

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR TUESDAY, NOVEMBER 30, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, November 30, 2010, at 8:40 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 Thompson commented on an article in today's edition of *The Frederick News-Post* regarding the City's financing of the water and sewer fund.

Commissioner Gardner also commented on the water and sewer funding issues.

Commissioner Gardner noted she attended the Maryland Association of Counties meeting yesterday where they discussed upcoming issues.

PUBLIC HEARING

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

A public hearing was held, as duly advertised, on the proposed modification of Ordinance No. 09-06-510 to abandon a portion of right-of-way for Advisors Court.

Mr. Olney and Robert Shen, Public Works Division, presented the proposed ordinance.

There was no public comment.

Commissioner Gray moved approval of the proposed ordinance and administrative requirements to take care of the quick-claim deed. Commissioner Hagen seconded the motion that passed 5-0.

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

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CONSENT AGENDA

BID AWARDS

1. Purchasing Memo #11-63 – Change Order No. 1, Emergency Removal of Solids at New Design Road Waste Water Treatment Plant, Lagoon #2 and Budget Transfer
Award to: Synagro Mid-Atlantic, Inc.
Award amount: \$219,600
2. Purchasing Memo #11-83 – RFP #11-16, Gymnastic Instructor for Parks and Recreation Program Classes
Award to: Perfect Balance
Award amount: \$77,000
3. Purchasing Memo #11-88 – Workstation for Backup 911 Center (Piggyback)
Award to: Xybix Systems, Inc.
Award amount: \$132,135
4. Purchasing Memo #11-95 – Independent Contractors for Snow Removal Services
Award to: Various Contractors
Award amount: Various amounts depending on vehicles used and necessity
5. Purchasing Memo #11-96 - Bid #11-CP-64, Emmitsburg Community Center Roof Replacement
Award to: Bonded Applicators, Inc.
Award amount: \$101,265

CHANGE ORDERS

1. Francis Scott Key Gateway Shoppes, Contract No. 358-SW, Change Order No. 2 - Chuck Nipe, Public Works Division
2. Villages of Urbana Boxwood Section M22-A, Contract No. 208 BT-SW, Change Order No. 6 - Chuck Nipe, Public Works Division

EASEMENT

1. Linton at Ballenger, Section 2 - Alan Linton Boulevard East, Temporary Turnaround Easement - Betsy Smith, Permitting and Development Review Division

GRANTS

1. FY 11 Child Support Cooperative Reimbursement Agreement – Susan Little, Office of the State's Attorney
2. Maryland Business Works Additional American Recovery and Reinvestment Act (ARRA) Funding - Laurie Holden, Economic Development Division

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Commissioner Thompson requested to have a separate vote on Grant #1 and Grant #2.

Commissioner Hagen moved approval of the consent agenda as presented with the exception of Grant #1 and Grant #2. Commissioner Gray seconded the motion that passed 5-0.

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

ADMINISTRATIVE BUSINESS

Approval of Board of County Commissioners' Meeting Minutes

The Board unanimously approved the following meeting minutes as presented.

- ◆ Tuesday, November 16, 2010
- ◆ Tuesday, November 16, 2010 – Afternoon
- ◆ Tuesday, November 16, 2010 – Evening
- ◆ Thursday, November 18, 2010

**Decision Regarding the Proposed Changes to the Frederick County Retirement Plan -
Fourteenth Amendment - Tracy Lobuts, Human Resources Division**

Ms. Lobuts presented the proposed ordinance noting the public hearing on this issue was held on Tuesday, November 16.

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

**Decision Regarding the Proposed Changes to the Frederick County Retirement Plan -
Fifteenth Amendment - Tracy Lobuts, Human Resources Division**

Ms. Lobuts presented the proposed ordinance noting the public hearing on this issue was held on Tuesday, November 16.

Commissioner Gray moved approval of the proposed ordinance regarding the fourteenth and fifteenth amendments to be effective today's date. Commissioner Thompson seconded the motion that passed 5-0.

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

**Bid Award - Purchasing Memo #11-73 – Fire Suppression System for Interagency
Technologies Division Data Center with SimplexGrinnell – Hal Good, Finance Division**

Mr. Good presented the proposed bid award.

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Commissioner Gray moved approval of Purchasing Memo #11-73 as presented.
Commissioner Hagen seconded the motion that passed 5-0.

**Bid Award - Purchasing Memo #11-82 – Amendment to Add On-Site Dental Services to
the ConMed Medical Services Agreement for Inmates at the Adult Detention Center –
Hal Good, Finance Division**

Mr. Good presented the proposed bid award.

Commissioner Gray moved approval of Purchasing Memo #11-82 as presented.
Commissioner Hagen seconded the motion that passed 5-0.

**Easement to Monocacy Land Company LLC - Urbana Farm Property - Austin Abraham,
Management Services Division**

Mr. Abraham presented the proposed easement.

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

WORKSESSION

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

Commission on Aging

There was no public comment.

Commissioner Gray moved to reappoint Ms. RaeAnn Butler, Mr. Harold Ehart and Dr. Robert
Wannemacher and to appoint Ms. Mary Rice and Ms. Debra Savageau to serve terms to
expire December 31, 2013. Commissioner Hagen seconded the motion that passed 5-0.

Substance Abuse Council

There was no public comment.

Commissioner Gray moved to reappoint Ms. Iris Lehman to serve a four-year term to expire
June 30, 2014. Commissioner Young seconded the motion that passed 5-0.

COMMISSIONERS COMMENTS

Each commissioner reflected on their service and accomplishments over the past four years
as today was the last meeting for this Board.

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PUBLIC COMMENTS

- Janice Spiegel

QUESTIONS – PRESS

None.

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.

ADJOURN

The meeting adjourned at 10:00 a.m.

Mary E. Baker
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF TUESDAY, NOVEMBER 30, 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:

In open 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.

Time and Location:

10:10 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To consider the acquisition of land for park purposes.

Mary Baker
Recording Secretary

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Time and Location:

10:10 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss acquisition of property for roadway improvements.

Mary Baker
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON WEDNESDAY, DECEMBER 1, 2010,
FOLLOWING THE CLOSED MEETING OF TUESDAY, NOVEMBER 30, 2010**

STATUTORY AUTHORITY TO CLOSE SESSION

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Motion:

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Time and Location:

10:10 a.m. – Third Floor Meeting Room, Winchester Hall

Others in attendance:

B. Stanton, J. Mathias, W. Kearney, M. Chomel, C. Chamberlain, P. Dial, B. Hicks, T. Meunier and M. Baker

Topic Discussed:

To consider the acquisition of land for park purposes.

Action Taken:

The Board provided direction to staff.

Mary Baker
Recording Secretary

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Action Taken:

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Mary Baker
Recording Secretary