

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, SEPTEMBER 10, 2009**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, September 10, 2009, at 9:45 a.m. Present were Commissioners David Gray, *Vice President*; Kai Hagen and Charles Jenkins. Also present were Ron Hart, County Manager and Mary Baker, Recording Secretary. Commissioner John L. Thompson, Jr. 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.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.

PLEDGE OF ALLEGIANCE

The meeting began with the Pledge of Allegiance.

COMMISSIONERS COMMENTS

Commissioner Jenkins wished to extend a personal condolence to the Ogg family for the passing of Brenda Ogg of D.W. Ogg Equipment Company, supporter of 4-H and Future Farmers of America organizations.

Commissioner Gardner noted the September 11 tribute would begin at noon today in the first floor hearing room of Winchester Hall.

CONSENT AGENDA

BUDGET TRANSFER

1. #BT-10-036, Circuit Court

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

WORKSESSION

Preparedness Month Proclamation

Commissioner Gardner presented the proclamation.

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ADMINISTRATIVE BUSINESS

**Bid Protest Decision – Bid No. 0-CP-66, Public Safety Training Facility – Wendy
Kearney, Office of the County Attorney**

(Commissioner Hagen left the meeting.)

Ms. Kearney presented information regarding the bid protest decision, which on August 18, 2009, Commissioner Thompson moved to have the Board authorize and direct Ms. Kearney to prepare a memo of decision to deny the bid protest.

(Commissioner Hagen entered the meeting.)

Commissioner Gray moved approval of the memo of decision as presented. Commissioner Hagen seconded the motion that passed 3-0-1 with Commissioner Thompson absent and Commissioner Jenkins abstaining.

(Commissioner Hagen left the meeting.)

**Resolution to Delegate Authority to Division Directors for Emergency Preparedness
Agreements - Jack Markey, Emergency Management Division**

Mr. Markey presented the proposed resolution that would delegate authority to division directors to enter into emergency preparedness mutual aid agreements and memorandum of understanding with jurisdictions, agencies and authorities within the National Capital Region.

Ron Hart, County Manager, recommended language be added to the resolution stating the final documents must come before the Board for final approval.

Commissioner Gray moved approval of the Resolution #09-31 as presented. Commissioner Jenkins seconded the motion that passed 3-0 with Commissioners Hagen and Thompson absent.

(A copy of Resolution #09-31 can be obtained in the County Manager's Office or from the county's website, www.co.frederick.md.us)

**Mutual Aid Memorandum of Agreement (MMA) - Department of the Army, Raven Rock
Mountain Complex - Jack Markey, Emergency Management Division**

Mr. Markey presented the proposed resolution and MMA that would provide mutual response for fire prevention and the protection of life and property in the event of an emergency. Commissioner Jenkins moved approval of the MMA and Resolution #09-32 as presented. Commissioner Gray seconded the motion that passed 3-0 with Commissioners Hagen and Thompson absent.

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(A copy of Resolution #09-32 can be obtained in the County Manager's Office or from the county's website, www.co.frederick.md.us)

DIRECTOR'S REPORT – Jack Markey, Emergency Management Division

(Commissioner Hagen entered the meeting.)

Mr. Markey presented his report on the activities taking place within his division.

COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

CLOSED SESSION

Commissioner Gray moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Hagen seconded the motion that passed 4-0 with Commissioner Thompson absent.

ADJOURN

The meeting adjourned at 11:12 a.m.

Mary E. Baker
Recording Secretary

(NOTE: Please refer to the minutes of Thursday, April 15, 2010, for the corrections made to the minutes regarding the Mutual Aid Memorandum of Agreement (MMA) - Department of the Army, Raven Rock Mountain Complex agenda item.)

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, SEPTEMBER 10, 2009**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Gray moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Hagen seconded the motion that passed 4-0 with Commissioner Thompson absent.

Topic to be Discussed:

To discuss the possible acquisition of real property in Frederick County for park purposes.

Mary E. Baker
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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, SEPTEMBER 10, 2009,
FOLLOWING THE CLOSED MEETING OF THURSDAY, SEPTMEBER 10, 2009**

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Others in Attendance:

J. Mathias, R. Hart, M. Chomel, C. Chamberlain, P. Dial, G. Hessong, B. Hicks, M. Marschner, E. Soter, M. Wilkins, M. Baker

Topic Discussed:

The possible acquisition of real property in Frederick County for park purposes.

Actions Taken:

The Board gave appropriate direction to staff.

Mary E. Baker
Recording Secretary

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