

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, MARCH 24, 2011**

Commissioner Blaine Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, March 24, 2011, at 10:10 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 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](http://www.FrederickCountyMD.gov).)*

**PLEDGE OF ALLEGIANCE**

The meeting began with the Pledge of Allegiance.

**COMMISSIONERS COMMENTS**

Commissioner Smith noted he would not be present for the presentation of the strategic plan as he would be attending the Central Maryland Regional Transit Summit.

**Update of Board of County Commissioners' Administrative Actions – Commissioner Blaine R. Young and Barry Stanton, Office of the County Manager**

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

**CONSENT AGENDA**

**BID AWARDS**

1. Purchasing Memo #11-143 – Verizon Wireless Communications Service (Piggyback)  
Award to: Verizon Wireless Communications Service  
Award amount: \$498,000
2. Purchasing Memo #11-144 – GSA Contract for the Purchase and Installation of Audio Visual Equipment for the Backup 911 Center (Piggyback) and Budget Transfer  
Award to: Karchner Group  
Award amount: \$121,353.80
3. Purchasing Memo #11-145 – Bid #11-20 Energy Efficient Lighting for the Courthouse and Highway Operations  
Award to: Capital Tristate Electric  
Award amount: \$63,397

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**BUDGET TRANSFERS**

1. #BT-11-128, Housing, Citizens Services Division
2. #BT-11-129, Accounting, Finance Division

**CHANGE ORDER**

1. New Design Water Treatment Plant, Contract No. 26G-W, Change Order No. 62 - Kevin Demosky, Utilities and Solid Waste Management Division

**EASEMENT**

1. Declaration to Establish and Retain Easement for Water and Sewer - Westview South, Office Research Center - Beth Ramacciotti, Utilities and Solid Waste Management Division

**GRANT**

1. Emergency Number Systems Board Grant Funds and Budget Transfer - Chip Jewell, Emergency Management Division

**MISCELLANEOUS**

1. Board of Education Non-Recurring Costs Included in the FY 2012 Operating Budget - Mike Gastley, Finance Division

Mr. Hal Good, Finance Division and Mr. Austin Abraham, Management Services Division, presented information regarding Purchasing Memo #11-145.

Mr. Good and Mr. Seamus Mooney, Emergency Management Division, presented information regarding Purchasing Memo #11-144.

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

**WORK SESSION**

**Bell Court Rental Housing Complex Rent and Income Limit Increase - Jenny Short,  
Citizens Services Division**

Ms. Short presented information regarding the proposed increase.

There was no public comment.

Commissioner Smith moved approval of the following recommendations:

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- Effective July 1, 2011, approve the rent increase from \$238/month to \$335/month for those existing residents paying 40% or less of income for housing costs.
- Effective July 1, 2011, keep the rent at \$283/month for those existing residents paying more than 40% of income for housing costs; beginning July 1, 2012, cap the rent increase at 3% each year until existing residents reach a threshold of paying 40% of income for housing costs.
- Beginning July 1, 2011, set rents for new residents at 40% of adjusted income for housing costs up to a base rent of \$700, with adjustments made at the annual certification July 1 of each year.
- Approve the minimum rent of \$335 and base rent of \$700 effective July 1, 2011.
- Set the maximum income limit at 30% of HUD published Area Median Income for Frederick County, to be adjusted annually as published in the Federal Register.
- Authorize staff to analyze and make adjustments to tenant selection policies and minimum and base rents on an annual basis as needed to keep project viable and self sustaining.

Commissioner Shreve seconded the motion that passed 5-0.

**Bell Court Energy Conservation Measures - Jenny Short, Citizens Services Division**

Ms. Short presented the proposed conservation measures.

There was no public comment.

Commissioner Smith moved approval of the proposal by Allegheny Power and to sign the "Landlord Certificate of Approval" for Allegheny Power and authorized contractors and sub-contractors to proceed with installation of energy conservation measures at Bell Court Rental Housing Complex. Commissioner Delauter seconded the motion that passed 5-0.

**Local Support for Payment in Lieu of Taxes for Homes for America for Emmitsburg Senior Housing - Jenny Short, Citizens Services Division**

Ms. Short presented the proposed support agreement.

Public comment was taken from:

- Sister Mary Francis Hildenberger
- Sister Anne Clair Hughs
- Ron Cramer, Habitat for Humanity

Commissioner Gray moved to send a letter of support as requested in the staff report and execute a resolution of support authorizing the payment in lieu of taxes agreement. The motion did not receive a second.

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Commissioner Young moved to table the item for 30 days pending further information. Commissioner Shreve seconded the motion that passed 5-0.

Commissioner Gray moved to send a letter of support similar to the letter from the Town of Emmitsburg, offering support without a monetary obligation. Commissioner Delauter seconded the motion that passed 5-0.

**ADMINISTRATIVE BUSINESS**

**Bid Award - Purchasing Memo #11-146, Establishment of the Frederick County Government Public-Private Partnership Committee – Hal Good, Finance Division**

Mr. Good presented the proposed bid award and budget transfer.

Commissioner Gray moved approval of Purchasing Memo #11-146 and the associated budget transfer. Commissioner Shreve seconded the motion that passed 4-1 with Commissioner Smith opposed.

**FY 2012 - 2017 Capital Improvements Program and FY 2012 Capital Budget - Regarding Public Hearing Input - Kelly Weaver, Finance Division**

Ms. Weaver presented public hearing comments.

No action was taken by the Board.

**Satellite Recycling Drop-Off Center Options - Kevin Demosky, Utilities and Solid Waste Management Division**

Mr. Demosky presented options regarding the drop-off centers.

Commissioner Shreve moved approval of Option #1, eliminate all satellite recycling drop-off centers with the exception of Reich's Ford Road location, effective July 1, 2011. The annual savings from the program elimination could then be applied to the intra-divisional loan for the wheeled recycling cart purchase noting early repayment could result in further savings. Commissioner Delauter seconded the motion that passed 5-0.

The Board also requested a letter be sent to the municipalities regarding what options may be available to them should they choose to provide drop-off sites.

Commissioner Young moved that the savings from the program elimination be used to pay the loan for the wheeled carts. Commissioner Smith seconded the motion that passed 5-0.

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**Fall Cycle of Water and Sewerage Amendment - WS-10-11, Marley Gate, LLC, Tax Map 801, Parcel 3823, Town of New Market (Continued from 2/22/11) - Tim Goodfellow, Community Development Division**

Mr. Goodfellow presented the proposed amendment.

Commissioner Shreve moved approval of the reclassification of water and sewerage plan from W-5/Dev. to W-3/Dev. Commissioner Smith seconded the motion that passed 5-0.

**Request to Establish a New Position (Grade 16 Software Integrator I), in Interagency Information Technologies Division to Serve the Health Services Division - Dr. Barbara Brookmyer, Health Services Division and Sherry Weakley, Interagency Information Technologies Division**

Dr. Brookmyer and Ms. Weakley presented the request.

Commissioner Gray moved approval to establish a new Grade 16 Software Integrator I position in the Interagency Information Technologies Division, to be paid for by the Health Services Division and the associated budget transfer. Commissioner Smith seconded the motion that passed 5-0.

**Amendment to the List of Exempt Employees - Linda Thall, Office of the County Attorney**

Ms. Thall presented the proposed amendment.

Commissioner Smith moved to take the proposed amendment as presented to public hearing. Commissioner Shreve seconded the motion that passed 5-0.

**Priority One Draft Text Amendments - Eric Soter and Shawna Lemonds, Community Development Division**

Mr. Soter and Ms. Lemonds presented the proposed amendments.

Commissioner Smith moved to take the proposed amendments as presented to public hearing. Commissioner Delauter seconded the motion that passed 5-0.

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

Mr. Mathias and Mr. Cherney presented the legislative updates.

No action was taken by the Board.

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**COMMISSIONERS COMMENTS**

None.

**PUBLIC COMMENTS (3 MINUTE PRESENTATION)**

- Bonnie Bailey-Baker, Co-President, League of Women Voters

**QUESTIONS – PRESS**

None.

**CLOSED SESSION**

Commissioner Smith 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 Delauter seconded the motion that passed 5-0.

**ADJOURN**

The meeting adjourned at 2:30 p.m.

Mary E. Baker  
Recording Secretary

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**FORM OF STATEMENT FOR  
CLOSING THE MEETING OF THURSDAY, MARCH 24, 2011**

**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 Smith 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 Delauter seconded the motion that passed 5-0.

**Time and Location:**

2:30 p.m. – Third Floor Meeting Room, Winchester Hall

**Topic to be Discussed:**

To consider a personnel appeal filed by an individual county employee.

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Mary Baker  
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING  
ON THURSDAY, MARCH 31, 2011,  
FOLLOWING THE CLOSED MEETING OF THURSDAY, MARCH 24, 2011**

**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 Smith 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 Delauter seconded the motion that passed 5-0.

**Time and Location:**

2:30 p.m. – Third Floor Meeting Room, Winchester Hall

**Others in attendance:**

B. Stanton, M. Chomel and M. Baker

**Topic Discussed:**

To consider a personnel appeal filed by an individual county employee.

**Action Taken:**

The Board provided direction to staff.

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Mary Baker  
Recording Secretary