

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, FEBRUARY 10, 2011**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, February 10, 2011, at 10:20 a.m. Present were Commissioners C. Paul Smith, *Vice President*, Billy Shreve, David Gray and Kirby Delauter. 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](http://www.FrederickCountyMD.gov).)*

**PLEDGE OF ALLEGIANCE**

The meeting began with the Pledge of Allegiance.

**COMMISSIONER COMMENTS**

Commissioners Smith, Delauter, and Young addressed comments made in the Frederick County Gazette regarding the Head Start program.

Commissioner Young and Mr. Stanton briefed the public on the Boards' recent administrative actions.

By unanimous consent the Board moved to appoint nine (9) regular members and three (3) non-voting alternate members to the Frederick County Government Board.

**CONSENT AGENDA**

The following items were presented on the consent agenda:

**BUDGET TRANSFERS**

1. #BT-11-097, Accounting, Finance Division
2. #BT-11-098, Housing, Citizens Services Division

**GRANT**

- FY 2011 Rental Allowance Program Application and Agreement – Jenny Short, Citizens Services Division

Mr. Mike Gastley, Finance Division, commented on the grant programs and indicated he would bring back to the Board a list of grant programs to be examined.

Commissioner Smith moved to approve the consent agenda as presented. Commissioner Gray seconded the motion that passed 5-0.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, FEBRUARY 10, 2011**

**ADMINISTRATIVE BUSINESS**

**Blickenstaff Critical Farms Easement (Continued from 1/25/11) – Michael Chomel,  
Office of the County Attorney**

Mr. Chomel presented his recommendation to the Board.

By unanimous consent, the Board permitted comments from Jeff Holtzinger, Esquire and David Weaver, Esquire, Holtzinger Weaver, PA, representing the applicant.

Mr. Tim Blaser, Community Development Division, also commented.

Commissioner Young moved to continue the issue for 60 days to allow time for the Agricultural Preservation Advisory Board to discuss policy and development of criteria for hardship cases and determine what impact it would have on the Maryland Agricultural Land Preservation Foundation (MALPF) and what the interest rate for repayment would be. Commissioner Delauter seconded the motion that passed 4-1 with Commissioner Smith opposed.

**Annexation Process Review – Jim Gugel, Community Development Division**

Mr. Eric Soter, Community Development Division, participated in the discussion.

By unanimous consent, the staff recommendation was approved directing the Community Development Division to determine the need for either an express approval review or a general review of annexations by the Board and any such review would occur prior to a municipal public hearing. The policy would be presented at the March County/Municipalities meeting on March 10, 2011.

**Summers Farm Annexation Reconsideration – John Dimitriou, Community  
Development Division**

Mr. Dimitriou presented the request for reconsideration from The City of Frederick.

Mr. Bruce Dean, Esquire, McEvoy and Dean, commented on the request for reconsideration.

Commissioner Smith made a motion, although the zoning was substantially different, to grant express approval for the development of the Summers Farm to occur within the five (5) year period. Commissioner Shreve seconded the motion that passed 5-0.

**Presentation by the Frederick County Builders Association Land Use Council and the  
Frederick County Chamber of Commerce on the Adequate Public Facilities Ordinance  
(APFO) School Mitigation**

Mr. Bruce Dean, President, Land Use Council (LUC) of the Frederick County Builders Association (FCBA); Mr. Steve Seawright, President, FCBA; Mr. Mark Friis, LUC; and Mr. Mark Frey, Vice President, Frederick County Chamber of Commerce, presented a request for the Board to consider an amendment to the county's APFO. The amendment would institute the concept of charging developers a mitigation fee in lieu of requiring them to actually

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, FEBRUARY 10, 2011**

construct an entire new school or an entire addition to an existing school when proposed projects fail the school test portion of the APFO.

By consensus, the Board directed staff to move forward with reviewing the proposal as presented and noted it would be scheduled for discussion at the County/Municipalities meeting on March 10, 2011.

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

Mr. Mathias and Mr. Cherney briefed the Board on the issues before the Frederick County delegation members.

**COMMISSIONER COMMENTS**

Commissioner Young reviewed the next week's meeting schedule.

The Board made the following assignments for presentation at the Frederick County Farm Bureau and Pomona Grange legislative day scheduled for Saturday, February 12, 2011:

- Commissioner Young – Budget;
- Commissioner Smith – Agricultural Education;
- Commissioner Shreve – Total Maximum Daily Load (TMDL);
- Commissioner Gray – Waste to Energy; and
- Commissioner Delauter – Stormwater Management

**PUBLIC COMMENTS**

- M.C. Keegin-Ayer
- Janice Spiegel
- Jeremy Holder, Ausherman Development Corp.
- Rand Weinberg, Esquire, Weinberg and Miller
- Mark Friis, Rodgers Consulting

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 1:10 p.m.

Patricia A. Morrow  
Recording Secretary