee to Conduct Fire and Rescue Services Division Collective Bargaining Negotiations in Open Session - Commissioner John L. Thompson, Jr.

Commissioner Thompson presented his proposal to the Board.

John Neary, President, Career Fire Fighters Association of Frederick County, MD, Inc.; Mitch Hose and Miles Ward, Esquire, Human Resources Division; and Barry Stanton, Office of the County Manager, participated in the discussion.

Commissioner Gardner commented on the legislative history of the collective bargaining process.

John Mathias, County Attorney and Sheriff Chuck Jenkins commented on the collective bargaining process.

Commissioner Thompson moved to adopt the resolution to require the negotiating committee to conduct collective bargaining negotiations with the representation of the Fire and Rescue Services Division in open session. Commissioner Gray seconded the motion that failed 2-3 with Commissioners Gardner, Hagen and Jenkins opposed.

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(Commissioner Jenkins left the meeting at 11:30 a.m.)

Citizens Care and Rehabilitation Center and The Montevue Home, Rosemont Avenue Agreement - Dave Ennis, Public Works Division

Commissioner Hagen moved to execute the agreement whereby the county would contribute \$155,000 to the improvements to Rosemont Avenue. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Jenkins absent.

WORKSESSION

Appointment to the Workforce Development Board - Joyce Grossnickle, Office of the County Manager

There was no public comment.

Commissioner Hagen moved to approve the appointment of Tanya Wagstaff to serve an unexpired term to expire June 30, 2011. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Jenkins absent.

COMMISSIONERS' COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS - PRESS

None.

CLOSED SESSION

Commissioner Gray moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Hagen seconded the motion that passed 4-0 with Commissioner Jenkins absent.

ADJOURN

The meeting adjourned at 11:40 a.m.

Patricia A. Morrow
Recording Secretary

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Final Copy
FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, SEPTEMBER 17, 2009

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Gray moved to go into closed session in accordance with the Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Hagen seconded the motion that passed 4-0 with Commissioner Jenkins absent.

Topic To Be Discussed:

The possible acquisition of real property in Frederick County for park purposes.

Patricia A. Morrow
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, SEPTEMBER 22, 2009,
FOLLOWING THE CLOSED MEETING OF THURSDAY, SEPTEMBER 17, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Gray moved to go into closed session in accordance with the Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Hagen seconded the motion that passed 4-0 with Commissioner Jenkins absent for the motion.

Others in Attendance:

R. Hart, B. Stanton, J. Mathias, M. Chomel, P. Dial, C. Chamberlain

Topic Discussed:

The possible acquisition of real property in Frederick County for park purposes.

Action Taken:

The Board directed staff to move ahead with negotiations for the property.

Patricia A. Morrow
Recording Secretary