

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, FEBRUARY 23, 2012**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, February 23, 2012, 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 Gray commented he was happy to see the large crowd attending the meeting.

Commissioner Smith noted there would be a press conference on Tuesday, February 28 at 8:15 a.m. opposing the possible shift of the teacher pension to the counties.

Commissioner Smith also commented on House Bill 987, Senate Bill 614 regarding stormwater management regulations.

Commissioner Young noted the implications of the teacher pension shift if it would be implemented by the state.

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

Black History Month Proclamation

The Board proclaimed the month of February as Black History Month.

PUBLIC HEARINGS

To Consider The City of Frederick’s (City) Offer to Purchase County Property at 296 Buckheimer Road, Frederick (Frederick Airport) – Richard McCain, Office of the County Attorney

A public hearing was held, as duly advertised, on the City’s offer to purchase county property consisting of 1.63 acres, including two (2) hangars and a paint shed located at 296 Buckheimer Road, Frederick.

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Mr. McCain presented the proposed offer to the Board.

Mr. Scott Waxter, Esquire, City of Frederick, and Mr. Arthur Dee, Frederick City Airport Commission, were present for the hearing.

There were no public comments.

Commissioner Gray moved to approve the City's purchase of county property located at 296 Buckheimer Road, noting there would be no present or future need for the property and the purchase offer and contract of sale from the City were acceptable. Commissioner Smith seconded the motion that passed 5-0.

**To Consider Amending the List of Exempt Employees – Linda Thall, Office of the
County Attorney**

A public hearing was held, as duly advertised, on a revised list of exempt employees that serve at the pleasure of the Board.

Ms. Thall presented the proposed resolution.

A discussion was held on the issue of including the director of Permits and Codes on the list of exempt employees. The Board voted 3-2 to not include the position. Commissioner Delauter and Shreve were in favor of leaving it as an exempt position.

There were no public comments.

No action was taken by the Board as this public hearing was to receive public comments. The Board will make a decision at their meeting on Thursday, March 8.

CONSENT AGENDA

The following items were presented on the consent agenda:

BID AWARD

- Purchasing Memo #12-130 – RFP #08-11, Temporary Services – Clerical (Third Contract Renewal)
Award to: Spherion Staffing LLC - \$13.23/hour
Award to: Adecco Corporation - \$15.35/hour

BOARD OF EDUCATION (BOE) SCHOOL EXPENSE FUND AMENDMENTS

- #12-05 and BT-12-123 (Transfer \$21,519 from Oakdale High School to North Frederick Elementary School)
- #12-06 and BT-12-124 (Transfer \$16,313 from Brunswick High School to Heather Ridge School)

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GRANT

- Local Emergency Planning Committee Community Right to Know Grant and Attached Budget Transfer – Jack Markey, Emergency Management Division

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

WORKSESSION

Second Quarter Financial Analysis – Reporting Financial Results for Six Months Ended December 31, 2011 – Erin White, Finance Division

The following Finance Division staff presented the financial results for Frederick County for the six (6) months ended December 31, 2011.

- Ms. Melanie Toms – General Fund;
- Ms. Ronnie Griffin – Capital Projects and Agricultural Preservation Funds; and
- Ms. Kathy Tritsch – Water and Sewer Enterprise Fund; Solid Waste Management Enterprise Fund, Citizens Care and Rehabilitation Center / Montevue Assisted Living and Fire/Rescue Tax Districts Special Revenue Fund.

There was no public comment.

No action was taken by the Board as this item was informational.

ADMINISTRATIVE BUSINESS

Bid Award – Purchasing Memo #12-129, RFP #08-10, Temporary Services – Labor and Dietary – Hal Good, Finance Division

Mr. Mitch Hose and Ms. Kristin Brandenburg, Human Resources Division, commented on the bid award.

Commissioner Smith moved to approve Purchasing Memo #12-129 as presented. Commissioner Delauter seconded the motion that passed 5-0.

National Association of Counties (NACo) Prescription Discount Card – Dr. Barbara Brookmyer, Health Services Division

Dr. Brookmyer advised the Board to not approve the recently adopted option for participating counties to receive a \$1 fee for each prescription filled using the prescription discount card.

Commissioner Young moved to not approve assessing the \$1 fee per prescription. Commissioner Gray seconded the motion that passed 5-0.

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**P25 Digital Radio System Upgrade Project C12014 Change Orders and Attached Budget
Transfer – Jack Markey, Emergency Management Division**

Mr. Markey presented the request to the Board.

Commissioner Young moved to approve the change orders and the budget transfer as presented. Commissioner Smith seconded the motion that passed 5-0.

**FFY 2011 Staffing for Adequate Fire and Emergency Response (SAFER) Grant
Application – Tom Owens, Fire and Rescue Services Division**

Mr. Owens presented the grant application request to the Board.

Commissioner Young moved to not approve the submittal of the SAFER grant application. Commissioner Delauter seconded the motion that passed 3-2 with Commissioners Smith and Gray opposed.

Commissioner Shreve made a motion that within 30 days following the March 15 meeting of the Frederick County Volunteer Association, Mr. Owens would brief the Board on his interpretation of a countywide plan to include station locations, needed equipment and personnel. Commissioner Young seconded the motion that passed 5-0.

(Commissioner Gray left the meeting.)

**Frederick County's Green Home Challenge Rain Garden Workshop Grant Proposal to
the Chesapeake Bay Trust's Chesapeake Conservation Corps (CCC) Mini-Grant
Program – Shannon Moore, Community Development Division**

Ms. Nicole Robinson, CCC volunteer, was present for the grant proposal.

Commissioner Smith moved to approve a grant application from the Chesapeake Bay Trust's CCC Mini-Grant Program and the approval of an associated budget transfer. Commissioner Shreve seconded the motion that passed 4-0 with Commissioner Gray absent.

(Commissioner Delauter left the meeting.)

**Energy Efficiency Access Project Grant Proposal to the Maryland Department of
Housing and Community Development's (DHCD) Be SMART: Aggregated Energy
Efficiency Services Grant Program - Shannon Moore, Community Development Division**

Ms. Lisa Orr, Community Development Division, was present for the grant request.

Commissioner Young moved to approve the grant application Resolution #12-03) from the Maryland DHCD Be SMART grant program, associated budget transfer, and giving Ms. Moore the authority to sign off on the disclosure agreement. Commissioner Shreve seconded the motion that passed 3-0 with Commissioners Gray and Delauter absent.

(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.)

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**Legislative Update – John Mathias, Office of the County Attorney and Ragen Cherney,
Office of the County Manager**

Mr. Mathias and Mr. Cherney briefed the Board on the issues before the Frederick County delegation members.

(Commissioner Delauter returned to the meeting.)

Commissioner Young moved to send correspondence to the delegation to support HB 787 – Alcoholic Beverages – licensed restaurants – removal of tables and chairs for expanded occupancy. Commissioner Gray seconded the motion that passed 5-0.

Commissioner Young moved to send correspondence to the delegation to support HB 1201 – Maryland Department of Planning – Use and Conflicts of Law. Commissioner Smith seconded the motion that passed 4-1 with Commissioner Gray opposed.

Commissioner Smith moved to send correspondence to the delegation to support HB 734 – Independent Contractor Registry – presumptions under Workforce Fraud Act. Commissioner Delauter seconded the motion that passed 5-0.

Commissioner Smith moved to send correspondence to the delegation to oppose HB 929 – Recycling rates and waste diversion. Commissioner Shreve seconded the motion that passed 4-1 with Commissioner Gray opposed.

**Review of the FY 2013 – 2018 Recommended Capital Improvements Program (CIP) –
Kelly Weaver, Finance Division**

It was noted the issue of the Walkersville Library would be discussed at the next meeting on the CIP.

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 12:30 p.m.

Patricia A. Morrow
Recording Secretary