

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, JULY 15, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, July 15, 2010, at 9:55 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 Thompson questioned where his paperwork was for his full government retirement pension as advertised on the radio last week.

AGENDA BRIEFING

Staff briefed the Board on the following public hearing item scheduled for:

Tuesday, July 20, 2010, at 8:30 a.m.

- Changes to Drug Testing Rules for Employees Covered by Federal Transit Administration Regulations - Mitch Hose and Kristin Brandenburg, Human Resources Division

CONSENT AGENDA

BID AWARDS

1. Purchasing Memo #11-04 – Non-Emergency Transportation Services for Medical Assistance
Award to: First Choice: Ambulatory/Wheelchair and Ambulance – Butler Medical Transport, LLC
Backup: Ambulatory/Wheelchair – Para-Med Medical Transportation, Inc.
Ambulance – County Medical Transport, Inc.
Award amount: Various rates

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2. Purchasing Memo #11-05 – Health Department Family Planning, Sexually Transmitted Infection (STI) and Colposcopy Services
Award to: Planned Parenthood of Maryland, LLC
Estimated award amount: \$260,000

BUDGET TRANSFER

1. #BT-10-198 – Department of Solid Waste Management, Utilities and Solid Waste Management Division

BUDGET TRANSFERS

1. #BT-10-199, Housing, Citizens Services Division
2. #BT-10-200, Frederick County Public Libraries
3. #BT-10-201, Head Start, Citizens Services Division

BOARD OF EDUCATION (BOE) EXPENSE FUND AMENDMENTS

Current Expense Fund Amendments

1. #4-10
2. #5-10

School Construction Expense Fund Amendment

1. #10-14 and BT-10-197

GRANTS

1. Maryland Summer Youth Connection Program FY 2011 - Laurie Holden, Economic Development Division
2. Workforce Investment Act (WIA) FY 2011 Supplemental Youth Allocations - Laurie Holden, Economic Development Division
3. Rapid Response/Early Intervention FY 2011 Grant - Laurie Holden, Economic Development Division

Commissioner Thompson requested a separate vote on Grant #2 and Grant #3.

Commissioner Gray moved approval of the consent agenda as presented with the exception of Grant #2 and Grant #3. Commissioner Hagen seconded the motion that passed 5-0.

Commissioner Gray moved approval of Grant #2 and Grant #3 as presented. Commissioner Hagen seconded the motion that passed 4-1 with Commissioner Thompson opposed.

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ADMINISTRATIVE BUSINESS

**Acceptance of Repayment from Emergent Biosolutions Inc. – John Mathias, Office of
the County Attorney**

Mr. Mathias and Laurie Boyer, Economic Development Division, presented the termination of development agreement between Frederick County and Emergent Biologics, Inc., noting both parties agreed to the repayment of \$250,000 to the county.

Commissioner Young moved approval of the agreement and repayment as presented.
Commissioner Hagen seconded the motion that passed 5-0.

**Bid Award - Purchasing Memo #10-213, Renew Sole Source Environmental Systems
Research Institute Geographic Information Systems – Hal Good, Finance Division**

Mr. Good and Marshall Stevenson, Interagency Information Technologies, presented the proposed purchasing memo.

Commissioner Gray moved approval of Purchasing Memo #10-213 as presented.
Commissioner Hagen seconded the motion that passed 4-1 with Commissioner Thompson opposed.

**Bid Award - Purchasing Memo #10-243, Approval of Contract for Speech Language
Therapy Services for the Developmental Center with Randi Dvoskin – Hal Good,
Finance Division**

Mr. Good and Dr. Monica Grant, Health Services Division, presented the proposed purchasing memo.

Commissioner Hagen moved approval of Purchasing Memo #10-243 as presented.
Commissioner Gray seconded the motion that passed 4-1 with Commissioner Thompson opposed.

**Bid Award - Purchasing Memo #11-01, Sole Source Purchase from Fritch Corporation
for Lock-a-Shelf DVD Shelving – Hal Good, Finance Division**

Mr. Good and Darrell Batson, Frederick County Public Libraries, presented the proposed purchasing memo.

Commissioner Gray moved approval of Purchasing Memo #11-01 as presented.
Commissioner Hagen seconded the motion that passed 5-0.

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**Bid Award - Purchasing Memo #11-02, Forensic Nurse Services to Child Advocacy
Clients – Hal Good, Finance Division**

Mr. Good and Margaret Nusbaum, Citizens Services Division, presented the proposed purchasing memo.

Commissioner Gray moved approval of Purchasing Memo #11-02 as presented including the two subsequent one-year renewals. Commissioner Young seconded the motion that passed 4-1 with Commissioner Thompson opposed.

**Forest Resource Ordinance Easement Encroachment Agreement - Catoctin Meadows
Subdivision - Mike Wilkins, Permitting and Development Review Division and Kathy
Mitchell, Office of the County Attorney**

Mr. Wilkins and Ms. Mitchell presented the proposed agreement that would allow for well exploration with potential forest clearing estimated not to exceed 0.75 acres.

Commissioner Gray moved approval of the agreement as presented. Commissioner Young seconded the motion that passed 4-1 with Commissioner Thompson opposed.

**Maryland Department of Agriculture Noxious Weed Control Agreement - Kelly Weaver,
Finance Division**

Mike Gastley, Finance Division, presented the proposed agreement.

Mr. Gastley requested this item be placed on the consent agenda from this point forward.

Pete Rupp, Maryland Department of Agriculture, presented information regarding the agreement.

Commissioner Young moved approval of the agreement as presented including to add this item to the consent agenda from this point forward. Commissioner Hagen seconded the motion that passed 5-0.

WORKSESSION

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

Workforce Development Board

There was no public comment.

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Commissioner Gray moved to appoint Mr. Ricardo Vera to serve a four-year term to expire June 30, 2014; Mr. Mike Bowersox and Ms. Nikki Moberly to serve four-year terms to expire June 30, 2014. Commissioner Young seconded the motion that passed 5-0.

Historic Preservation Commission

There was no public comment.

Commissioner Gray moved to appoint Mr. Nicholas Redding to serve a three-year term to expire June 30, 2013. Commissioner Hagen seconded the motion that passed 5-0.

**Budget Transfer #BT-11-003 – Water and Sewer, Utilities and Solid Waste Management
Division – Mike Gastley, Finance Division**

Mr. Gastley noted this budget transfer was included in today's agenda package, but was not listed on the consent agenda and requested the Board's approval.

Commissioner Gray moved approval of #BT-11-003 as presented. Commissioner Hagen seconded the motion that passed 5-0.

ADMINISTRATIVE BUSINESS

**Applications to the US Environmental Protection Agency Climate Showcase
Communities Grant Program, Frederick County Green Homes Challenge Initiative –
Lisa Orr, Office of Environmental Sustainability**

Ms. Orr presented information regarding the grant program.

Commissioner Hagen moved approval to submit the grant application. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Thompson opposed.

CLOSED SESSION

Commissioner Gray moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Hagen seconded the motion that passed 5-0.

COMMISSIONERS COMMENTS

None.

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PUBLIC COMMENTS

- Bill Ashton

QUESTIONS - PRESS

None.

ADJOURN

The meeting adjourned at 11:40 a.m.

Mary E. Baker
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, JULY 15, 2010**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Gray moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Hagen seconded the motion that passed 5-0.

Time and Location:

11:41 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss the terms of a contract to acquire property for a road project.

Mary Baker
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, JULY 15, 2010,
FOLLOWING THE CLOSED MEETING OF THURSDAY, JULY 15, 2010**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Gray moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Hagen seconded the motion that passed 5-0.

Time and Location:

11:41 a.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

R. Hart, B. Stanton, J. Mathias, C. Chamberlain, R. Shen, J. Stitt and M. Baker.

Topic Discussed:

To discuss the terms of a contract to acquire property for a road project.

Action Taken:

The Board approved staff's recommendations.

Mary Baker
Recording Secretary