

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, NOVEMBER 10, 2011**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, November 10, 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.)

PLEDGE OF ALLEGIANCE AND INVOCATION

The meeting began with the Pledge of Allegiance followed by a moment of silence.

COMMISSIONER COMMENTS

Commissioner Delauter congratulated Fitzgerald Realty Group for bringing Flowers Food located at 801 East Street, to Frederick.

Commissioner Delauter also noted the notice of 100 hotel employees to loose their jobs possibly tied to Bechtel's relocation of a portion of its workforce to Virginia.

Commissioner Delauter mentioned the governor's proposal to increase the gas tax to 15 cents.

Commissioner Shreve also commented on the proposed gas tax.

Commissioner Smith commented that an increase in the federal gas tax would be needed.

Commissioner Gray noted the rare occurrence of a full moon and the planet Jupiter visible in the night sky.

Commissioner Gray also requested an item be added to the agenda regarding the scheduling of a discussion with the Interagency Internal Audit Authority (IIAA).

Commissioner Gray moved to amend the agenda to include a discussion on when to schedule a meeting with the IIAA. Commissioner Smith seconded the motion that failed 2-3 with Commissioners Young, Shreve and Delauter opposed.

Mr. Dunn indicated the IIAA briefing would be held prior to the Public-Private Partnership committees' recommendation regarding the possible request for proposal for the Internal Audit Division.

Commissioner Young noted he had attended a PPP session with the Maryland Lieutenant Governor recently.

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**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.

WORKSESSION

**Business Recycling and Waste Reduction Award Winners and Residential Video
Contest Winner**

The Board recognized the business recycling and waste reduction award winners and the residential video contest winner.

Business Updates – Ron Tobin, Office of the County Manager

Mr. Tobin updated the Board on various businesses in the county.

No action was taken as this item was informational.

AGENDA BRIEFING

Staff reviewed with the Board the following item scheduled for a public hearing on Tuesday, November 15 at 7:00 p.m.:

- Proposed Changes to the Frederick County Personnel Rules – Mitch Hose, Human Resources

Staff reviewed with the Board the following item scheduled for a public hearing on Thursday, November 17 at 10:00 a.m.:

- Triennial Review of the Frederick County Water and Sewerage Plan – Tim Goodfellow, Community Development Division

CONSENT AGENDA

The following item was removed from the consent agenda.

BID AWARD

- Purchasing Memo #12-074 - Bid #12-CP-03, Urbana Roads Satellite Facility **and** Attached Budget Transfer
Award to: Roy C. Kline Contractors
Total Bid Amount: \$522,844.00

The following items remained on the consent agenda:

BUDGET TRANSFER

- #BT-12-067, Montevue Assisted Living

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GRANT

- FY 2012 Rental Allowance Program Application and Agreement – Jenny Short, Citizens Services Division

MISCELLANEOUS

- Installment Purchase Program – Child’s Lot Request – Ray and Linda Seiss – Anne Bradley, Community Development Division

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

ADMINISTRATIVE BUSINESS

Bid Award - Purchasing Memo #12-074 - Bid #12-CP-03, Urbana Roads Satellite Facility and Attached Budget Transfer – Hal Good, Finance Division

Mr. Tom Meunier and Mr. Dave Ennis, Public Works Division, were present for the discussion of the bid award.

By unanimous consent the Board indicated the item would be tabled to a later date following a further study of possible alternatives for the function of the facility.

(Commissioner Shreve left the meeting.)

Approval of Board of County Commissioners’ Meeting Minutes

Commissioner Gray moved to approve the following minutes:

- ◆ Thursday, September 22, 2011
- ◆ Thursday, September 22, 2011, Closed Session
- ◆ Tuesday, September 27, 2011, Afternoon
- ◆ Thursday, September 29, 2011
- ◆ Thursday, September 29, 2011, Boards and Commissions
- ◆ Tuesday, October 4, 2011, Boards and Commissions
- ◆ Thursday, October 6, 2011
- ◆ Thursday, October 6, 2011, Afternoon
- ◆ Tuesday, October 11, 2011, Afternoon

Commissioner Smith seconded the motion that passed 4-0 with Commissioner Shreve absent.

(Commissioner Shreve returned to the meeting.)

Installment Purchase Program (IPP) – Agricultural Subdivision Request – Estate of C. Ellis Hood – Anne Bradley, Community Development Division

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Ms. Bradley presented the request made by the estate of C. Ellis Hood for an agricultural subdivision of their 292 acre easement property.

Ms. Bradley noted the Agricultural Preservation Advisory Board unanimously recommended approval of the request.

Commissioner Gray moved to approve the subdivision request. Commissioner Smith seconded the motion that passed 5-0.

**Consent Agreement (Ballenger McKinney Enhanced Nutrient Removal (ENR)
Wastewater Treatment Plant Expansion) – Kevin Demosky, Utilities and Solid Waste
Management Division**

Mr. Demosky presented a proposed administrative consent agreement between the Maryland Department of the Environment (MDE) and Frederick County regarding improvements to the Ballenger Creek Wastewater Treatment Plant to achieve ENR effluent limitations as required by the state National Pollutant Discharge Elimination System (NPDES) discharge permit. Ms. Kathy Mitchell, Office of the County Attorney, participated in the discussion.

Commissioner Smith moved to approve the proposed consent agreement. Commissioner Delauter seconded the motion that passed 4-1 with Commissioner Shreve opposed.

**Request to go to Public Hearing – Post Construction Benefit Assessment for
Nightingale – Rod Winebrenner, Utilities and Solid Waste Management Division**

Commissioner Smith moved taking the request to revise the benefit assessment amounts originally established for certain lots within the Lake Linganore Planned Unit Development through the public review process. Commissioner Delauter seconded the motion that passed 5-0.

COMMISSIONER COMMENTS

Commissioner Smith noted during a business meeting for economic development the following businesses were recognized for their contributions to the community: Frederick Piano Company, Wegmans Food Markets, and Catocin Mountain Orchards.

Commissioner Young commended the City of Brunswick for the continuation of their Veterans Day Parade held recently. He noted the American Legion observance of Veterans Day would be held on Friday, November 11 at 11:00 a.m. in Memorial Park, Frederick.

Commissioner Young read the poem "It is the Soldier," by Charles Michael Province, U.S. Army.

PUBLIC COMMENTS

- Bonnie Bailey-Baker, League of Women Voters
- John O'Connor

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QUESTIONS – PRESS

None

ADJOURN

The meeting adjourned at 11:45 a.m.

Patricia A. Morrow
Recording Secretary