

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, SEPTEMBER 30, 2010

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, September 30, 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.)

PLEDGE OF ALLEGIANCE

The meeting began with the Pledge of Allegiance.

COMMISSIONERS COMMENTS

None.

AGENDA BREIFING

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

Tuesday, October 5, 2010, at 7:00 p.m.

- 2011 Legislative Considerations (Frederick County Issues) - John Mathias, Office of the County Attorney and Ragen Cherney, Office of the County Manager

Thursday, October 7, 2010, at 7:00 p.m.

- 2011 Legislative Considerations (State Issues) - John Mathias, Office of the County Attorney and Ragen Cherney, Office of the County Manager

CONSENT AGENDA

BID AWARDS

1. Purchasing Memo #11-49 – Family Partnership of Frederick County for Youth Training Program (RFP #10-32)
Award to: Family Partnership of Frederick County
Award amount: \$109,742.00
2. Purchasing Memo #11-50 – Bid Award # 11-CP-54, Point of Rocks Water Meter Replacement Contract No. 329-W
Award to: Rivers Construction Group, Ltd.
Award amount: \$108,424.50

BUDGET TRANSFER

1. #BT-11-036, Family Partnership, Citizens Services Division

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GRANTS

1. Community Foundation Grant Application for the Child Advocacy Center - Joy Rowe, Citizens Services Division
2. Community Foundation Grant Application for Head Start - Pat Rosensteel, Citizens Services Division
3. Consideration of a Request to Apply for Community Foundation Grant Funds to Support Diabetes Awareness Activities – Carolyn True, Citizens Services Division
4. Promoting Safe and Stable Families Memorandum of Agreement and Budget Transfer - Shelly Toms, Citizens Services Division

Commissioner Thompson requested to have a separate vote on Grant #4.

Commissioner Gray moved approval of the consent agenda as presented with the exception of Grant #4. Commissioner Hagen seconded the motion that passed 5-0.

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

ADMINISTRATIVE BUSINESS

Decision Regarding Ed McClain Road (Public Hearing held 4/20/2010) - Wendy Kearney, Office of the County Attorney

Ms. Kearney presented information from the public hearing.

Commissioner Gray moved approval of the proposed ordinance to open, close and alter Ed McClain Road to realign the intersection of Ed McClain Road and MD 80. Commissioner Hagen 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 by accessing www.FrederickCountyMD.gov.

Decision on Local Support for Payment in Lieu of Taxes for Homes for America for Emmitsburg Senior Housing - Jenny Short, Citizens Services Division

Staff reviewed the information from the meeting on Tuesday, September 28, 2010, including the vote: *“Commissioner Gray moved approval of staff’s recommendations as presented including sending a letter of support to Secretary, Raymond Skinner, Maryland Department of Housing and Community Development.*

Commissioner Thompson requested this be conditioned upon an increase in real property tax for fiscal year 2012 and beyond to make up for the \$4,300 loss. The motion did not receive a second.

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Commissioner Young moved to have the Town of Emmitsburg contribute 25% of the \$4,300 in order for Emmitsburg residents to have first priority otherwise all Frederick County residents would have the same priority. The motion did not receive a second.

The main motion failed 2-2 with Commissioners Young and Thompson opposed."

Commissioner Hagen moved approval of staff's recommendations as presented in the staff report. Commissioner Gray seconded the motion that passed 3-2 with Commissioners Young and Thompson opposed.

Ag Preservation - Installment Purchase Agreement - Ramsburg/Roop - Tim Blaser, Planning Division and Jim Cumbie, Esquire, Venable, LLP (County Bond Counsel)

Mr. Blaser presented two easement properties. The first belonging to Mehrle Jr. and Thelma Ramsburg, which consisted of 220.387 acres and the second belonging to Samuel K. and Mary Jane Roop, which consisted of 45.496 acres to be a part of a 970 acre contiguous preserved area.

(Commissioner Young left the meeting.)

Commissioner Gray moved approval of the proposed resolution regarding the easements as presented. Commissioner Hagen seconded the motion that passed 4-0 with Commissioner Young absent.

A copy of the approved/adopted resolution can be obtained in the County Manager's Office or by accessing www.FrederickCountyMD.gov.

Transit Parking Improvements Site Plan Enforcement Agreement - Darlene Bucciero, Public Works Division

Ms. Bucciero presented the proposed site plan agreement.

Commissioner Hagen moved approval of the agreement as presented. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Young absent.

Housing Initiative Fund Report - Jenny Short, Citizens Services Division

(Commissioner Young re-entered the meeting.)

Ms. Short presented the fiscal year 2010 fourth quarter financial report and annual financial report.

The Board approved a change to the presentation of the report to a quarterly report by e-mail and a bi-annual update.

Requested Text Amendment for Landscape Contractors – Commissioner Jan Gardner

Commissioner Gardner presented the request to permit landscape businesses in the agricultural zone.

No action was taken by the Board.

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Request to Permit Beehives in Certain Zoning Districts - Commissioner Kai Hagen

Commissioner Hagen presented the request to permit beehives in residential zoned areas.

The Board requested the Frederick County Bee Keepers Association come back with a formal proposal including specific background information prior to staff amending the zoning rules to allow beehives in certain zoning districts.

COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS

- Jan Lewandrowski
- Peter Alvestad
- Bill McGiffin
- Donna Alvestad
- Lisa Dodson
- Don Orrson

QUESTIONS - PRESS

None.

ADJOURN

The meeting adjourned at 11:45 a.m.

Mary E. Baker
Recording Secretary