

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR TUESDAY, MARCH 30, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, March 30, 2010, at 8:35 a.m. Present were Commissioners David Gray, *Vice President*; Kai Hagen, John L. Thompson, Jr., and Blaine Young. Also present were Ron Hart, County Manager and Mary Baker, 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](http://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.

**COMMISSIONERS COMMENTS**

None.

**WORKSESSION**

**Child Abuse Awareness Month Proclamation**

Commissioner Gardner presented the proclamation.

**Month of the Young Child Proclamation**

Commissioner Hagen presented the proclamation.

**Parks and Recreation Fee Revisions - Paul Dial, Earl Eyler and Jeremy Kortright, Parks and Recreation Division**

Mr. Dial, Mr. Eyler and Mr. Kortright presented the fee revisions.

There was no public comment.

Commissioner Gray moved approval of the proposed fee revisions to be effective July 1, 2010, for exclusive use. Commissioner Young seconded the motion that passed 5-0.

**Resolution of Support for the Maryland Economic Development Assistance and Authority Fund (MEDAAF) Conditional Grant Award - Laurie Boyer, Economic Development Division**

Ms. Boyer presented the proposed resolution.

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There was no public comment.

Commissioner Hagen moved approval of the proposed resolution and letter as presented. Commissioner Young seconded the motion that passed 4-1 with Commissioner Thompson opposed.

(A copy of Resolution #10-05 can be obtained in the County Manager's Office or from the county's website, [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov))

**Lehigh Cement Company - Contract of Purchase, Sale and Deed for Mineral and Development Rights - Wendy Kearney, Office of the County Attorney**

Ms. Kearney presented the contract of purchase, sale and deed.

Public comment was taken from:

- David Severn, Esquire, Severn, O'Connor and Kresslein

Commissioner Thompson moved to take the approval of the contract to public hearing, striking the paragraph, "Together with the right of ingress and egress at all times for the purpose of mining, drilling, exploring, operating and developing the Buckey Farm for oil, gas, limestone and other minerals and transporting and marketing the same therefrom." Commissioner Young seconded the motion that passed 5-0.

**Revisions to the Frederick County Code to Comply with Maryland Stormwater Management Act of 2007 - Kathy Hall, Permitting and Development Review Division**

Betsy Smith, Permitting and Development Review Division, and Ms. Hall presented the revisions.

Public comment was taken from:

- Jeremy Holder

Commissioner Thompson moved to take the proposed ordinance to public hearing on April 20, 2010. Commissioner Gray seconded the motion that passed 5-0.

Commissioner Gardner moved to adopt option 2 as outlined in the staff report and to have further discussion on what would come from the legislative session, including options for grandfathering certain provisions. Commissioner Hagen seconded the motion that passed 5-0.

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**Appointments/Reappointments to Boards/Commissions and Committees - Joyce  
Grossnickle, Office of the County Manager**

Solid Waste Advisory Committee

Public comment was taken from:

- David Dunn, Chairman, Solid Waste Advisory Committee

Commissioner Hagen moved to support the recommendations to appoint Ms. Amanda Foster to serve as the business/high-tech/financial representative to fill a term to expire September 30, 2010, and to appoint Alderman Shelley Aloï to serve as the municipality representative to fill a term to expire September 30, 2010. The motion failed due to lack of a second.

Commissioner Hagen moved to appoint Alderman Shelley Aloï to serve as the municipality representative to fill a term to expire September 30, 2010. Commissioner Gardner seconded the motion that passed 5-0.

Commissioner Hagen moved to appoint Ms. Amanda Foster to serve as the business/high-tech/financial representative to fill a term to expire September 30, 2010. The motion failed due to lack of a second.

Staff was directed to advertise again for the business/high-tech/financial representative.

Affordable Housing Council

There was no public comment.

Commissioner Hagen moved to appoint Pastor David Ochoa to fill a term to expire June 30, 2011; Ms. Kathy Rossen to fill a term to expire June 30, 2010, and for a three-year term to become effective July 1, 2010, and expire June 30, 2013; and Mr. Ryan Trout to fill a term to expire June 30, 2012. Commissioner Gray seconded the motion that passed 5-0.

**ADMINISTRATIVE BUSINESS**

**Discussion of Waiver for Maintenance of Effort for Frederick County Board of  
Education - John Kroll and Mike Gastley, Finance Division**

John Mathias, County Attorney, and Mr. Kroll presented information regarding the maintenance of effort (MOE).

Public comment was taken from:

- Dr. Linda Burgee, Frederick County Public Schools (FCPS)
- Katie Groth, Board of Education (BOE)

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- Gary Brennan, Frederick County Teachers Association

Commissioner Hagen moved to not send the letter requesting the MOE waiver for this fiscal year. Commissioner Gardner seconded the motion that failed 2-3 with Commissioners Gray, Thompson and Young opposed.

Commissioner Gray moved to apply for the MOE waiver in the amount of \$4.6 million dollars. Commissioner Thompson seconded the motion that passed 3-2 with Commissioners Gardner and Hagen opposed.

**COMMISSIONERS COMMENTS**

None.

**PUBLIC COMMENTS**

None.

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 1:30 p.m.

Mary E. Baker  
Recording Secretary