

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 1, 2012**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, March 1, 2012, 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 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

Commissioner Gray welcomed the representatives from Metropolitan Washington Council of Governments and other people in attendance.

Commissioner Delauter commented on a recent letter to the editor in The Frederick News-Post regarding inaccurate information on snow removal costs in the county.

Commissioner Young noted he had met with representatives of Cecil County regarding the Maryland Rural Counties Coalition. He also updated the Board on recent budget issues before the Maryland Delegation.

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

Star Spangled Banner Day Proclamation

The Board proclaimed as March 3, 2012, as Star Spangled Banner Day.

CONSENT AGENDA

The following item was presented on the consent agenda:

Board of Education (BOE) School Construction Amendment

- #12-07 – No county budget transfer required.

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

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FOR THURSDAY, MARCH 1, 2012**

**Business Updates – Helen Riddle, Business Development and Retention Division
(BDRD)**

Ms. Riddle and Mr. Sherman Coleman, BDRD, updated the Board on businesses in Frederick County.

There was no public comment.

No action was taken, as this item was informational.

**Update on the Metropolitan Washington Council of Governments (MWCOG) – David
Robertson, MWCOG**

Mr. Robertson and Ms. Nicole Hange, MWCOG, spoke on the membership benefits of the MWCOG.

Public comment was heard from:

- Shelley Aloï, Alderman, The City of Frederick and Vice Chair of the MWCOG Chesapeake Bay Water Resources Policy Committee
- Karen Young, Alderman, The City of Frederick
- Carol Krimm, Alderman, The City of Frederick and member of the MWCOG National Capital Region Transportation Planning Board

Commissioner Young read comments from Commissioner Smith.

No action was taken, as this item was informational.

**Update to the Frederick County Local Emergency Planning Committee (LEPC)
Membership – Dennis Dudley, LEPC**

Mr. Dudley and Mr. Seamus Mooney, Emergency Management Division, presented the update request to the Board.

There was no public comment.

Commissioner Young moved to update the membership as presented. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Smith absent.

Update to the LEPC Constitution and By-laws – Dennis Dudley, LEPC

There was no public comment.

Commissioner Shreve moved to approve the update as presented. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Smith absent.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 1, 2012**

**Priority Three Draft Text Amendments – Eric Soter and Shawna Lemonds, Community
Development Division**

Staff presented the third phase of the update of the zoning ordinance. The third phase is a result of a compiled list of potential amendments based upon a review of the Business Friendly Improvement Areas.

The following amendments were discussed:

Domestic Animals as an Accessory Use to Residential Properties

Mr. Larry Smith, Community Development Division and Mr. Michael Chomel, Office of the County Attorney, commented on the amendment.

Public comment was heard from a gentleman who did not identify himself.

The Board chose to not move forward with this amendment.

Farm Animals as an Accessory Use to Residential Districts

Public comment was heard from:

- Don Dotson, President of Frederick County Beekeepers
- Allen Winpigler
- John Cline
- Bill McGilfin
- Lisa Dotson
- William Trout, Maryland Department of Agriculture, State Bee Inspector

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

(Commissioner Gray left the meeting.)

Limited Funeral Establishments

There was no public comment.

By unanimous consent, with Commissioners Smith and Gray absent, the Board voted to move forward with the amendment.

Communication Towers

Public comment was heard from:

- Andrew DiPasquale, Esquire, Miles and Stockbridge

(Commissioner Gray returned to the meeting.)

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 1, 2012**

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

Bed and Breakfast in the R3 Zoning District

Public comment was heard from:

- John Capotia

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

Signage for Residential Office as Residential Accessory Use

There was no public comment.

By unanimous consent, with Commissioner Gray opposed and Commissioner Smith absent, the Board voted to move forward with the amendment.

Video Lottery Facility

There was no public comment.

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

Transit Signage

(Commissioner Young passed the gavel to Commissioner Shreve and left the table.)

There was no public comment.

By unanimous consent, with Commissioners Young and Smith absent, the Board voted to move forward with the amendment.

(Commissioner Shreve returned the gavel to Commissioner Young.)

Piecemeal Zoning Map Amendments

There was no public comment.

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendments.

Moderately Priced Dwelling Units (MPDU) in the R1 Zoning District

There was no public comment.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 1, 2012**

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

Mineral Mining Floating Zone District

There was no public comment.

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

Accessory Structures on Residential Properties

There was no public comment.

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

Family Day Care Home

Public comment was heard from:

- Molly Brown
- Shannon McKenzie

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

Farm winery and farm brewery tasting room

There was no public comment.

By unanimous consent, with Commissioner Smith absent, the Board voted to move forward with the amendment.

AGENDA BRIEFING

Commissioner Young noted the following public hearings were scheduled for Tuesday, March 6, 2012, at 7:00 p.m.: Proposed Amendment to the Frederick County Employees' Retirement Plan – Tracy Lobuts, Human Resource Division; and Proposed Defined Contribution Plan for Grant Funded and Citizens Care and Rehabilitation Center and Montevue Assisted Living Employees – Tracy Lobuts, Human Resource Division.

The Board recessed the meeting at 12:30 p.m. for the lunch hour.

Commissioner Blaine R. Young, *President*, reconvened a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, March 1, 2012, at 1:30 p.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 absent from the meeting.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 1, 2012**

ADMINISTRATIVE BUSINESS

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

(Commissioner Young passed the gavel to Commissioner Shreve and left the table.)

Ms. Norris presented the grant application.

Commissioner Delauter moved to approve the authorizing resolution and application for the grant (with vehicles included), as presented. Commissioner Gray seconded the motion that passed 3-0-1 with Commissioner Smith absent and Commissioner Young abstained.

(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.)

(Commissioner Shreve returned the gavel to Commissioner Young.)

First Amendment to the Memorandum of Understanding (MOU) for Ballenger Creek Trail Phase I – David Grossweiler, Public Works Division

Commissioner Shreve moved to approve the first amendment to the MOU for the Ballenger Creek Trail Phase I as presented. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Smith absent.

One-Year Status Update of Business Friendly Improvement Areas (BFIA) – Eric Soter and Gary Hessong, Community Development Division

Mr. Soter and Mr. Hessong briefed the Board on a status update of the BFIA. They also noted tentative timeframes for implementation of the remaining action items.

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

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 Young moved to oppose House Bill 1412 – Education, Maintenance of Effort. Commissioner Shreve seconded the motion that passed 3-0-1 with Commissioner Smith absent and Commissioner Gray abstained.

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

Commissioner Shreve questioned staff regarding the Walkersville Public Library construction.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 1, 2012**

Ms. Weaver noted the construction funding for the new Walkersville Public Library was scheduled for 2017. Commissioner Shreve suggested a possible shared school facility arrangement with the Walkersville Library.

Mr. Daryl Batson, Frederick County Public Libraries, commented on the new proposed Walkersville Library. Mr. Ray Barnes, Frederick County Public Schools, commented on the issues with the sharing of school facilities.

It was noted a discussion would be scheduled for an upcoming BOCC/BOE meeting.

It was also noted to look at the Reichs Ford Road Phase 2 road project.

Staff was directed to reflect comments on the Walkersville Public Library and the Reichs Ford Road Phase 2 road project as footnotes on the advertisement for the (CIP) public hearing.

COMMISSIONER COMMENTS

Commissioner Delauter noted he was surprised there was a Maryland Bee Inspector position.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 2:35 p.m.

Patricia A. Morrow
Recording Secretary