

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, DECEMBER 15, 2011**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, December 15, 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.)

INVOCATION AND PLEDGE OF ALLEGIANCE

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

COMMISSIONER COMMENTS

Commissioner Smith commented on the Pillars of Frederick book by Yemi.

Commissioner Smith commented he had attended the briefing on the proposed PlanMaryland document for the state legislature.

Commissioner Delauter thanked Mr. Mike Marschner, Office of the County Manager, for the excellent response to an e-mail regarding the proposed Waste to Energy facility.

Commissioner Young said he would donate the Pillars of Frederick book to the county.

Commissioner Young commented on the senate hearing on the proposed PlanMaryland. He thanked Senator Ron Young for his efforts regarding the issue.

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**Certificate of Recognition Presented to Michelle McIntyre-Brewer, Recipient of the Presidential Citizens Medal**

The Board recognized Ms. McIntyre-Brewer for her receipt of the Presidential Citizens Medal.

Discussion with The City of Frederick Elected Officials Regarding Carroll Creek Linear Park Project – Board of County Commissioners

The following officials were present from The City of Frederick (City): Mayor Randy McClement, Aldermen Shelley Aloï, Carol Krimm, Kelly Russell and Karen Young.

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Mayor McClement briefed the Board on the Carroll Creek Linear Park project. He requested \$400,000.00 from the county in order for the City to take full advantage of grant money that was funded through a Maryland Transportation Enhancement Grant in 2009. The mayor indicated the county's requested allocation would enable the City to retain the entire grant and complete a larger portion of the project.

Ms. Lori Depies, Finance Division, commented on the funding request.

Alderman Young commented on the job growth the project would provide to the community.

Commissioner Smith moved to forward fund \$300,000 from the Small Business Loan Fund to the City to match the federal grant for the completion of the Carroll Creek Linear Park Project and communicate to the City that \$100,000 would be budgeted in FY 2013 and would be received within the first two (2) weeks in July 2012. Commissioner Shreve seconded the motion that passed 5-0.

CONSENT AGENDA

The following item was removed from the consent agenda:

GRANT

- FY 2013 Rideshare Grant Application – Nancy Norris, Transit Services Division

The following items remained on the consent agenda:

BID AWARDS

- Purchasing Memo #12-088 - Bid #12-11, Traffic Signal Maintenance
Award to: Lighting Maintenance, Inc.
Estimated Award Amount: \$76,807.00
- Purchasing Memo #12-089 – RFP #12-09, Commissary and Inmate Trust Fund Services for the Adult Detention Center
Award to: Swanson Services Corporation
Estimated Monthly Revenue: \$6,650.00
- Purchasing Memo #12-090 – Reflective Sign Sheeting (Piggyback Contract)
Award to: 3M Corporation
Estimated Annual Award Amount: \$27,000.00

BOARD OF EDUCATION (BOE) CURRENT EXPENSE FUND AMENDMENT

- #1-12

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

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ADMINISTRATIVE BUSINESS

(Commissioner Young passed the gavel to Commissioner Smith and left the room.)

FY 2013 Rideshare Grant Application – Nancy Norris, Transit Services Division

Commissioner Gray moved to approve the FY 2013 Rideshare Grant. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Young absent.

(Commissioner Young entered the room and Commissioner Smith passed the gavel back to him.)

Bid Award – Purchasing Memo #12-092 – Authorize the Acquisition of Helpdesk and Client Device Management Services via Piggyback Arrangement with L-3 Services - Hal Good, Finance Division

Ms. Sherry Weakly commented on the request to outsource the Helpdesk and Client Device Management via a piggyback arrangement with L-3 Communications.

Commissioner Delauter moved to approve Purchasing Memo #12-092. Commissioner Shreve seconded the motion.

Commissioner Gray offered an amendment to the motion to obtain a specific response to the various charges brought before L-3 Communications prior to the finalization of the contract. Commissioner Smith seconded the amendment that failed 2-3 with Commissioners Young, Shreve and Delauter opposed.

Commissioner Young read an e-mail from Mr. Barry Moultrie, L-3 Communications, regarding background information on L-3 Communications.

The vote on the original motion was 4-1 with Commissioner Gray opposed.

Frederick County Board of Commissioners' 2010 – 2014 Strategic Plan (FY 2011 – FY 2015) Update – Dave Dunn, Office of the County Manager

Mr. Dunn presented the quarterly strategic plan reports to the Board. The strategic plan document included six (6) goals and forty-six (46) objectives. The division directors have been assigned the responsibility for implementing and completing each goal and objective.

There was no action taken on this item because it was informational.

Review of FY 2013 Base Budget – Regina Howell, Finance Division

Ms. Lori Depies and Ms. Kelly Weaver, Finance Division, participated in the presentation. A PowerPoint presentation was given.

It was indicated staff would recalculate the budget with the following scenarios included:

- Three to four cent property tax cut;

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- Fire tax scenario;
- 3.7 merit step and reclassification in employees' salaries;
- Communicate with Sheriff Jenkins regarding issues that he was looking at; specifically frozen salaries

It was indicated the base budget would move forward to recommended budget through a review committee with proposed scenarios brought back before the Board for action.

COMMISSIONER COMMENTS

Commissioner Smith formally dedicated Pillars of Frederick book to the county.

PUBLIC COMMENTS

- Rick Little

QUESTIONS – PRESS

None.

CLOSED SESSION

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508(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 and (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 Shreve seconded the motion that passed 5-0.

ADJOURN

The meeting adjourned at 12:25 p.m.

Patricia A. Morrow
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, DECEMBER 15, 2011**

STATUTORY AUTHORITY TO CLOSE SESSION

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.

Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508 (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 Shreve seconded the motion that passed 5-0.

Time and Location:

12:30 p.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss issues relating to the pending issuance of a permit.

Patricia Morrow
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, DECEMBER 20, 2011,
FOLLOWING THE CLOSED MEETING OF THURSDAY, DECEMBER 15, 2011**

STATUTORY AUTHORITY TO CLOSE SESSION

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.

Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508 (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 Shreve seconded the motion that passed 5-0. Shreve seconded the motion that passed 5-0.

Time and Location:

12:30 p.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

J. Mathias, M. Marschner, E. Soter, L. Depies, S. Moore, K. Mitchell and P. Morrow.

Topic Discussed:

To discuss issues relating to the pending issuance of a permit.

Action Taken:

Staff was directed to continue with negotiations on the draft permit.

Patricia Morrow
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, DECEMBER 15, 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:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508 (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.

Time and Location:

12:30 p.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss the responsibilities and duties of a division director.

Patricia Morrow
Recording Secretary

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Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508 (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.

Time and Location:

12:30 p.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

J. Mathias, M. Chomel, M. Marschner, T. Owens, S. Leatherman, T. Lobuts, L. Depies, and P. Morrow.

Topic Discussed:

To discuss the responsibilities and duties of a division director.

Action Taken:

Staff was directed to schedule the issue for an open session on December 20, 2011.

Patricia Morrow
Recording Secretary