

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
**MEETING MINUTES FOR TUESDAY, JUNE 1, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, June 1, 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 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](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.

**COMMISSIONER COMMENTS**

Commissioner Hagen commented on his recent trip to Minnesota.

**WORKSESSION**

**Appointments to Frederick County Boards and Commissions – Joyce Grossnickle, Office of the County Manager**

**Solid Waste Advisory Committee**

There was no public comment.

Commissioner Gray moved to appoint Ms. Karin Tome to fill a term to expire September 30, 2010. Commissioner Hagen seconded the motion that passed 5-0.

**Adoption of the Fiscal Year (FY) 2011 Operating and Capital Budgets by Ordinance (Public Hearings Held 5/4/10 and 5/6/10) – Mike Gastley, Finance Division**

- **General Fund**

**Special Revenue Funds:**

- Frederick County Public Library Fund
- Grants Fund
- Nursing Home Construction Fund
- Parks Acquisition & Development Fund
- Development Road Improvement Fund (Building Excise Tax)
- Hotel Rental Tax Fund
- Fire & Rescue Special Taxing Districts (Urban and Suburban)
- Agricultural Preservation Fund
- Impact Fee Fund

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Economic Development Loan  
Electric Lighting Special Taxing Districts (Braddock Heights, Libertytown, and New Addition)  
Housing Initiatives Fund  
School Construction Fund  
Non-Profit Organization Loan

**Enterprise Funds:**

Citizens Nursing Home Fund  
Montevue Home Fund  
Bell Court Housing Fund  
Permitting & Development Review Fund  
Solid Waste Management Fund  
Water and Sewer Fund

**Internal Service Funds:**

Fleet Services Fund  
Voice Services Fund

Commissioner Gray moved to approve the FY 2011 Operating Budget as presented. Commissioner Hagen seconded the motion that passed 3-2 with Commissioners Thompson and Young opposed.

(A copy of the approved/adopted ordinance can be obtained in the County Manager's Office or from the county's website, [www.co.frederick.md.us](http://www.co.frederick.md.us))

It was indicated a discussion would be held at a later date regarding the Board of County Commissioners' expense accounts.

**FY 2011 Capital Budget**

Commissioner Gray moved to adopt the FY 2011 Capital Budget as presented. Commissioner Hagen seconded the motion that passed 5-0.

(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](http://www.FrederickCountyMD.gov))

**Approval of FY 2011 – 2016 Capital Improvements Program**

Commissioner Hagen moved to approve the FY 2011-2016 Capital Improvements Program. Commissioner Gray seconded the motion that passed 5-0.

**COMMISSIONER COMMENTS**

None.

**PUBLIC COMMENTS**

None.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
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**QUESTIONS – PRESS**

None.

**CLOSED SESSION**

Commissioner Hagen moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508 (7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Gray seconded the motion that passed 5-0.

**ADJOURN**

The meeting adjourned at 9:15 a.m.

Patricia A. Morrow  
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
**MEETING MINUTES FOR TUESDAY, JUNE 1, 2010**

**FORM OF STATEMENT FOR  
CLOSING THE MEETING OF TUESDAY, JUNE 1, 2010**

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

**Motion:**

Commissioner Hagen moved to go into closed session in accordance with Maryland Annotated Code State Government Article §10-508(a)(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Gray seconded the motion that passed 5-0.

**Time and Location:**

9:15 a.m. – Third Floor Meeting Room, Winchester Hall

**Topic to be Discussed:**

To discuss with the County Attorney and other staff the possible resolution of a potential administrative proceeding.

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Patti Morrow  
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
**MEETING MINUTES FOR TUESDAY, JUNE 1, 2010**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING  
ON TUESDAY, JUNE 1, 2010  
FOLLOWING THE CLOSED MEETING OF TUESDAY, JUNE 1, 2010**

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

**Motion:**

Commissioner Hagen moved to go into closed session at in accordance with Maryland Annotated Code State Government Article §10-508(a)(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Gray seconded the motion that passed 5-0.

**Time and Location:**

9:15 a.m. – Third Floor Meeting Room, Winchester Hall

**Others in Attendance:**

R. Hart, J. Mathias, B. Stanton, D. Ennis, R. Santangelo and P. Morrow.

**Topic Discussed:**

To discuss with the County Attorney and other staff the possible resolution of a potential administrative proceeding.

**Action Taken:**

The Board directed staff to draft a letter to express concerns regarding the issue and as an alternative offer a settlement payment.

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Patti Morrow  
Recording Secretary