

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR TUESDAY, MAY 4, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, May 4, 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

The Board congratulated Pat Rockinberg on winning the mayoral election in the Town of Mount Airy.

WORKSESSION

Police Week Proclamation

Commissioner Young presented the proclamation.

Older Americans Month Proclamation

Commissioner Gray presented the proclamation.

Asian/Pacific American Heritage Month Proclamation

Commissioner Gardner presented the proclamation.

Earth Day - Choose 5 Challenge Contest Drawing - Hilari Varnadore, Office of Environmental Sustainability

The Board drew names of various people who participated in the Choose 5 Challenge. Each person selected for the drawing received a free sustainability gift.

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PUBLIC HEARING

Euclidean Institutional and Euclidean Open Space Recreation Text Amendment (#ZT-10-01) – Eric Soter and Shawna Lemonds, Planning Division

A public hearing was held, as duly advertised, on the proposed Euclidean Institutional and Euclidean Open Space Recreation Text Amendment #ZT-10-01.

Mr. Soter and Ms. Lemonds presented the proposed text amendment.

Public comment was taken from:

- Ashley Mancinelli, Esquire, Severn, O'Connor and Kresslein
- David Severn, Esquire, Severn, O'Connor and Kresslein
- Carole Sepe

Commissioner Hagen moved approval to add language where necessary in order to clarify residential treatment center in conjunction with a private school. Commissioner Young seconded the motion that passed 4-1 with Commissioner Thompson opposed.

Commissioner Gray moved approval of the proposed ordinance and Option 1 as outlined in the staff report, to be effective on May 14, 2010. Commissioner Thompson seconded the motion that failed 2-3 with Commissioners Gardner, Hagen and Young opposed.

Commissioner Hagen moved approval of the proposed ordinance and Option 2 as outlined in the staff report, including the lot size minimum of five-acres, to be effective May 14, 2010. Commissioner Young seconded the motion that passed 4-1 with Commissioner Thompson opposed.

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

ADMINISTRATIVE BUSINESS

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

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

Commissioner Young moved to take public comment on this item. Commissioner Hagen seconded the motion that failed 3-2 with Commissioners Gray and Thompson opposed, noting it would take four votes to allow public comment.

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Commissioner Gray moved to take the revisions made by the Maryland Department of the Environment reflected in Exhibit 2, as presented today, to public hearing scheduled for May 20, 2010, at the end of the Board's morning meeting. Commissioner Hagen seconded the motion that passed 5-0.

Commissioner Thompson moved to pick up the tabled motion from the Board meeting on April 20, 2010, to approve Exhibit 1 including the proposed ordinance. Commissioner Gray seconded the motion that passed 5-0.

Commissioner Gray amended the motion to provide direction to staff to process applications in accordance with Exhibit 2, with the understanding that nothing would be approved until Exhibit 2 passed. Commissioner Hagen seconded the amendment.

Commissioner Thompson requested to separate the motion to provide direction to staff to process applications in accordance with Exhibit 2, with the understanding that nothing would be approved until Exhibit 2 passed. The motion passed 5-0.

The motion placed back before the Board from April 20, 2010, to take effect today, passed 4-1 with Commissioner Young opposed.

WORKSESSION

**Mixed Use Euclidean and Highway Service Zoning Districts Draft Text Amendment -
Eric Soter and Shawna Lemonds, Planning Division**

Mr. Soter and Ms. Lemonds presented the proposed text amendment.

There was no public comment.

No action was taken by the Board.

COMMISSIONERS COMMENTS

Commissioner Young noted next Tuesday, May 11, 2010, he would be on a field trip to the Catoctin Zoo with his son's class.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

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ADJOURN

The meeting adjourned at 12:15 p.m.

Mary E. Baker
Recording Secretary