

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, JUNE 9, 2011**

Commissioner Blaine Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, June 9, 2011, at 10:00 a.m. Present were Commissioners C. Paul Smith, *Vice President*, Billy Shreve, and David Gray and Kirby Delauter. Also present were Mr. David Dunn, Acting County Manager and Ms. 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 Delauter attended the Road’s Board meeting, noting the Tower Road dust complaints.

Commissioner Shreve attended the Maryland Municipal League with Carroll County last night.

Commissioner Smith attended the Frederick Arts Festival this past weekend; he visited Centerville School where they discussed the overcrowding issue; and he read an article about a waste to energy facility in Florida.

Commissioner Young expressed interest in having a recognition ceremony for the National Teacher of the Year during a Board meeting; he attended the rededication of Walkersville Elementary School; and attended the Frederick Arts Festival this past weekend.

Update of Board of County Commissioners’ Administrative Actions – Commissioner Blaine R. Young and David Dunn, Office of the County Manager

Commissioner Young and Mr. Dunn, Office of the County Manager, briefed the public on the Board’s recent administrative actions.

WORKSESSION

Elder Abuse Awareness Day Proclamation

Commissioner Gray presented the proclamation.

AGENDA BREIFING

Staff presented the following item for public hearing.

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Thursday, June 16, 2011, at 10:00 a.m.

- Rehabilitation of Vacant Commercial Structures – Colby Ferguson, Community Development Division
- New Jobs Tax Credits – Richard McCain, Office of the County Attorney

CONSENT AGENDA

BID AWARD

1. Purchasing Memo #11-197 - Request to Renew Employee Physicals, Drug Testing and Other Services
Award to: Corporate Occupational Health Services
Estimated award amount: \$744,897.00

BUDGET TRANSFERS

1. #BT-11-171, Accounting, Finance Division
2. #BT-11-172, Aging, Citizens Services Division

CHANGE ORDER

1. Adult Detention Center Shower Renovations, Change Order No. 2 and Associated Budget Transfer – Darlene Bucciero, Public Works Division

GRANTS

1. Rapid Response Grant – Laurie Holden, Citizens Services Division
2. Division of Rehabilitated Services (DORS) Summer Jobs Grant – Laurie Holden, Citizens Services Division
3. FFY 2012 Governor's Office of Crime Control and Prevention – Edward J. Byrne Justice Grant Application for Drug Court – Dwayne Wolford, Circuit Court
4. Renewal of Memorandum of Understanding for the Section 8 Moderate Rehabilitation Program – Jenny Short, Citizens Services Division
5. Renewal of Memorandum of Understanding for the Housing Choice Voucher Program - Jenny Short, Citizens Services Division

Ms. Short presented information regarding grant #5.

Commissioner Smith moved approval of the consent agenda with the exception of grant #5. Commissioner Gray seconded the motion that passed 5-0.

Commissioner Smith moved approval of grant #5 as presented. Commissioner Gray seconded the motion that failed 2-3 with Commissioners Gray, Shreve and Delauter opposed.

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Commissioner Young moved approval of grant #5 excluding the \$13,324 that was not a matching requirement. Commissioner Shreve seconded the motion that passed 5-0.

Commissioner Young moved to allocate \$13,324 to the county snow removal fund. Commissioner Shreve seconded the motion that passed 4-1 with Commissioner Gray opposed.

ADMINISTRATIVE BUSINESS

Bid Award – Purchasing Memo #11-201 – FY 2012 Custodial Services for County Buildings (Sole Source) - Hal Good, Finance Division

Mr. Good presented the proposed purchasing memo.

Commissioner Young moved approval of Purchasing Memo #11-201 as presented. Commissioner Delauter seconded the motion that passed 4-1 with Commissioner Shreve opposed.

WORKSESSION

FY 2012 Valuation Report – Frederick County Employees Retirement Plan – Tracy Lobuts, Human Resources Division and Kate Hoffman, Mercer

Ms. Lobuts and Ms. Hoffman presented the report.

No action was taken on this item as it was for information only.

Septage and Holding Tank Fees – Kevin Demosky, Utilities and Solid Waste Management Division

Mr. Demosky presented the proposed fees.

Commissioner Delauter moved to send the septage and holding tank fees to public hearing, noting the fees would be reviewed after one year. Commissioner Young seconded the motion.

Commissioner Delauter amended the motion to take the fees ranging from \$18.00 to \$25.00 per ton, noting the fees would be reviewed in one year. Commissioner Young seconded the amendment. The main motion including the amendment passed 5-0.

Draft Ordinance to Amend the Adequate Public Facilities Ordinance (APFO) Senior Housing – Kathy Mitchell, Office of the County Attorney

Ms. Mitchell presented the proposed ordinance.

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Commissioner Shreve moved to proceed to public hearing. Commissioner Delauter seconded the motion that passed 4-1 with Commissioner Gray opposed.

COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS – (5 MINUTE PRESENTATION)

None.

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) (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; (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. Commissioner Gray seconded the motion that passed 5-0.

ADJOURN

The meeting adjourned at 12:20 p.m.

Mary E. Baker
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, JUNE 9, 2011**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Smith moved to proceed into closed session in accordance with Maryland Annotated Code State Government Article § 10-508(a) (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; (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. Commissioner Gray seconded the motion that passed 5-0.

Time and Location:

12:25 p.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To consider the acquisition of an easement for county purposes.

Mary Baker
Recording Secretary

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**FORM OF STATEMENT FOR
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Time and Location:

12:25 p.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss with staff and the county attorneys certain issues in connection with a construction contract.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, JUNE 16, 2011,
FOLLOWING THE CLOSED MEETING OF THURSDAY, JUNE 9, 2011**

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Time and Location:

12:25 p.m. – Third Floor Meeting Room, Winchester Hall

Others in attendance:

J. Mathias, D. Dunn, M. Gastley, R. McCain, T. Meunier, C. Chamberlain, R. Shen, J. Stitt, R. Santangelo and M. Baker

Topic Discussed:

To consider the acquisition of an easement for county purposes.

Action Taken:

The Board provided direction to staff.

Mary Baker
Recording Secretary

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Others in attendance:

J. Mathias, D. Dunn, M. Gastley, K. Mitchell, K. Demosky, R. Winebrenner, R. Santangelo and M. Baker

Topic Discussed:

To discuss with staff and the county attorneys certain issues in connection with a construction contract.

Action Taken:

The Board provided direction to staff.

Mary Baker
Recording Secretary