

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 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 29, 2012, at 10:05 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 a moment of silence followed by the Pledge of Allegiance.

COMMISSIONER COMMENTS

Comments were provided by Commissioners Young, Smith and Shreve.

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

Child Abuse Prevention Month Proclamation

The Board proclaimed the month of April as Child Abuse Prevention Month.

Colorectal Cancer Awareness Proclamation

The Board proclaimed the month of March as Colorectal Cancer Awareness Month.

Business Recognition – Adventure Park USA

The Board recognized Adventure Park USA for their community involvement.

Interagency Internal Audit Authority (IIAA) Update

Mr. Allan Joseph, Chair, IIAA, updated the Board on the issues involving the IIAA.

Installment Purchase Program Evaluation – Anne Bradley, Community Development Division

Ms. Bradley presented the recommendations of the Agricultural Preservation Advisory Board (APAB).

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

Commissioner Smith moved to approve the APAB's recommendation to change the valuation system to reduce the price per point to \$8.00 per point and the base price to \$1,000 per acre and also to incorporate a competitive bidding aspect into the program. Commissioner Gray seconded the motion that passed 5-0.

CONSENT AGENDA

The following items were presented on the consent agenda:

BID AWARD

- Purchasing Memo #12-152 – Aluminum Sign Blanks (Piggyback Contract)
Award to: Vulcan Signs
Award amount: \$45,000 / Year (Two-Year Contract)

CHANGE ORDERS

1. Construction Change Order No. 4, Linganore Water and Sanitary Sewer Improvements – Coldstream, Balmoral and Meadows, Contract No. 196D-, 196E-, and 196F-SW – Rod Winebrenner, Utilities and Solid Waste Management Division
2. Construction Change Order No. 29, Ballenger McKinney Enhanced Nutrient Removal Wastewater Treatment Plant Expansion, Contract No. 200A-S – Rod Winebrenner, Utilities and Solid Waste Management Division

MISCELLANEOUS

1. Board of Education Nonrecurring Costs Included in FY 2013 Operating Budget – Regina Howell, Finance Division

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

ADMINISTRATIVE BUSINESS

The City of Frederick (City) Easement Request – Carroll Creek Park Project Phase III – Richard McCain, Office of the County Attorney

Mayor Randy McClement and Richard Griffin, City, presented the request to the Board.

Commissioner Young moved to conceptually approve the request with the flexibility to adjust the final document per the Office of the County Attorney. Commissioner Shreve seconded the motion that passed 5-0.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

**Request for a Letter of Support for the Carroll Creek Park Shared Use Path Project –
Josh Russin, The City of Frederick**

Commissioner Smith moved to authorize Commissioner Young to sign a letter of support for the project as presented. Commissioner Shreve seconded the motion that passed 5-0.

Bid Awards – Hal Good, Finance Division

- Purchasing Memo #12-146 – Patient Lift Equipment for Citizens Care and Rehabilitation Center
- Purchasing Memo #12-149 – Actuarial Consulting Services for Frederick County Retirement Plan (Five-Month Contract Extension)
- Purchasing Memo #12-151 – Recommendation to Exercise the Cooperative Purchasing Clause of the L-3 Services, Inc. Agreement for Technology Services
- Purchasing Memo #12-153 – Request to Extend EMS Billing Contract for a One-Year Term

Commissioner Shreve moved to approve Purchasing Memos #12-146, #12-149, #12-151, and #12-153. Commissioner Delauter seconded the motion that passed 5-0.

**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 take no position on House Bill (HB) 236 – Sustainable Growth and Agricultural Preservation Act of 2012. Commissioner Smith seconded the motion that passed 4-1 with Commissioner Shreve opposed.

Commissioner Smith moved to oppose Senate Bill (SB) 949 – Workers’ Compensation – Medical Presumptions. Commissioner Delauter seconded the motion that passed 5-0.

Commissioner Young moved to oppose HB 987 – Stormwater Management – Watershed Protection and Restoration Program. Commissioner Smith seconded the motion that passed 4-0-1 with Commissioner Gray abstained.

CLOSED SESSION

Commissioner Smith moved to go into closed session under the Maryland Annotated Code 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; (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations. Commissioner Gray seconded the motion that passed 5-0.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 12:25 p.m.

Patricia A. Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, MARCH 29, 2012**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code 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; (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations. Commissioner Gray seconded the motion that passed 5-0.

Time and Location:

10:35 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss a road construction easement.

Patricia Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, APRIL 5, 2012,
FOLLOWING THE CLOSED MEETING OF THURSDAY, MARCH 29, 2012**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code 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; (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations. Commissioner Gray 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, R. McCain, T. Meunier, J. Stitt, R. Shen, C. Chamberlain, W. Roach, C. Nipe, J. Grossnickle and P. Morrow.

Topic Discussed:

To discuss a road construction easement.

Action Taken:

The Board directed staff to approve the counteroffer regarding a construction easement.

Patricia Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, MARCH 29, 2012**

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(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; (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations. Commissioner Gray 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 consider a personnel appeal filed by an individual county employee.

Patricia Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, APRIL 5, 2012,
FOLLOWING THE CLOSED MEETING OF THURSDAY, MARCH 29, 2012**

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(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; (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations. Commissioner Gray 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, J. Grossnickle and P. Morrow.

Topic Discussed:

To consider a personnel appeal filed by an individual county employee.

Action Taken:

The Board voted to hear the personnel appeal.

Patricia Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, MARCH 29, 2012**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code 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; (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations. Commissioner Gray 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 collective bargaining issues with the Sheriff.

Patricia Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 29, 2012**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, APRIL 5, 2012,
FOLLOWING THE CLOSED MEETING OF THURSDAY, MARCH 29, 2012**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code 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; (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations. Commissioner Gray 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, C. Jenkins, S. Hopkins, F. Anderson, R. Williar, M. Hose, S. Dobransky, R. Howell, L. Depies and P. Morrow.

Topic Discussed:

To discuss collective bargaining issues with the Sheriff.

Action Taken:

No action was taken.

Patricia Morrow
Recording Secretary