

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, APRIL 14, 2011**

Commissioner Blaine Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, April 14, 2011, at 10:25 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.)

PLEDGE OF ALLEGIANCE

The meeting began with the Pledge of Allegiance.

COMMISSIONERS COMMENTS

Commissioner Shreve noted he would be out of town next week.

Commissioner Young welcomed Dr. Theresa R. Alban, as the new Frederick County Public Schools Superintendent.

Commissioner Young welcomed back Ms. Meg Tully, The Frederick News-Post, as she had been covering the legislative session in Annapolis, Maryland.

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.

AGENDA BRIEFING

Staff briefed the Board on the following item:

Tuesday, April 19, 2011, at 7:00 p.m.

- Amendment to the List of Exempt Employees

CONSENT AGENDA

BID AWARDS

1. Purchasing Memo #11-155 – Piggyback Arlington County, Virginia Fuel Supply Contract for an Additional Three Months
Award to: Fleetcor Technologies, Inc.
Award amount: Estimated total of \$728,037.00

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2. Purchasing Memo #11-156 - Bid #11-CP-70, Purchase of Forest Resource Ordinance Banking Credits
From: Joseph Skoczalak, \$20,299.50; Joseph Skoczalak, \$44,154.60; Bert Newcomer, \$18,315.30
Total amount: \$82,769.40
3. Purchasing Memo #11-157 – Bid #11-CP-69, Miscellaneous Painting
Award to: Titan Industrial Services, Inc.
Award amount: \$110,000.00

CHANGE ORDERS

1. New Design Water Treatment Plant, Contract No.26G-W, Construction Change Order No.74 - Kevin Demosky, Utilities and Solid Waste Management Division
2. New Design Water Treatment Plant, Contract No.26G-W, Construction Change Order No.80 - Kevin Demosky, Utilities and Solid Waste Management Division

GRANT

1. Governor's Office of Crime Control & Prevention - FFY 2012 Sex Offender Compliance & Enforcement In MD Grant - Marty Gallagher, Sheriff's Office

MISCELLANEOUS

1. Installment Purchase Program (IPP) - Barton Request for an Unrestricted Lot - Anne Bradley, Community Development Division

Commissioner Shreve inquired about Purchasing Memo #11-156. Mr. Bruce Johnson, Finance Division, addressed Commissioner Shreve's question.

Commissioner Shreve inquired about the IPP item. Ms. Anne Bradley, Community Development Division, addressed Commissioner Shreve's question.

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

WORKSESSION

Sexual Assault Awareness Month Proclamation

Commissioner Young presented the proclamation.

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ADMINISTRATIVE BUSINESS

Approval of Board of County Commissioners' Meeting Minutes

The following set of minutes were approved by unanimous consent:

- ◆ Thursday, March 24, 2011
- ◆ Thursday, March 24, 2011 – Closed Session
- ◆ Thursday, March 31, 2011
- ◆ Thursday, March 31, 2011 – Closed Session
- ◆ Tuesday, April 5, 2011 - Evening

Frederick Memorial Hospital Clinical Training Agreement - Rick Himes, Fire and Rescue Services Division

Mr. Himes presented the proposed agreement.

Commissioner Shreve moved approval of the training agreement as presented. 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.

The Board requested the proposed bill regarding inmate fees come back before the Board in August with language modification and for possible inclusion in the 2012 legislative packet.

No action was taken by the Board.

WORKSESSION

UpCounty Family Partnership Family Support Center Grant Loss – Margaret Nusbaum, Citizens Services Division

Ms. Nusbaum presented information regarding the grant loss.

Public comment was taken from:

- Tina (Last name was inaudible)

Commissioner Young moved to direct the closure of the UpCounty Family Partnership Family Support Center noting the final service date would be May 31, 2011; direct staff to work with the Town of Emmitsburg to address the closing and assets disposition; direct staff to implement a transportation plan to current families being serviced by the center, noting services will depend on United Way funding; direct staff to make appropriate notifications to UpCounty collaborators; establish a transition team including Assistant County Manager Dave

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Dunn; Human Resources Division Director Mitch Hose; Budget Officer Mike Gastley; County Attorney John Mathias; Management Services Division Director Austin Abraham; Citizens Services Division Director Margaret Nusbaum; and Family Partnership Director Shelly Toms; take any personnel actions as required; and direct the center not to take on any new participants. Commissioner Smith seconded the motion that passed 5-0.

Appointments to Boards, Commissions, Committees – Joyce Grossnickle, Office of the County Manager

Frederick Community Action Agency (FCAA) Board of Directors

Ms. Grossnickle presented a request from Mr. Mike Spurrier, Director, FCAA, to have the Board officially approve Commissioner Smith as the county representative to the FCAA Board of Directors.

There was no public comment.

Commissioner Gray moved to appoint Commissioner Smith to the FCAA Board of Directors as presented. Commissioner Shreve seconded the motion that passed 5-0.

Mental Health Advisory Committee

Ms. Grossnickle presented the request for appointment.

There was no public comment.

Commissioner Gray moved to appoint Mr. David Pearce to fill the vacant general public category for a term to expire June 30, 2011; and for a full three-year term to take effect July 1, 2011 and expire June 30, 2014. Commissioner Smith seconded the motion that passed 5-0.

The Board requested a formal policy/procedure outlining removals and other actions regarding Boards and Commissions.

COMMISSIONERS COMMENTS

Commissioner Delauter wished to reiterate his position that the special Charter Board election would be a waste of taxpayer's money.

Commissioner Young noted that on Tuesday, April 19 the trial for one of his cab company employees would begin so he may not be in attendance during next week's Board meetings.

Commissioner Young commented on the budget criticism the Board has received, noting the Board's intent was to get the county's finances in order.

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PUBLIC COMMENTS (3 MINUTE PRESENTATION)

- Claire Kondig

QUESTIONS – PRESS

- Meg Tully, The Frederick News-Post

CLOSED SESSION

Commissioner Smith moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation; and (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 Shreve seconded the motion that passed 5-0.

ADJOURN

The meeting adjourned at 12:00 p.m.

Mary E. Baker
Recording Secretary

**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, APRIL 14, 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:

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Time and Location:

12:00 p.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

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

Mary Baker
Recording Secretary

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Time and Location:

12:00 p.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss with the county's attorneys and staff the legal ramifications of certain land use proceedings and decisions.

Mary Baker
Recording Secretary

Final Copy

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, APRIL 19, 2011,
FOLLOWING THE CLOSED MEETING OF THURSDAY, APRIL 14, 2011**

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Others in attendance:

B. Stanton, J. Mathias, M. Chomel, M. Baker

Topic Discussed:

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Action Taken:

The Board provided direction to staff.

Mary Baker
Recording Secretary

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B. Stanton, J. Mathias, M. Chomel, E. Soter, J. Gugel, M. Baker.

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