

**BOARD OF COUNTY COMMISSIONERS/MUNICIPALITIES MEETING
MINUTES FOR THURSDAY, DECEMBER 17, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) and the municipalities of Frederick County for Thursday, December 17, 2009, at 3:00 p.m. Present were Commissioners David Gray, *Vice-President*, Kai Hagen, Charles Jenkins and John L. Thompson, Jr.

Elected municipal officials present were Carroll Jones, Mayor and Karin Tome, Councilman, City of Brunswick; Randy McClement, Mayor, Shelley Aloï, Karen Lewis Young, Carol Krimm, Kelly Russell and Michael O’Connor, Aldermen, The City of Frederick; Gary Nelson, Councilman, Town of Mount Airy; Jake Romanell, Councilman, Town of New Market; Marty Burns, Mayor, Town of Thurmont; John Miller, Burgess, Town of Middletown; Ralph Whitmore, Burgess, Town of Walkersville and Gary Smith, Burgess, Town of Woodsboro. Also present was Patti Morrow, Recording Secretary.

PLEDGE OF ALLEGIANCE

The meeting began with the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes for Thursday, November 19, 2009, were approved by unanimous consent.

BUSINESS

Countywide Comprehensive Plan (“Plan”) Update – Eric Soter and Jim Gugel, Planning Division

Mr. Gugel indicated the draft land use plan and draft zoning maps were recently made available to the municipalities. The water and sewer plan map was in the process of being updated and would be distributed upon completion.

Mr. Gugel gave an update on the upcoming schedule for the three (3) meetings and the public hearing scheduled for January 2010.

Mr. Soter commented the planning staff would be scheduling meetings with the Board following the public hearing. He noted municipal officials would be provided an opportunity for further discussion during the meetings.

Discussion of the Tax Equity Formula – Kelly Weaver, Finance Division

Ms. Weaver presented a PowerPoint presentation on the tax equity formula. It was noted that some of the municipalities had yet to submit to the county their financial information. The outcome of the tax equity formula would be scheduled for discussion during the January 2010 County/Municipalities meeting.

Mayor Burns suggested allowing each municipality to choose between a tax rebate and a tax differential. Richard McCain, Office of the County Attorney, commented on the legal issues. It was noted a legal opinion would be presented during the January County/Municipalities meeting.

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Discussion of Emergency Vehicle Response Policy – Doug Brown and Steve Leatherman, Fire and Rescue Services Division

Chief Brown briefed the Board and the elected officials on the response policy in the county. Mr. Hart, County Manager, reported the operations committee makes the decision on what apparatus is dispatched.

Jack Markey, Emergency Management Division and Doug Orner, Office of the County Manager, commented on the issue.

Fire Tax Discussion

Commissioner Gardner gave a brief history of the fire tax districts. She indicated there was a proposal to return to the individual tax rates.

Chief Brown; Mickey Fyock, Frederick County Volunteer Fire and Rescue Association; Jim Graham, Walkersville Volunteer Fire Department and Steve Leatherman, Fire and Rescue Services Division, commented on the issue.

Proposed Resolution to Initiate the Process to De-annex the Crumland Farm and COPT/Thatcher Properties from The City of Frederick – Commissioner John L. Thompson, Jr.

Commissioner Thompson presented a resolution to de-annex the Crumland Farm and COPT/Thatcher properties. Commissioner Thompson suggested the newly elected Mayor and Aldermen of The City of Frederick consult with their internal legal staff regarding a request to the developers of the annexed properties to contribute monetarily to the development of needed road interchanges in the area.

Comments

Commissioner Gardner commented on the request from the municipalities for a judicial review of the recently adopted Ordinance No. 09-19-523, which amended the school adequacy requirement of the Frederick County Adequate Public Facilities Ordinance (APFO).

Commissioner Thompson commented on the Umberger Farm condemnation.

Mayor Burns and Councilman Romanell (speaking as President, Frederick County Chapter of the Maryland Municipal League) commented on the judicial review of Ordinance No. 09-19-523.

Councilman Tome commented on the “Pay as you Throw” legislation.

ADJOURN

The meeting adjourned at 5:30 p.m.

Patti Morrow
Recording Secretary