

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY
MEETING MINUTES FOR TUESDAY, MARCH 2, 2010

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, March 2, 2010, at 8:30 a.m. Present were Commissioners David Gray, *Vice President*, Kai Hagen, 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.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.

COMMISSIONER COMMENTS

The Board noted Blaine Young would be sworn in as a county commissioner on Wednesday, March 3, 2010, at 12:30 p.m. in the first floor hearing room.

Commissioner Gardner commented the Board would be attending the National Academy of Sciences meeting regarding the U.S. Army Medical Research Institute of Infectious Diseases (USAMRIID) expansion on Thursday, March 4, 2010.

ADMINISTRATIVE BUSINESS

Second Quarter Financial Reports – Erin White, Finance Division

The following Finance Division staff presented the financial results for Frederick County for the six months ended December 31, 2009:

- Rob Riley – General Fund;
- Regina Howell – Water and Sewer Enterprise Fund and the Solid Waste Management Enterprise Fund;
- Carol Abramson – Citizens Care and Rehabilitation Center Enterprise Fund; and
- Kathy Tritsch – Fire/Rescue Tax Districts Special Revenue Fund.

No action was taken by the Board as this item was informational.

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

For purposes of the following motions, these abbreviations will be used.

NPS – No Planned Service	PS – Planned Service
PUD – Planned Unit Development	MXD – Mixed Use Development
VC – Village Center	LI – Limited Industrial
GI – General Industrial	GC – General Commercial
ORI – Office, Research, Industrial	NR – Natural Resources
EI – Euclidian Institutional	OS/Rec – Open Space/Recreation
R-1 – Residential	I – Institutional
A – Agricultural	

Mr. Gugel reviewed the agenda with the Board.

Review of Miscellaneous Property and Map Revisions

Bootjack Springs Subdivision

(Commissioner Gardner passed the gavel to Commissioner Gray.)

Commissioner Gardner moved to change the land use designation to Rural/Residential and the zoning classification to R-1 on the Bootjack Springs subdivision. Commissioner Hagen seconded the motion that passed 3-1 with Commissioner Thompson opposed.

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

Days Subdivision

The Board indicated no changes would be made.

Community Facility Symbol Revisions

By unanimous consent the Board approved the location of various community facility symbols as reflected on the Board's draft plan. The recommendation of an elementary school symbol in the Brunswick Crossing development was objected to by Commissioner Thompson.

By unanimous consent the Board approved the extension of the I zoning classification to be applied to 80 feet along the east side of the Linganore High School property consistent with the addition plat. Commissioner Thompson was opposed.

Ballenger Creek FEMA Floodplain Revisions

The revisions were discussed.

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St. John's Property Proposed GC Zoning

Commissioner Hagen moved to approve the GC zoning classification on the St. John's property with the land use designation of GC to be consistent with the FEMA floodplain mapping. Commissioner Gray seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Other Properties

The Board reviewed requests for change on other properties.

Commissioner Hagen moved to designate a parcel of the Weinberg property in Braddock Heights, as Rural Community on the Land Use Plan with R-3 zoning classification and include it in the water service area with the remaining parcels designated Ag/Rural with an A zoning classification and to remain out of the growth area. Commissioner Gray seconded the motion that passed 4-0.

Commissioner Gray moved to retain the GC land use designation and GC zoning classification on Tax Map 108, Parcel 1, west of the parking lot; include it in the growth area and retain the sewer category on the water and sewer map, with the balance of the property to the east as Ag/Rural on the land use plan and with a zoning classification of A.

YMCA Property in Urbana

Commissioner Thompson moved to connect the parcel that had an A zoning classification prior to the 2004 Urbana Region Plan to the property to the east. The motion failed for lack of a second.

Commissioner Gray moved to support the staff recommendation to designate the property I on the land use map, with a zoning classification of A, a category "5" on the water and sewer map and include it within the growth boundary. Commissioner Hagen seconded the motion that passed 4-0.

Review and Discussion of Revisions to Municipal Growth Area Boundaries

Brunswick

Commissioner Gray moved to include Tax Map 91, Parcels 99 and 240 in the community growth boundary, with LDR land use designation and a zoning classification of A, with PS on the water and sewer map. Commissioner Hagen seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Commissioner Hagen moved to include the following: Tax Map 92, Parcels, 155, 296, 25, 272 and 254, on the east end of the municipal boundary of the City of Brunswick within the growth boundary with LDR land use designation and the zoning classification of A with PS on the

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water and sewer map. Commissioner Gray seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Middletown

Commissioner Hagen moved to add GC land use designation across the front of Tax Map 65, Parcel 12 (AC Jets property), retain the A zoning classification and PS on the water and sewer map, the open space area would remain within the growth boundary, Ag/Rural on the land use plan, with A zoning classification and NPS on the water and sewer map. Commissioner Gray seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Cindy Unangst, Town Planner, Town of Middletown commented on the water issues on the AC Jets property.

Commissioner Hagen moved to remove the county subdivisions of Brookridge North and Middletown South and the miscellaneous lots along Bidle Road from the community growth area and a zoning classification of Rural Residential would be applied. Commissioner Gardner seconded the motion that passed 4-0.

Myersville

Commissioner Hagen moved to include Tax Map 37, Parcels 71 and 204 in the community growth boundary; land use designation of LDR and zoned A with PS on the water and sewer map. Commissioner Gray seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Commissioner Thompson moved to take those portions of Tax Map 45, Parcel 10 that are not in the town out of the growth boundary. Commissioner Gray seconded the motion that failed 2-2 with Commissioners Gardner and Hagen opposed.

New Market

The Board reviewed the bypass requested by the town.

Walkersville

The Board reviewed comments from the Walkersville officials.

Development Capacity Reports Revise from Versions Presented on February 2, 2010.

Staff reviewed the Industrial/Employment Development and the Residential Needs and Development Capacity Analysis reports with the Board.

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Approach to Finalizing Water Resources Element

Staff reviewed how the Water Resources Element would be finalized.

Discussion on the additional option related to the Open Space Recreation/Institutional Euclidean text amendment.

Michael Chomel, County Attorney's Office, commented on the text amendment. It was indicated it would be discussed further at the Thursday, March 4, 2010, Board meeting.

COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS (3 MINUTE PRESENTATION)

- Anne Rollins, Esquire, Miles and Stockbridge
- Daria Steinhardt, President/CEO, Frederick County YMCA
- George Guevara, Executive Director of the Green Valley Branch of the Frederick County YMCA
- Eric Ireland, Chief Operating Officer, Frederick County YMCA
- Steve Yinger
- Noel Manalo, Esquire, Miles and Stockbridge

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 12:45 p.m.

Patricia A. Morrow
Recording Secretary