

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, NOVEMBER 19, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, November 19, 2009, at 10:00 a.m. Present were Commissioners David Gray, *Vice President*; Charles Jenkins and John L. Thompson, Jr. Also present were Ron Hart, County Manager and Mary Baker, Recording Secretary. Commissioner Kai Hagen 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.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov).)*

**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 noted an article regarding the Frederick County Planning Commission was in today's paper including a comment by Commissioner Hagen, which in his opinion was displeasing.

Commissioner Gardner noted her disapproval with Commissioner Hagen for not attending the Farm Bureau meeting last night without notice of his intentions.

**AGENDA BREIFING**

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

Tuesday, December 1, 2009, at 8:30 a.m.

- Proposed Changes to the Frederick County Purchasing Rules and Regulations - Hal Good, Finance Division and Richard McCain, Office of the County Attorney

Commissioner Thompson moved to authorize and direct the County Attorney's Office staff and Department of Purchasing staff to prepare a proposed amendment for the purchasing regulations for e-verify or an equivalent to be presented to the Board no later than February 15, 2010. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Hagen absent.

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**CONSENT AGENDA**

**CHANGE ORDERS**

1. User Requested Construction Change Order; Removal of Poole Jones Road Sewage Pump Station - Rodney Winebrenner, Utilities and Solid Waste Management Division
2. New Market Water Main, Contract No. 96-W, Change Order No. 9 - Chuck Nipe, Public Works Division

**EASEMENT**

1. Release and Abandonment of Water and Sewer Easement, Lot 451 Greenview Planned Unit Development, Phase III - Beth Ramacciotti, Utilities and Solid Waste Management Division

Commissioner Jenkins moved approval of the consent agenda as presented. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Hagen absent.

**ADMINISTRATIVE BUSINESS**

**Frederick County Visitors' Center - John Kroll, Finance Division, Richard McCain, Office of the County Attorney and John Fieseler, Tourism Council of Frederick County, Inc.**

Mr. Fieseler presented the proposed amendment to the memorandum of understanding (MOU) dated June 28, 2007, to reflect that the construction of the new Frederick County Visitors' Center was a Tourism project, without Board involvement, noting that Frederick County Government would continue to support the project in an amount up to but not to exceed \$150,000, and the Tourism Council would continue to assign to the Board an amount equal to the debt service on the general obligation bond that would be deducted from the receipts of the Frederick County Hotel Rental Tax prior to their being distributed to Tourism to repay the cost of constructing the project.

Commissioner Jenkins moved approval of the amendment to the MOU as presented. Commissioner Gray seconded the motion that passed 3-1 with Commissioner Thompson opposed and Commissioner Hagen absent.

**Inter-Governmental Agreement for Reimbursed Positions in Department 9105 (FY 2010) - Riley Carpenter, Department of Social Services**

Mr. Carpenter presented the agreement that provided for reimbursement of salaries and benefits for 17.0 full-time county employees within the Department of Social Services.

Commissioner Gray moved approval of the agreement as presented. Commissioner Jenkins seconded the motion that passed 4-0 with Commissioner Hagen absent.

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**Termination of Lease of Office and Storage Space at 8 East Second Street and  
Relocation of Internal Audit Division to 30 North Market Street - Austin Abraham,  
Management Services Division**

Mr. Abraham presented information regarding the termination of the lease to become effective May 31, 2010, due to the relocation of the Internal Audit Division to the second floor of 30 North Market Street.

Commissioner Gray moved approval of staff's recommendations as presented. Commissioner Gardner seconded the motion that passed 4-0 with Commissioner Hagen absent.

**Request for Extended Payment Plan - Sewer Capacity Fees - 8929 Baltimore Road -  
Brenda Teach, Utilities and Solid Waste Management Division**

Ms. Teach presented the capacity fee agreement for the property as the existing septic system failed and the Frederick County Health Department indicated there was no usable area for a new septic system, therefore requesting the division to connect the property to the public system.

Commissioner Jenkins moved approval of staff's recommendations as presented. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Hagen absent.

The Board also requested such items be placed on the consent agenda in the future.

**COMMISSIONERS COMMENTS**

Commissioner Gardner noted the Board would not be scheduling any meetings next week.

**PUBLIC COMMENTS**

None.

**QUESTIONS - PRESS**

None.

**ADJOURN**

The meeting adjourned at 11:00 a.m.

Mary E. Baker  
Recording Secretary