

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
**MEETING MINUTES FOR TUESDAY, AUGUST 31, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, August 31, 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).)*

**PLEDGE OF ALLEGIANCE**

The meeting began with the Pledge of Allegiance.

**COMMISSIONER COMMENTS**

None.

**WORKSESSION**

**Preparedness Month Proclamation**

The Board proclaimed September as Preparedness Month.

**ADMINISTRATIVE BUSINESS**

**Final Briefing of the Frederick County Government FY 2007 – 2011 Strategic Plan – Barry Stanton, Assistant County Manager and Frederick County Government Division Directors**

Mr. Stanton and Ragen Cherney, Office of the County Manager, provided an overview and status report on the progress the division directors and the county attorney had made on each goal and objective from April 2007 through August 2010.

The division directors presented the Board with a certificate of recognition for completing 42 of 44 objectives reflected in the strategic plan.

This item was for information and no action was taken.

**2011 Legislative Considerations – John Mathias, Office of the County Attorney and Ragen Cherney, Office of the County Manager**

Mr. Mathias and Mr. Cherney presented the FY 2011 legislative items for consideration. Commissioner Thompson moved to request compensation from a property owner whose property had been rezoned. Commissioner Gardner seconded the motion that passed 3-2 with Commissioners Gray and Young opposed.

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Sheriff Chuck Jenkins commented on the proposed legislation regarding granting of authority to the Frederick County Sheriff's Office to issue a right to carry firearm permit in Frederick County.

Commissioner Young proposed legislation regarding tax differential. It was indicated the proposal would be discussed at a future meeting.

The Board voted to take the following items to public hearing on Tuesday, October 5, 2010:

1. Revision to inmate fees for the Frederick County Adult Detention Center (requested by the Frederick County Sheriff's Office).
2. Count of students whose lawful presence within the United States cannot be reasonably documented.
3. Constitutional amendment to prohibit "economic development" takings.
4. Use of electronic tolls to fund roadway improvements.
5. Compensation for diminution in property value directly attributable to down zoning and establishment of a local property value assessment board.
6. Compensation to the Treasurer of Frederick County, Maryland, for increase in property value resulting from a rezoning request by a property owner.
7. Granting authority to the Sheriff of Frederick County to issue a right to carry firearm permit.
8. Board of Elections – Membership (requested by the Board of Elections).
9. Requiring Frederick County Government to abide by specific regulations and ordinances prior to the placement of a solid waste system (constituent request).
10. Increase in the marriage license fee (requested by Heartly House, Inc.).
11. Mandatory beverage container deposit/return system.
12. Reduced state property tax for agricultural land.
13. Increase in liquor license applications fees and request for liquor license application processing fee (requested by the Board of Liquor License Commissioners).

The Board requested to add the following two (2) position statements to the package:

- The state school construction funding for Frederick County should exceed the state government economic assistance for foreign (out of state) business entities; and
- The distribution of plastic bags should be banned in Frederick County.

The following issues were also proposed for inclusion in the 2011 Legislative Package and would be discussed, with public comment invited, at the Thursday, October 7, 2010, public hearing:

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- Maryland Civil Rights Amendment to the Declaration of Rights.
- Constitutional Convention regarding those in the United States unlawfully.
- Mid-Atlantic Compact on economic development incentives.
- Maryland Partial Birth Abortion Ban Act.

**Gypsy Moth Survey Cost Share with State – Mike Gastley, Finance Division**

Tom Lupp, Central Regional Entomologist, Maryland Department of Agriculture, participated in the discussion.

Commissioner Gray moved to deny any county funding for the gypsy moth surveying of non-state owned land. Commissioner Young seconded the motion that passed 5-0.

**COMMISSIONER COMMENTS**

None.

**PUBLIC COMMENTS**

- Bill Ashton
- Charles Jenkins

**QUESTIONS – PRESS**

None.

**CLOSED SESSION**

Commissioner Gray moved to go into closed session according to 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.

**ADJOURN**

The meeting adjourned at 12:25 p.m.

Patricia A. Morrow  
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
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**FORM OF STATEMENT FOR  
CLOSING THE MEETING OF TUESDAY, AUGUST 31, 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:**

12:25 p.m. – Third Floor Meeting Room, Winchester Hall

**Topic to be Discussed:**

To discuss acquisition of property for a safety facility.

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Patricia Morrow  
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY**  
**MEETING MINUTES FOR TUESDAY, AUGUST 31, 2010**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING  
ON TUESDAY, AUGUST 31, 2010,  
FOLLOWING THE CLOSED MEETING OF TUESDAY, AUGUST 31, 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:**

12:25 p.m. - Third Floor Meeting Room, Winchester Hall

**Others in Attendance:**

J. Mathias, W. Kearney, B. Stanton, T. Meunier, D. Grossweiler, C. Chamberlain, S. Leatherman, and P. Morrow.

**Topic Discussed:**

To discuss acquisition of property for a safety facility.

**Action Taken:**

The Board directed staff to provide a counteroffer regarding the acquisition of property for a safety facility and authorized the execution of a letter of interest.

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Patricia Morrow  
Recording Secretary