

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, OCTOBER 13, 2011**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, October 13, 2011, at 10:00 a.m. Present were Commissioners C. Paul Smith, *Vice President*; Billy Shreve, David Gray, and Kirby Delauter. Also present were Mr. Dave Dunn, 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'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 AND INVOCATION**

The meeting began with the Pledge of Allegiance followed by the invocation.

**COMMISSIONER COMMENTS**

Commissioner Shreve mentioned he had attended the annual meeting of the Frederick County Farm Bureau recently. He indicated he would like to invite the Farm Bureau members to attend a future Board meeting to discuss their goals.

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

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

Commissioner Shreve requested staff to look into drafting text amendments that would allow bed and breakfast establishments or offices to be located in older historic homes as well as signs to advertise the businesses.

Commissioner Shreve also requested staff to look into a more friendly way to finance water and sewer capacity fees.

**WORKSESSION**

**Discussion of the Frederick County Solid Waste Management Plan Updates and Amendments (Public Hearing held 9/20/11) – Kevin Demosky and Phil Harris, Utilities and Solid Waste Management Division**

Commissioner Gray moved to approve the updates and amendments to the Frederick County Solid Waste Management Plan. Commissioner Smith seconded the motion.

Commissioner Gray withdrew his motion.

Mr. Demosky presented the updates and amendments that were presented during the public hearing on September 20, 2011.

There were no public comments.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, OCTOBER 13, 2011**

Commissioner Gray moved to approve the staff recommendations as outlined on page 3 of the staff report. Commissioner Shreve seconded the motion that passed 5-0.

(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).)

**Letter to Maryland Department of the Environment (MDE) with National Pollution Discharge Elimination System (NPDES) MS4 Draft Permit Issues – Shannon Moore, Community Development Division**

Ms. Moore provided background information to the Board on the MS4 draft permit and how it fits in with the Chesapeake Bay Total Maximum Daily Load (TMDL) issues.

There were no public comments.

At Ms. Moore's suggestion the Board discussed sending a cover letter to be attached to a letter to MDE written by AquaLaw (Clean Water Act attorney representing the county).

Commissioner Smith moved to approve a cover letter to be signed by Commissioner Young to accompany a letter to MDE written by AquaLaw and signed by the County Attorney's Office designee. Commissioner Gray seconded the motion that passed 5-0.

**FY 2011 Annual Report of the Development Road Improvement Fund – Lori Depies, Finance Division**

Ms. Depies presented an annual report that summarized the activity of the Development Road Improvement Fund.

There were no public comments.

Commissioner Smith moved to accept the report. Commissioner Shreve seconded the motion that passed 5-0.

**Building Excise Tax Discussion – Lori Depies and Ronni Griffin, Finance Division**

Ms. Depies and Ms. Griffin requested direction regarding the elimination of the building excise tax which has been dedicated revenue to the Development Road Improvement Fund.

Public comment was heard from:

- Carol Krimm, Alderman, The City of Frederick
- Mike Smariga, Frederick Area Transportation Committee (FACT)
- Bob Smariga, FACT

Commissioner Young moved to direct staff to take the reduction of the building excise tax to "0" through the public review process with an effective date being November 1, 2011. Commissioner Shreve seconded the motion that passed 3-2 with Commissioners Smith and Gray opposed.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, OCTOBER 13, 2011**

**AGENDA BRIEFING**

Staff reviewed with the Board the following items scheduled for public hearing on:

- Tuesday, October 18, 2011, at 7:00 p.m. - Frederick County's Proposed 2012 Legislative Package – John Mathias, Office of the County Attorney and Ragen Cherney, Office of the County Manager

The Board directed staff to draft correspondence to the Board of Education requesting the number of undocumented students enrolled. Commissioner Gray opposed this request.

- Thursday, October 20, 2011, at 10:00 a.m. - Water and Sewer Plan Amendments (Summer Cycle) - Tim Goodfellow, Community Development Division

**CONSENT AGENDA**

The following items were considered on the consent agenda:

**BID AWARD**

- Purchasing Memo #12-049 - Bid #12-04, Hauling/Recycling of Scrap Metal/Appliances and Removal/Recovery of Refrigerant Gases  
Award to: Joseph Smith & Sons, Inc.  
Award amount: Estimated Revenue: \$300,000.00

**GRANTS**

- Maryland Housing Rehabilitation Program (MHRP) Letter of Intent – Jenny Short, Citizens Services Division
- Senior Center Operating Funds – Carolyn True, Citizens Services Division

Commissioner Gray moved to approve the consent agenda as presented. Commissioner Delauter seconded the motion that passed 5-0.

**ADMINISTRATIVE BUSINESS**

**Approval of Board of County Commissioners' Meeting Minutes**

The following minutes were approved by unanimous consent:

- Thursday, September 1, 2011
- Thursday, September 1, 2011, Closed Session
- Tuesday, September 6, 2011, Evening

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, OCTOBER 13, 2011**

**Bid Awards – Hal Good, Finance Division**

**Purchasing Memo #12-061, Purchase of Furniture, Fixtures and Equipment for Citizens Care and Rehabilitation Center (CCRC) / Montevue Assisted Living (MAL)**

Commissioner Smith moved to approve Purchasing Memo #12-061. Commissioner Young seconded the motion that passed 5-0.

**Purchasing Memo #12-062, Ratification of Renewal for Electronic Pharmacy Services for CCRC / MAL**

Commissioner Gray moved to approve Purchasing Memo #12-062. Commissioner Smith seconded the motion that passed 5-0.

**Citizens Care and Rehabilitation Center (CCRC) / Montevue Assisted Living (MAL), Work Change Directive (WCD) 20 – Sheet Vinyl Flooring (User Requested) – Dave Ennis, Public Works Division**

Collier Baird, CCRC/MAL, commented on WCD 20.

Commissioner Gray moved to approve WCD 20. Commissioner Delauter seconded the motion that passed 5-0.

**Frederick County Energy Conservation and Sustainability Initiatives FY 2011 Annual Report – Shannon Moore, Community Development Division**

Ms. Moore and Ms. Jessica Reckley, Management Services Division, presented the annual report on county energy conservation and sustainability programs and initiatives.

The Board indicated they would like staff to put together the savings from the cost effective projects.

No action was taken on this item as it was informational.

**Change Order - Motorola Solutions; Relocation of Site-C, Quirauk Mountain Radio Transmitter – Jack Markey, Emergency Management Division**

Commissioner Gray moved to approve the change order as presented. Commissioner Smith seconded the motion that passed 5-0.

**DIRECTOR'S REPORT**

Ms. Sherry Weakley, Interagency Information Technologies Division (IIT) presented a report on the IIT Division.

It was noted that Ms. Weakley would look into the replacement of the sign in front of Winchester Hall with a computerized sign.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, OCTOBER 13, 2011**

**PUBLIC COMMENTS**

- Diane Smully

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 12:15 p.m.

Patricia A. Morrow  
Recording Secretary