

PUBLIC MEETING MINUTES FOR TUESDAY, DECEMBER 15, 2009

A public meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, December 15, 2009, was called to order at 7:00 p.m. by Commissioner Jan Gardner, *President*. Present were Commissioners David Gray, *Vice President*; Kai Hagen, Charles Jenkins and John L. Thompson, Jr. Also in attendance 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 web page. 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 web page at 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.

The meeting began with the recitation of the Pledge of Allegiance led by Webelos Pack 274.

Commissioner Gardner amended the schedule for the evening by holding the public hearing first.

PUBLIC HEARING

To Consider a Proposed Ordinance to Continue and Extend the Effect of the Growth Management Ordinance for up to 90 Days and Revise the Tolling Provisions – Kathy Mitchell, Office of the County Attorney

A public hearing was held, as duly advertised, on the proposed ordinance to extend the current growth management ordinance.

Ms. Mitchell presented the proposed ordinance that would extend the Growth Management Ordinance for up to 90 days to April 8, 2010, and would clarify the tolling provisions of the ordinance. Ms. Mitchell noted the Frederick County Planning Commission recommended adoption of the proposed ordinance.

There were no public comments.

Commissioner Gray moved to approve the proposed ordinance as presented. It was seconded by Commissioner Hagen and passed 4-1 with Commissioner Jenkins opposed.

(A copy of Ordinance #09-31-535 can be obtained in the County Manager's Office or from the county's website, www.FrederickCountyMD.gov)

WORKSESSION

Discussion of Pete Wiles Road Bridge Replacement Project – Rex Pearce, Public Works Division

Mr. Pearce informed the Board he had received an interim letter from the Maryland State

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Highway Administration (SHA) which stated they were waiting on a response from the Federal Highway Administration regarding the requested waiver for the single lane option on the Pete Wiles Road Bridge project. Mr. Pearce noted the funding for Option #3 remained open ended until a decision was made.

Robert Shen, Public Works Division, commented on Option #3 and the waiver request.

Public comment was heard from:

- Steven Kroon
- Nikki Rudy
- Tom Kroon
- John Libeau
- David Weltman
- Mary Kelly
- Tim Noffsinger
- Rebecca Bianchi
- Karen Koogle

Commissioner Jenkins moved to approve Option #3 - an improved widened one-lane cross section on original alignment with a prefabricated steel truss - contingent upon the granting of a SHA design exception being granted and the availability of federal funding. Commissioner Hagen seconded the motion.

Al Hudak, Public Works Division, commented on the bridge type.

Commissioner Jenkins removed the bridge type from the motion.

The vote on the motion was 4-1 with Commissioner Gray opposed.

PUBLIC COMMENTS AND/OR REQUESTS

None.

ADJOURN

The meeting adjourned at 8:25 p.m.

Patricia A. Morrow
Recording Secretary