

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
**MEETING MINUTES FOR THURSDAY, APRIL 23, 2009**

Commissioner Jan Gardner, *President*, reconvened a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, April 23, 2009, at 1:05 p.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](http://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.**

**ADMINISTRATIVE BUSINESS**

**FY 2010 Operating Budget Discussion – Mike Gastley, Finance Division**

Commissioner Gardner reviewed the outstanding issues with the FY 2010 operating budget: tax equity, the Board of Education (BOE) maintenance of effort (MOE) waiver and the realignment of some expenditures among grant-in-aid for human service agencies.

The \$2.5 million deficit, which remained in the current fiscal year (FY 2009), was also noted.

Commissioner Hagen moved to request a temporary waiver of the MOE for \$3 million. Commissioner Gardner seconded the motion. The motion remained on the table.

Commissioner Hagen moved to show use of \$4.5 million from the bond enhancement fund to balance the proposed budget that would be forwarded to public hearing. Commissioner Gardner seconded the motion.

Commissioner Thompson noted a point of order stating access to the bond enhancement fund would not be available until after the public hearing.

Commissioner Jenkins offered a substitute motion to take \$4.5 million from the bond enhancement fund and use it for future county government expenses and Board of Education other post employment benefit funds (OPEB). Commissioner Thompson seconded the motion that failed 2-2-1 with Commissioners Gardner and Hagen opposed and Commissioner Gray abstained.

The vote on the original motion failed 2-2-1 with Commissioners Jenkins and Thompson opposed and Commissioner Gray abstained.

Jean Smith and Dr. Bonnie Borsa, Frederick County Board of Education; and Dr. Linda Burgee, Frederick County Public Schools, participated in the discussion of the FY 2009 and FY 2010 operating budgets.

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(Commissioner Gardner passed the gavel to Commissioner Gray.)

Commissioner Gardner moved to propose a counteroffer to the BOE requesting the BOE to return \$2 million from their capital projects; to contribute \$1.9 million from the BOE's audited FY 2009 surplus funds toward the FY 2010 operating budget and agree to identify an additional \$3 million (the equivalent of two furlough days) to reduce the county's outstanding deficit. In exchange for those requests the Board would drop the MOE waiver in the amount of \$9 million. Commissioner Hagen seconded the motion that passed 3-2 with Commissioners Jenkins and Thompson opposed.

(Commissioner Gray passed the gavel back to Commissioner Gardner.)

Commissioner Hagen withdrew his original motion regarding the MOE waiver.

Commissioner Gray moved to reduce the tax equity by \$1.6 million, the equivalent of the State Highway User Revenue (SHUR) cut made to the municipalities and shifted to the county to pay. Commissioner Thompson seconded the motion that passed 4-1 with Commissioner Hagen opposed.

(Commissioner Gardner passed the gavel to Commissioner Gray.)

Commissioner Gardner moved to find \$900,000 either in furlough days or other cuts depending on how the BOE funded their \$3 million cut. Commissioner Hagen seconded the motion that passed 4-1 with Commissioner Thompson opposed.

(Commissioner Gray passed the gavel back to Commissioner Gardner.)

It was indicated the Board would meet on Friday, April 24, 2009, to receive a decision from the BOE regarding the counteroffer presented.

There were no unanimous decisions to reallocate any of the grant-in-aid funding for human services.

Commissioner Thompson moved to compel Commissioner Gardner to present the \$9 million MOE waiver request.

Commissioner Gardner declared the motion out of order.

**COMMISSIONERS COMMENTS**

None.

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**PUBLIC COMMENTS (3 MINUTE PRESENTATION)**

- Carroll Jones, Mayor, City of Brunswick
- Jeff Holtzinger, Mayor, The City of Frederick
- Gary Brennan, President, Frederick County Teachers Association

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 3:05 p.m.

Respectfully submitted,

Patricia A. Morrow  
Recording Secretary