

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, SEPTEMBER 23, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, September 23, 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 Ron Hart, County Manager and Mary Baker, Recording Secretary. Please note Commissioner Hagen's arrival time.

*(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.

**COMMISSIONERS COMMENTS**

None.

**CONSENT AGENDA**

**BID AWARDS**

1. Purchasing Memo #11-37 – Amendment to the ConMed Medical Services Agreement for the Adult Detention Center/Work Release Center  
Award to: Con Med  
Total annual consolidated amount for medical services and mental health services:  
1,686,700.45
2. Purchasing Memo #11-39 - Bid #11-CP-57, Rehabilitation of Bridge No. F09-02 Reichs Ford Road over Monocacy River  
Award to: Concrete General, Inc.  
Award amount: \$791,240.00
3. Purchasing Memo #11-42 – Bulk Road Salt (Piggyback Contract)  
Award to: International Salt Company, Inc.  
Estimated Award amount: \$569,430.00

**BUDGET TRANSFERS**

1. #BT-11-032, Program Development and Management, Public Works Division
2. #BT-11-033, Accounting, Finance Division
3. #BT-11-034, Office for Children and Families, Citizens Services Division

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**CHANGE ORDERS**

1. Reichs Ford Road, Phase I – Allegheny Power Utility Relocation, Change Order No. 1 – Jason Stitt, Public Works Division
2. FY 2010 Bituminous Overlay of Various County Roadways, Contract No. C29919, Change Order No. 3 – Chuck Nipe, Public Works Division
3. Reichs Ford Road, Contract No. C28375, Change Order No. 23 – Chuck Nipe, Public Works Division
4. Citizens Care and Rehabilitation Center (CCRC)/Montevue Home Project, Contract No. 09-CP-69, Change Order No. 33 – Nicole Bohrer, CCRC and Diane Grove, Montevue Home

**GRANT**

1. Emergency Numbers Systems Board Grant Application and Associated Budget Transfer – Chip Jewell, Emergency Management Division

**MISCELLANEOUS**

1. Chesapeake Conservation Corps – Application to Serve as a Host Site – Hilari Varnadore, Office of Environmental Sustainability

Sheriff Chuck Jenkins and Lieutenant Keith Welty, Frederick County Sheriff's Office, presented information regarding Purchasing Memo #11-37.

Chip Jewell, Emergency Management Division, presented information regarding Grant #1.

Lisa Orr, Office of Environmental Sustainability, presented information regarding the Chesapeake Conservation Corps.

Commissioner Gray moved approval of the consent agenda noting Grant #1 was contingent on legal review of the contract. Commissioner Young seconded the motion that passed 4-0 with Commissioner Hagen absent.

**ADMINISTRATIVE BUSINESS**

**Approval of Board of County Commissioners' Meeting Minutes**

The following minutes were unanimously approved by the Board:

- ◆ Tuesday, August 10, 2010
- ◆ Thursday, August 12, 2010
- ◆ Thursday, August 12, 2010 – Closed Session
- ◆ Tuesday, August 24, 2010

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
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- ◆ Tuesday, August 24, 2010 - Evening
- ◆ Thursday, August 26, 2010
- ◆ Thursday, August 26, 2010 – Closed Session

**Bid Award – Purchasing Memo #11-41, Approval of the County’s Hosted Civic Plus Website Maintenance and Support for Five Years (Sole Source) – Hal Good, Finance Division**

Mr. Good and Sherry Weakley, Interagency Information Technologies Division, presented the proposed purchasing memo.

Commissioner Gray moved approval of Purchasing Memo #11-41 as presented. Commissioner Young seconded the motion that passed 4-0 with Commissioner Hagen absent.

**Approval of the FY 2012 Board of Education Capital Funding Request to the State – Ray Barnes, Frederick County Public Schools**

Mr. Barnes and Dr. Linda Burgee, Frederick County Public Schools, presented the request.

(Commissioner Hagen entered the meeting.)

Commissioner Gray moved to send a letter to David Lever, Maryland State Department of Education, requesting funding for the school projects including the Sabillasville Elementary School roof project to be inserted as number 5 to the list. Commissioner Young seconded the motion that passed 5-0.

**I-70 at Meadow Road Interchange Project Planning Memorandum of Understanding with Maryland State Highway Administration (SHA) – John Thomas, Planning Division**

Mr. Thomas presented the memorandum of understanding (MOU).

Camille Hall, Maryland State Highway Administration (SHA), presented information.

Commissioner Young moved to table this item until it could be presented tonight at the Maryland Department of Transportation’s meeting and a funding commitment was made by the SHA. Commissioner Hagen seconded the motion that passed 5-0.

**Final Adoption of the Water Resources Element of the Comprehensive Plan – Tim Goodfellow, Jim Gugel and Eric Soter, Planning Division**

Mr. Goodfellow presented changes to the water resources element and the proposed resolution.

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Commissioner Gray moved approval of the changes as presented in the staff report and the proposed resolution as presented. Commissioner Hagen seconded the motion that passed 5-0.

(A copy of the approved/adopted resolution can be obtained in the County Manager's Office or from the county's website, [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov))

**Affordable Housing Impact Fee Waiver (Continued from 8/12/10) – Jenny Short, Citizens Services Division**

Ms. Short presented the proposed waiver.

Commissioner Hagen approved the changes as presented in the staff report, directed legal staff to draft the ordinance and proceed to public hearing. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Thompson opposed.

**Consideration of the Fort Detrick Water Supply Agreement – Mike Marschner, Utilities and Solid Waste Management Division**

Mr. Marschner presented the proposed agreement.

Commissioner Young authorized Commissioner Gardner to sign the agreement and the federal procurement contracts associated with the water supply agreement as presented. Commissioner Hagen seconded the motion that passed 5-0.

**Discussion of Proposed Text Amendment ST 10-01 – Mike Wilkins, Permitting and Development Review Division**

Mr. Wilkins and Betsy Smith, Permitting and Development Review Division, and Kathy Mitchell, Office of the County Attorney, presented the proposed text amendment.

Commissioner Gray moved to take the proposed text amendment to public hearing as presented. Commissioner Hagen seconded the motion that passed 5-0.

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

Mr. Mathias presented the proposed legislative considerations.

The Board moved to take the items to public hearing as presented.

**COMMISSIONERS COMMENTS**

None.

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**PUBLIC COMMENTS**

None.

**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)(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals. Commissioner Hagen seconded the motion that passed 5-0.

**ADJOURN**

The meeting adjourned at 12:15 p.m.

Mary E. Baker  
Recording Secretary

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**FORM OF STATEMENT FOR  
CLOSING THE MEETING OF THURSDAY, SEPTEMBER 23, 2010**

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

**Motion:**

Commissioner Gray moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals. Commissioner Hagen seconded the motion that passed 5-0.

**Time and Location:**

12:20 p.m. – Third Floor Meeting Room, Winchester Hall

**Topics to be Discussed:**

To consider appointments to the Frederick County Board of Appeals.

To consider the continuing employment status of an individual county employee.

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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 TUESDAY, SEPTEMBER 28, 2010,  
FOLLOWING THE CLOSED MEETING OF THURSDAY, SEPTEMBER 23, 2010**

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

(1)To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

**Motion:**

Commissioner Gray moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a)(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals. Commissioner Hagen seconded the motion that passed 5-0.

**Time and Location:**

12:20 p.m. – Third Floor Meeting Room, Winchester Hall

**Others in Attendance:**

R. Hart, B. Stanton, J. Mathias, J. Grossnickle and M. Baker.

**Topics Discussed:**

To consider appointments to the Frederick County Board of Appeals.

To consider the continuing employment status of an individual county employee.

**Action Taken:**

The Board selected Frederick County Board of Appeals applicants for interviews.

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Mary Baker  
Recording Secretary