

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, NOVEMBER 18, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, November 18, 2010, at 9:30 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 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.)

PLEDGE OF ALLEGIANCE

The meeting began with the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner Gardner announced the annual Toys for Tots and canned food drive campaigns kicked off on Monday, November 15, and would wrap up on Friday, December 10, 2010.

CONSENT AGENDA

The following items were pulled from the consent agenda:

CHANGE ORDER

- American Recovery and Reinvestment Act (ARRA) Transit Parking Improvements, Contract No. C11306, Change Order No. 1 – Chuck Nipe and Dave Ennis, Public Works Division

GRANTS

- Consideration of a Medicare Improvement for Patients and Providers Act (MIPPA) – Carolyn True, Citizens Services Division
- FFY 2010 Child Support Enforcement Cooperative Reimbursement Agreement – Marty Gallagher, Sheriff's Office
- FY 2011 Interagency Family Preservation Renewal Agreement – Christal Hanson, Citizens Services Division

The following items remained on the consent agenda:

BID AWARDS

1. Purchasing Memo #11-78 – Furniture, Shelving and Computer Purchases for Brunswick Public Library (Piggyback Contracts)
Award to: Various Vendors
Award amount: \$397,566.15

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2. Purchasing Memo #11-79 – Cash and Deal Management (Sole Source Renewal)
Award to: Oracle America, Inc.
Award amount: \$24,266.02

BUDGET TRANSFER

1. #BT-11-058, Parks and Recreation Division

BOARD OF EDUCATION (BOE) SCHOOL CONSTRUCTION AMENDMENT

1. #11-01 and BT-11-055

CHANGE ORDERS

1. Linton Farm Phase 3, Contract No. 340B-SW, Change Order No. 1 – Blair Hovatter, Public Works Division
2. Construction Management and Inspection Services for Boyers Mill Sewage Pump Station, Contract No. 10138, Change Order No. 2 – Rod Winebrenner, Utilities and Solid Waste Management Division
3. ARRA Resurfacing/Rehabilitation and Safety Improvements, Contract No. C29970, Change Order No. 7 – Chuck Nipe and Robert Shen, Public Works Division

EASEMENT

1. Declaration of Easement and Release of Easement, New Design Water Transmission Project – Beth Ramacciotti, Utilities and Solid Waste Management Division

GRANT

- Intergovernmental Agreement with Department of Juvenile Services for Multisystemic Therapy - Christal Hanson, Citizens Services Division

Commissioner Young moved to approve the balance of the consent agenda. Commissioner Hagen seconded the motion that passed 5-0.

ADMINISTRATIVE BUSINESS

**American Recovery and Reinvestment Act (ARRA) Transit Parking Improvements,
Contract No. C11306, Change Order No. 1 – Chuck Nipe and Dave Ennis, Public Works
Division**

Commissioner Hagen moved to approve the ARRA transit parking improvements. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Young recused.

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APPROVAL OF GRANTS

Commissioner Hagen moved to approve the following grants:

- Consideration of a Medicare Improvement for Patients and Providers Act (MIPPA) – Carolyn True, Citizens Services Division
- FFY 2010 Child Support Enforcement Cooperative Reimbursement Agreement – Marty Gallagher, Sheriff's Office
- FY 2011 Interagency Family Preservation Renewal Agreement – Christal Hanson, Citizens Services Division

Commissioner Gray seconded the motion that passed 4-1 with Commissioner Thompson opposed.

Approval of Board of County Commissioners' Meeting Minutes

The following minutes were approved by unanimous consent.

- ◆ Tuesday, October 26, 2010
- ◆ Tuesday, October 26, 2010 – Closed Session
- ◆ Thursday, October 28, 2010
- ◆ Thursday, October 28, 2010 – Closed Session
- ◆ Thursday, November 4, 2010
- ◆ Thursday, November 4, 2010 – Closed Session
- ◆ Tuesday, November 9, 2010
- ◆ Tuesday, November 9, 2010 – Afternoon
- ◆ Tuesday, November 9, 2010 – Closed Session
- ◆ Tuesday, November 9, 2010 - Evening

Bid Award – Purchasing Memo #11-77, Operational Plan for Sheltering and Mass Care – Hal Good, Finance Division

Seamus Mooney, Emergency Management Division, commented on the bid award.

Commissioner Gray moved to approve the purchasing memo #11-77. Commissioner Hagen seconded the motion that passed 4-1 with Commissioner Thompson opposed.

PAYSTATE Carry-Forward Fund Retention Requirement – Christine Lothen-Kline, University of Maryland Extension Service

Ms. Lothen-Kline presented the request. Mr. Mike Kuster, 4-H Educator, University of Maryland Extension Service, was present.

Commissioner Gray moved to approve the PAYSTATE carry forward fund retention request. Commissioner Hagen seconded the motion that passed 4-1 with Commissioner Thompson opposed.

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Use of NIXLE Municipal Wire (NIXLE) as Outlined in DEM-4.10 NIXLE – 2010 – Seamus Mooney, Emergency Management Division

Mr. Mooney presented the request for the use of NIXLE. Jack Markey, Emergency Management Services, commented on NIXLE communication service.

Commissioner Gray moved to approve the use of the NIXLE service. Commissioner Young seconded the motion that passed 5-0.

Consolidated Vehicle Operator Policy and Procedures – Pat Hannah, Management Services Division

Mr. Hannah presented the comprehensive guide for county vehicle operators to the Board. Austin Abraham, Management Service Division, commented on the policy.

Commissioner Gray moved to approve the policy with the following addition to Section 7.6 - Traffic Citations:

Moving violations in county-owned vehicles must be reported to the employee's supervisor and the Risk Management staff within 24 hours.

Commissioner Hagen seconded the motion that passed 5-0.

Forest Resource Ordinance (FRO) Fee-in-Lieu Expenditure Request for Frederick County Parks and Recreation (Old National Pike District Park) – Mike Wilkins, Permitting and Development Review Division

Mr. Wilkins presented the request for a FRO fee-in-lieu expenditure for the reforestation of five (5) acres in the Old National Pike District Park.

The Board requested Mr. Wilkins discuss the variety of species of trees with Mike Kay, Department of Natural Resources.

Commissioner Hagen moved to approve the staff recommendation. Commissioner Gray seconded the motion that passed 5-0.

Update on the Linganore Watershed Forest Easement Purchase Program – Mike Wilkins, Permitting and Development Review Division

Mr. Wilkins briefed the Board on the status of the program to utilize FRO fee-in-lieu funds to purchase FRO easements from private property owners in the Linganore Watershed. Mr. Wilkins noted staff had received 24 applications from property owners.

Kathy Mitchell, Office of the County Attorney, and Betsy Smith, Permitting and Development Review Division, commented on the Catoctin Land Trust, the third party entity and their involvement in the program. Ms. Mitchell indicated staff may look into a memorandum of understanding.

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This item was informational and Mr. Wilkins indicated the final list of applicants would be brought back to the Board in several months.

COMMISSIONER COMMENTS

Commissioner Gardner noted the closed session originally scheduled for today would not be held.

PUBLIC COMMENTS

- Bill Ashton

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 11:00 a.m.

Patricia A. Morrow
Recording Secretary