

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR TUESDAY, DECEMBER 20, 2011**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, December 20, 2011, at 10:00 a.m. Present were Commissioners Billy Shreve, David Gray, and Kirby Delauter. Also present were Mr. Dave Dunn, County Manager and Ms. Patti Morrow, Recording Secretary. Commissioner C. Paul Smith, *Vice President*, was attending a hearing at U.S. District Court regarding redistricting and was absent from the meeting.

(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

None.

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.

AGENDA BRIEFING

It was noted there would be a public hearing on Tuesday, January 3, 2012, at 10:00 a.m. to consider a proposed ordinance regarding a real property tax credit for senior citizens.

CONSENT AGENDA

The following items were considered on the consent agenda:

BID AWARD

- Purchasing Memo #12-095 – Enterprise Backup Software
Award to: Blackwood Associates, Inc.
Award amount: \$207,399.00 (over 5 years)

BUDGET TRANSFER

- #BT-12-097, Office of Transportation Engineering, Public Works Division

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CHANGE ORDERS

- Citizens Care and Rehabilitation Center (CCRC) / Montevue Assisted Living (MAL) Design Change Order No. 33: Reimbursement to Frederick County for WCD 12 (Vent Piping) Construction Costs – Sue Barthol, Public Works Division
- CCRC / MAL Design Change Order No. 34: Additional Compensation for Design Services per Arbitration Determination – Dave Grossweiler, Public Works Division

GRANT

- FY 2013 State Criminal Alien Assistance Program (SCAAP) Grant Renewal and Budget Transfer – Keith Welty, Sheriff's Office

Commissioner Shreve moved to approve the consent agenda as presented. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

WORKSESSION

Discussion of Aging and Long Term Care Issues – Gloria Lawlah, Maryland Secretary of Aging

Ms. Carolyn True, Citizens Service Division, introduced Ms. Lawlah and Ms. Ilene Rosenthal, Deputy Secretary of Aging.

Ms. Lawlah briefed the Board on the recent changes to the long-term support and service needs of seniors. She indicated the current and future initiatives would be shifting the focus and the funding away from traditional facility based long term care and focus on person-centered community-based alternatives.

Public comment was heard from:

- Steve Wilhelm, Frederick County Commission on Aging
- Stuart Rosenthal, Chair, State of Maryland Commission on Aging

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

Initiation of Draft Ordinance to Amend Chapters 1-20 and 1-25 of the County Code to Allow Board of County Commissioners to Approve Adequate Public Facilities Ordinance (APFO) as Part of Developers Rights and Responsibilities Agreement (DRRA) – Kathy Mitchell, Office of the County Attorney

Ms. Mitchell presented the draft ordinance to amend the county code regarding approval of APFO as a part of a DRRA.

Mr. Eric Soter, Community Development Division, commented on the ordinance. Mr. Soter noted the proposed ordinance was initiated by staff.

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Public comment was heard from:

- Bruce Dean, Esquire, President of the Frederick County Land Use Council
- Rolan Clark

Commissioner Shreve moved to take the draft ordinance through the public review process. Commissioner Delauter seconded the motion that passed 3-1 with Commissioner Gray opposed and Commissioner Smith absent.

**Appointments/Reappointments to Boards/Commissions/Committees – Joyce
Grossnickle, Office of the County Manager**

Affordable Housing Council

There were no public comments.

Commissioner Gray moved to appoint Reverend Philip Curran to fill an unexpired term to expire June 30, 2014; to appoint Mr. Troy Linton to fill an unexpired term to expire June 30, 2012; and to appoint Mayor Debby Burgoyne to serve as the elected official representative with no term assigned. Commissioner Shreve seconded the motion that passed 4-0 with Commissioner Smith absent.

Commission on Aging

There were no public comments.

Commissioner Gray moved to reappoint Mr. Millard Haines and Ms. Louse Lynch to serve three-year terms to expire June 30, 2014. Commissioner Shreve seconded the motion that passed 4-0 with Commissioner Smith absent.

Commission on Disabilities

There were no public comments.

Commissioner Gray moved to reappoint Ms. Jeanine Aubertin to serve a three-year term to expire June 30, 2014. Commissioner Shreve seconded the motion that passed 4-0 with Commissioner Smith absent.

Companion Animal Welfare Advisory Committee

There were no public comments.

Commissioner Shreve moved appoint Ms. Lauren Ireland to fill an unexpired term to expire June 30, 2012. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

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Human Relations Commission

There were no public comments.

Commissioner Delauter moved to appoint Mr. Vincent Fiammetta to fill an unexpired term to expire June 30, 2014. Commissioner Shreve seconded the motion that passed 4-0 with Commissioner Smith absent.

Small Business Revolving Loan Review Committee (Committee)

There were no public comments.

Commissioner Shreve moved to have Business Development Advisory Council Member H. Richard Ishler, Jr. serve on the Committee. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

Substance Abuse Council

There were no public comments.

Commissioner Shreve moved to reappoint Ms. Debra Campbell-Addison and Mr. Korey Shorb to serve four-year terms to expire June 30, 2015. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

Sustainability Commission

There were no public comments.

Commissioner Shreve moved to appoint Mr. Christian May to fill an unexpired term to expire June 30, 2013. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Smith absent.

Transportation Services Advisory Council

There were no public comments.

Commissioner Gray moved to appoint Mr. Rick Weldon to serve as the Maryland Municipal League – Frederick County Chapter representative with no term assigned. Commissioner Shreve seconded the motion that passed 4-0 with Commissioner Smith absent.

OPEB Investment Committee

There were no public comments.

Commissioner Shreve moved to appoint Mr. Chuck Nipe to serve as the Retirement Plan Committee's second representative with his term to expire June 30, 2014; to remove the terms of the Frederick County Public Schools (FCPS) Executive Director and FCPS Finance Manager as the positions would now become permanent with no terms assigned; and to appoint Ms. Colette Baker, FCPS Benefits Officer, to serve as the FCPS at-large

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representative for a term to expire June 30, 2015. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

Metropolitan Washington Council of Governments

There were no public comments.

Commissioner Gray moved to continue for 2012 with the same policy boards/committees as assigned for 2011. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

Community Gardens Initiative – Paul Dial and Bob Hicks, Parks and Recreation Division

Mr. Dial briefed the Board on a request by a county resident to establish community garden plots in Frederick County parks.

Mr. Dial indicated Ballenger Creek Park would best meet the needs of a potential community garden.

There were no public comments.

Commissioner Gray moved to fund the initial start-up costs for a community garden program at Ballenger Creek Park with a charge per plot of \$67/year for 5 years and staff would be given flexibility needed for the implementation of the program. Commissioner Shreve seconded the motion that passed 3-1 with Commissioner Delauter opposed and Commissioner Smith absent.

Water and Sewer Capacity Fees – Leadership in Energy and Environmental Design (LEED) Certification – Kevin Demosky, Utilities and Solid Waste Management Division

Mr. Demosky presented a request regarding the consideration of additional capacity adjustment factors for certain non-residential customers desiring LEED certified water efficient buildings.

There were no public comments.

Commissioner Gray moved to take changes to the Water and Sewer Rules and Regulations through the public review process. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

Introduction of the Emergency Notification System – ALERT Frederick County – Seamus Mooney, Emergency Management Division

Mr. Jack Markey, Emergency Management Division, briefed the Board on ALERT Frederick County emergency alert system.

There were no public comments.

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

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**Authorization for Recruit Firefighter Hiring – Tom Owens, Fire and Rescue Services
Division**

Mr. Owens briefed the Board on firefighter position vacancies that had occurred since the hiring freeze of 34 uniformed positions. He indicated an additional 12 vacancies would occur through attrition by the end of 2011. He noted the division was in a current position of being short staffed everyday causing overtime expenses to increase dramatically.

He offered two (2) alternatives to address the increase of vacancies:

- Continue to meet staffing requirements by paying overtime;
- Hire the number of recruit firefighters that could be employed with salary savings from the 12 vacated positions so that hiring remains cost neutral.

There were no public comments.

Commissioner Gray moved to approve Option 2 – to authorize the cost neutral hiring of 19 recruit firefighters using available salary savings from recently vacated positions. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

ADMINISTRATIVE BUSINESS

**Purchasing Memo #12-100, Offer from CDI - Head Start for Three (3) Buses Currently
Leased from Frederick County – Hal Good, Finance Division and Austin Abraham,
Management Services Division**

Mr. Good and Mr. Abraham presented the request to accept an offer from CDI to buy three (3) buses for \$37,000.00 each. The buses are currently being leased to CDI by the county.

Commissioner Shreve moved to approve Purchasing Memo #12-100. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

Comprehensive Plan / Zoning Review – Jim Gugel, Community Development Division

Mr. Gugel reviewed the next steps and the schedule for the comprehensive plan / zoning review. He indicated there were 193 requests to date.

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

**Application to Realign Roddy Creek Road Approaching Roddy Road Covered Bridge –
Pat Fleet, Office of the County Manager**

Ms. Fleet presented the request for funding for the realignment of Roddy Creek Road.

Commissioner Gray moved to direct staff to submit a request for funding the realignment of Roddy Creek Road for the purposes of protecting the bridge. Commissioner Shreve seconded the motion that passed 4-0 with Commissioner Smith absent.

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COMMISSIONER COMMENTS

Commissioner Young announced the next Board meeting would be Tuesday, January 3, 2012.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 12:35 p.m.

Patricia A. Morrow
Recording Secretary