

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR TUESDAY, NOVEMBER 9, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, November 9, 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, 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

Commissioner Young noted he may need to leave the meeting early.

Commissioner Thompson commented on Congressman Roscoe Bartlett's comments in the "*Frederick County taps federal drought aid*" article featured in *The Frederick News-Post* this past Sunday.

Commissioner Young extended a thank you to staff for the information provided during yesterday's transition meeting.

WORKSESSION

Veterans Day Proclamation

Commissioner Gardner presented the proclamation.

AGENDA BREIFING

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

Tuesday, November 16, 2010, at 8:30 a.m.

- Modification of Ordinance No. 09-06-510 to Abandon a Portion of Right-of-Way for Advisors Court - Dave Olney, Public Works Division

Tuesday, November 16, 2010, at 7:00 p.m.

- Affordable Housing Impact Fee Waiver - Jenny Short, Citizens Services Division
- Proposed Changes to the Frederick County Employees Retirement Plan - 14th Amendment - Tracy Lobuts, Human Resources Division; Kate Hoffman, Mercer; and Mary Claire Cheshire, Esquire, Whiteford, Taylor and Preston, LLC
- Proposed Changes to the Frederick County Employees Retirement Plan - 15th Amendment - Mary Claire Cheshire, Esquire, Whiteford, Taylor and Preston, LLC

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CONSENT AGENDA

BUDGET TRANSFERS

1. #BT-11-050, Accounting, Finance Division
2. #BT-11-051, Head Start Citizens Services Division

CHANGE ORDERS

1. New Design Water Transmission Main, Contract No. 110-W, Change Order No. 21, – Kevin Demosky, Utilities and Solid Waste Management Division
2. New Design Water Transmission Main, Contract No. 110A5-W, Construction Change Order No. 13 - Kevin Demosky, Utilities and Solid Waste Management Division

GRANT

1. Application for Funding Renewal from the Administrative Office of the Courts to the Circuit Court for FY 11 and 12 - B. Lynn Macpherson, Circuit Court

Commissioner Hagen moved approval of the consent agenda as presented. Commissioner Gray seconded the motion that passed 5-0.

PUBLIC HEARING

Zoning Map Amendment, R-10-01, Stadler Garden Center – John Dimitriou, Planning Division

A public hearing was held, as duly advertised, on the proposed Zoning Map Amendment, R-10-01, Stadler Garden Center.

Commissioner Gardner swore in all parties prior to beginning the hearing.

Mr. Dimitriou presented the correction to the mapping error as presented in the staff report.

There was no public comment.

Commissioner Gray moved to direct staff to draft an ordinance outlining the change as presented and come back before the Board within 10 days for adoption of the proposed ordinance. Commissioner Young seconded the motion that passed 4-1 with Commissioner Thompson opposed.

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**Discussion of Historic Preservation Tax Credits - Janet Davis, Planning Division and
Bernie Callan, Historic Preservation Commission**

Richard McCain, Office of the County Attorney; Ms. Davis and Mr. Callan presented the request for the tax credit.

Commissioner Thompson moved to indefinitely postpone this item. The motion did not receive a second.

Commissioner Hagen moved to support the recommendations to add another historic tax credit and take the historic district term clarification in the tax code to the state delegation. Commissioner Young seconded the motion.

There was no public comment.

The motion passed 4-1 with Commissioner Thompson opposed.

Commissioner Gardner noted this item would be added to the agenda on November 16, 2010, when this Board meets with the incoming Board to review the legislative package.

**Installment Purchase Program (IPP) - Request for Exclusion Prior to Easement
Settlement - Paul and Virginia Coblentz - Tim Blaser and Anne Bradley, Planning
Division**

Ms. Bradley and Mr. Paul Coblentz presented the request.

Commissioner Hagen moved approval of the request as presented. Commissioner Gray seconded the motion that passed 5-0.

**Memorandum of Understanding and Grant Agreement for the Montevue Home - John
Kroll, Finance Division**

Mr. Kroll presented the proposed memorandum of understanding (MOU) and grant agreement.

There was no public comment.

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

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COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 9:55 a.m.

Mary E. Baker
Recording Secretary