

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY
MEETING MINUTES FOR TUESDAY, AUGUST 3, 2010

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, August 3, 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 Barry Stanton, Assistant 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

None.

WORKSESSION

Presentation of Certificate of Achievement for Excellence in Financial Reporting

The Board presented the Certificate of Achievement for Excellence in Financial Reporting to the Finance Division.

ADMINISTRATIVE BUSINESS

Decision on Changes to Drug Testing Rules for Employees Covered by Federal Transit Administration (FTA) Regulations (Public Hearing Held 7/20/2010) – Mitch Hose and Kristin Brandenburg, Human Resources Division

Commissioner Gray moved to adopt the resolution that would change the drug testing rules for employees covered by FTA regulations. Commissioner Hagen seconded the motion that passed 5-0 noting the effective date of the resolution would be September 1, 2010.

(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.)

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Amending Resolution Regarding the Urbana Community Development Authority (CDA)
– Jim Cumbie, Esquire, Venable LLP (County Bond Counsel) and John Kroll, Finance
Division

Mr. Cumbie and Mr. Kroll presented the proposed amending resolution regarding the Urbana CDA.

Commissioner Gray moved to approve the resolution that would clarify the terms of issuance of previously authorized bonds for the Urbana CDA. Commissioner Hagen seconded the motion that passed 4-1 with Commissioner Thompson opposed.

(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.)

WORKSESSION

FY 2011 Maryland Agricultural Land Preservation Fund (MALPF) Easement Acquisition
Program – Tim Blaser and Anne Bradley, Planning Division

Mr. Blaser and Ms. Bradley briefed the Board on the 21 applications received for the FY 2011 MALPF easement acquisition program. It was indicated there were seven (7) applications that have current critical farm options.

There were no public comments.

Commissioner Gray moved to forward the top five ranked properties and the ninth and eleventh ranked properties to public hearing and to MALPF for appraisals. Commissioner Hagen seconded the motion that passed 4-1 with Commissioner Young opposed.

Restricted Use of Mobile Communications Devices While Driving – Mike Beard, Finance
Division

Mr. Beard presented a proposed policy restricting employee use of mobile communication devices while driving.

Comments were heard from: Austin Abraham, Management Services Division; Gary Hessong, Bob Ensor and Rick Masser, Permitting and Development Review Division; and Paul Dial, Parks and Recreation Division.

There were no public comments.

Staff was directed to bring back to the Board a revised policy for their consideration.

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Planned Development Districts (PDD) and Mixed Use (MX) (Euclidean) Zoning Districts
(Draft Text Amendment) – Eric Soter and Shawna Lemonds, Planning Division

Mr. Soter and Ms. Lemonds briefed the Board on changes that have been made to the proposed PPD and MX zoning districts.

The Board suggested several changes be made to the proposed text amendments and directed staff to come back one more time before taking the text amendment to public hearing.

Public comment was heard from:

- Mark Friis, Rodgers Consulting, Inc.
- Scott Miller, Esquire, Weinberg and Miller

Commissioner Gray suggested requiring a super majority approval for text amendments.

Michael Chomel, Office of the County Attorney, commented on the request.

COMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 11:30 a.m.

Patricia A. Morrow
Recording Secretary