

## **PUBLIC MEETING MINUTES FOR TUESDAY, JULY 19, 2011**

A public meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday July 19, 2011, was called to order at 7:00 p.m. by Commissioner Blaine Young, *President*. Present were Commissioners C. Paul Smith, *Vice President*; Billy Shreve David Gray, and Kirby Delauter. Also in attendance were Mr. Dave Dunn, Acting County Manager and Ms. 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 web page. 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 web page at [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov))*

**NOTE: Copies of all staff reports are available in the OnBase system. If you need assistance with the OnBase system, please contact the recording secretary.**

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

### **PUBLIC HEARINGS**

#### **To Consider Revision of the Septage Disposal Fees Charged by the Utilities and Solid Waste Management Division – Kevin Demosky, Utilities and Solid Waste Management Division (DUSWM)**

A public hearing was held, as duly advertised, to consider a revision of the septage receiving (processing) fee as charged by DUSWM.

Mr. Demosky presented comparison charts of fees from \$18 to \$25 per ton of septage disposal to provide guidance to the Board regarding their consideration of a reduction in the fees.

Public comment was heard from:

- Patrick Murphy

Commissioner Gray moved to adopt the resolution to revise the fees for septage disposal at \$18 per ton with an effective date of July 20, 2011. Commissioner Smith seconded the motion that passed 5-0. It was indicated the resolution had a five-year sunset date.

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

#### **To Consider a Draft Ordinance to Amend the Adequate Public Facilities Ordinance (APFO) Senior Housing Exemption - Kathy Mitchell, Office of the County Attorney**

A public hearing was held, as duly advertised, to consider a revision to the requirements for exemption from the APFO public school adequacy testing for "housing for older persons."

Ms. Mitchell and Mr. Eric Soter, Community Development Division, presented the draft

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ordinance for consideration.

Public comments were heard from:

- Rolan Clark
- Steve Seawright, Frederick County Builders Association (FCBA)
- Mike Wiley, Wormald Company

Commissioner Smith moved to approve and adopt the ordinance to amend the APFO school testing exemption for “housing for older persons” which would decrease the age requirement from 62 to 55 with an effective date of July 19, 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](http://www.FrederickCountyMD.gov).)

### **To Consider a Frederick County Adequate Public Facilities Ordinance (APFO) School Mitigation Fee – Kathy Mitchell, Office of the County Attorney**

A public hearing was held, as duly advertised, to consider a draft ordinance that would create a school construction fee option for satisfying the public school adequacy requirements of the APFO.

Ms. Mitchell and Mr. Soter presented the ordinance for consideration.

Public comments were heard from:

- Bruce Dean, Esquire, Land Use Council, FCBA
- Rolan Clark
- Kyle Bostian
- Kim Cable
- Mary Ellen Rhoderick
- Ric Adams, Frederick County Chamber of Commerce
- Fred Ugast
- Janice Spiegel
- Mark Friis
- Kai Hagen, Envision Frederick County
- Rand Weinberg, Esquire, Weinberg and Miller
- Jeremy Holder, Ausherman Development
- Steve Seawright, FCBA
- MC Keegin-Ayer
- Ralph Whitmore, Burgess, Town of Walkersville

A lengthy discussion ensued.

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Commissioner Smith moved to adopt the ordinance as presented with an effective date of July 20, 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](http://www.FrederickCountyMD.gov).)

**PUBLIC COMMENTS AND/OR REQUESTS**

- Rolan Clark
- MC Keegin-Ayer

**ADJOURN**

The meeting adjourned at 9:15 p.m.

Patricia A. Morrow  
Recording Secretary