

PUBLIC MEETING MINUTES FOR TUESDAY, MARCH 1, 2011

A public meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, March 1, 2011, was called to order at 7:00 p.m. by Commissioner Blaine R. Young, *President*. Present were Commissioners C. Paul Smith, *Vice President*; Billy Shreve, David Gray and Kirby Delauter. Also in attendance 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.)

The meeting began with the recitation of the Pledge of Allegiance.

Reverend Paul Munday, Frederick Church of the Brethren, offered a prayer to open the meeting.

COMMISSIONER COMMENTS

None.

PUBLIC HEARINGS

Proposed Ordinance to Extend Certain Development Approvals and Deadlines – Kathy Mitchell, Office of the County Attorney

A public hearing was held, as duly advertised, on the proposed extension for certain development plans, approvals and applications for an additional three (3) years.

Ms. Mitchell presented the draft ordinance that would apply to approvals that were:

- active and valid on January 1, 2011;
- granted or became effective between January 1, 2011, and the effective date of the ordinance; or
- eligible for the 3-year extension provided under the 2009 extension ordinance.

Ms Mitchell also stated the draft ordinance would not apply to approvals that were granted or became effective after the effective date of the draft ordinance.

Gary Hessong, Community Development Division, commented on the escrow account issue.

Public comments were heard from:

- Rolan Clarke
- Bruce Dean, Esquire, McEvoy and Dean, President, Land Use Council
- Jeremy Holder, representing Jefferson Valley LLC
- Mike Wiley, Wormald Companies

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- Dave Severn, Esquire, Severn, O'Connor and Kresslein, PA, representing St. Johns Properties
- Steve Seawright, President, Frederick County Builders Association
- Mark Friis, Rodgers Consulting

Commissioner Smith moved to adopt the proposed ordinance to extend certain development approval periods and deadlines with an effective date of March 11, 2011. Commissioner Delauter seconded the motion that passed 4-1 with Commissioner Gray opposed.

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

Proposed Ordinance to Amend the Frederick County Plumbing Code – Gary Hessong, Community Development Division

A public hearing was held, as duly advertised, on the proposed amendments to the Frederick County Plumbing Code.

Mr. Hessong presented the draft ordinance which would propose additional exemptions from the plumbing code's permit and inspection requirements.

Public comment was heard from:

- Marty Burns, Mayor, Town of Thurmont

No action was taken by the Board as this public hearing was for the benefit to receive public comments. The Board will make a decision at their administrative business meeting scheduled for Tuesday, March 15, 2011.

Proposed Ordinance to Amend the Frederick County Stormwater Management Ordinance – Gary Hessong, Community Development Division

A public hearing was held, as duly advertised, on the proposed ordinance and fee resolution that would allow combined stormwater management applications for certain project types.

Mr. Hessong presented the draft ordinance and fee resolution.

Public comments were heard from:

- Mike Wiley, Wormald Companies

Commissioner Smith moved to approve the draft ordinance and fee resolution as presented with an effective date of March 1, 2011. Commissioner Gray seconded the motion that passed 5-0.

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

Proposed Ordinance to Amend the Frederick County Adequate Public Facilities Ordinance (APFO) – Kathy Mitchell, Office of the County Attorney

A public hearing was held, as duly advertised, on the proposed ordinance that would repeal Ordinance No. 09-28-532, which applied the APFO schools test to certain annexed properties.

Ms. Mitchell presented the draft ordinance which would repeal the provisions of the Frederick County APFO that applied the school adequacy requirements to properties annexed by the municipalities after June 23, 2009.

Public comments were heard from:

- Rolan Clarke
- Marty Burns, Mayor, Town of Thurmont
- Valerie Dale
- Bruce Dean, Esquire, McEvoy and Dean
- Winslow Burhans, Mayor, Town of New Market
- Julie Marker
- Janice Wiles, Friends of Frederick County
- John Miller, Burgess, Town of Middletown
- Will Morrow
- Kent Ozkum
- Richard Jeffries
- Mike Wiley
- Nick Carrera
- Kim Cable
- Jake Romanell, Councilman, Town of New Market and President, Frederick Chapter of the Maryland Municipal League
- Elizabeth Bauer
- Steve Seawright, President, Frederick County Builders Association
- Dan Hess
- George Rudy
- Carroll Jones, Mayor, City of Brunswick
- Rand Weinberg, Esquire, Weinberg and Miller
- Bonnie Bailey-Baker, League of Women Voters
- Randy McClement, Mayor, The City of Frederick
- Janice Spiegel
- Farrell Keough
- MC Keegin-Ayer
- Daryl Boffman

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Commissioner Smith moved to adopt the proposed ordinance with an effective date of March 1, 2011. Commissioner Shreve seconded the motion that passed 4-1 with Commissioner Gray opposed.

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

PUBLIC COMMENTS

- Rolan Clarke
- Elizabeth Bauer
- Nicole Schaeffer Orr
- Julie Marker
- Monica Luce
- Kim Cable

COMMISSIONER COMMENTS

None.

ADJOURN

The meeting adjourned at 10:35 p.m.

Patricia A. Morrow
Recording Secretary