

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR TUESDAY, APRIL 27, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, April 27, 2010, at 8:30 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)

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 Hagen noted he attended the J Bar W Ranch Earth Day event this past weekend.

Commissioner Gardner commented on the BIG Sweep project this past weekend; she also noted she attended the ribbon cutting ceremony for restoration of the Catoctin Creek Aqueduct.

WORKSESSION

Goodwill Industries Week Proclamation

Commissioner Hagen presented the proclamation.

Correctional Officers Week Proclamation

Commissioner Thompson presented the proclamation.

Proposed Frederick County Resolution Adopting Greater Washington 2050 Compact - David Robertson, Metropolitan Washington Council of Governments

Mr. Robertson presented the proposed resolution.

There was no public comment.

Commissioner Gray moved approval of the proposed resolution as presented. Commissioner Hagen seconded the motion that passed 5-0.

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(A copy of the approved/adopted resolution can be obtained in the County Manager's Office or from the county's website, www.FrederickCountyMD.gov)

The City of Frederick Annexation - Sanner Property - John Dimitriou, Planning Division

Mr. Dimitriou and Joe Atkins, City of Frederick, presented information regarding the annexation.

There was no public comment.

Commissioner Hagen moved approval of staff's recommendation finding the City of Frederick's (City) R-4 zone substantially different than the County's agriculture zone, but granting the City expressed approval of their zoning. Commissioner Young seconded the motion that passed 3-2 with Commissioners Gray and Thompson opposed.

Commissioner Thompson moved to amend the motion to make the waiver conditional upon the City filing a notice of dismissal with prejudice. The motion did not receive a second.

Special Events Ordinance - Marc McNeal, Fire and Rescue Services Division

Mr. McNeal presented the proposed ordinance.

Public comment was taken from:

- Karen Norman, Downtown Frederick Partnership

(Commissioner Thompson left the meeting.)

(Ron Hart left the meeting.)

(Commissioner Thompson re-entered the meeting.)

Staff was directed to include language within the ordinance clarifying specific language representing expectations, to better define when a permit would be needed, and to find out what each municipality within the county currently had in place.

Commissioner Thompson moved to strike the provision allowing appeals to the Board. This motion was approved by consensus.

Staff was directed to clarify road closures, notifications and public safety issues, and take the revised draft ordinance (including the changes as noted today) to a joint BOCC/County Municipalities meeting.

Commissioner Thompson moved to indefinitely postpone this item. The motion did not receive a second.

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There was Board consensus for staff to come back before the Board to present a revised draft ordinance once all the above changes were made.

ADMINISTRATIVE BUSINESS

Revisions to the Frederick County Code to Comply with the Maryland "Stormwater Act of 2007" - Kathy Hall and Betsy Smith, Permitting and Development Review Division and Kathy Mitchell, Office of the County Attorney

Ms. Smith, Ms. Hall and Ms. Mitchell presented the revisions.

Public comment was taken from:

- Jeremy Holder, Frederick County Builders Association
- David Severn, Esquire, Severn, O'Connor & Kresslein

There was consensus to use the date of conditional approval by the Frederick County Planning Commission as the date of approval.

There was consensus in the case of a Type 2 or Type 3 site plan to use the date of signature of the site plan by staff as the date of approval.

Commissioner Thompson moved not to grant any extensions of administrative waivers to the tax increment financing program projects. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Hagen opposed.

There was consensus to not accept #7, Appeals on page 5.

There was consensus to send the draft to Maryland Department of the Environment for final review.

COMMISSIONERS COMMENTS

Commissioner Gardner reviewed rules she wished to establish for the Board's meetings.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

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ADJOURN

The meeting adjourned at 2:20 p.m.

Mary E. Baker
Recording Secretary