

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, MAY 31, 2012**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday May 31, 2012, at 10:00 a.m. Present were Commissioners C. Paul Smith, *Vice President*; Billy Shreve, David Gray and Kirby Delauter. Also present were 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](http://www.FrederickCountyMD.gov).)*

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting began with the invocation followed by the recitation of the Pledge of Allegiance.

**COMMISSIONER COMMENTS**

Comments were provided by Commissioners Young and Delauter.

**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.

Commissioner Young read a correspondence from the Frederick County Board of Education (BOE) regarding the \$1.6 million dollar one-time funding allocation included in the FY 2013 Operating Budget. The BOE requested a portion of the funding be used to provide bathroom facilities at Urbana Elementary School (UES).

Commissioner Shreve moved to allow up to but not to exceed \$40,000 for the UES bathroom facilities with the balance to go towards technology. Commissioner Gray seconded the motion that passed 5-0.

**PUBLIC HEARING**

**To Consider a Proposed Ordinance to Amend the Building, Electrical, and Plumbing Chapters of the Frederick County Code – Gary Hessong, Community Development Division**

A public hearing was held, as duly advertised, on the update to the building, electrical and plumbing codes.

Mr. Gary Hessong presented the proposed ordinances to the Board.

Public comment was heard from:

- Steve Seawright, President, Frederick County Builders Association

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No action was taken by the Board as this public hearing was for the benefit to receive public comments. The Board will make a decision at their meeting scheduled for Thursday, June 14.

**PUBLIC COMMENT**

None.

**WORKSESSION**

**Business Recognition – WGS Systems**

The Board recognized WGS Systems for their involvement in the community.

**Presentation of the Leadership in Energy and Sustainability Awards – Shannon Moore,  
Community Development Division**

The Board recognized the Leadership in Energy and Sustainability award winners presented by Ms. Moore, Ms. Lisa Orr and Ms. Nicole Robinson, Community Development Division.

**Reappointments to the Frederick County Commission For Women – Joyce Grossnickle,  
Office of the County Manager**

There were no public comments.

Commissioner Smith moved to reappoint Ms. Sharon Dobson, Ms. Valerie Dougherty, and Ms. Susan Mendor for three-year terms effective July 1, 2012, and to expire June 30, 2015. Commissioner Gray seconded the motion that passed 5-0.

**Letter of Recommendation Regarding a Frederick County Government Representative  
on the Northeast Maryland Waste Disposal Authority (NMWDA) Board – Joyce  
Grossnickle, Office of the County Manager**

There were no public comments.

Commissioner Smith moved to approve the recommendation of the following names (as ranked) for the NMWDA Board: Mr. Mike Marschner, Mr. Kevin Demosky, and Mr. Phil Harris. Commissioner Delauter seconded the motion that passed 5-0.

**Third Quarter Financial Analysis Reporting Financial Results for the Nine Months  
Ended March 31, 2012 – Erin White, Finance Division**

The following Finance Division staff presented the financial results for Frederick County for the nine months ended March 31, 2012:

- Erin White – General Fund;
- Kathi Tritsch – Water and Sewer Enterprise Fund and the Solid Waste Management Enterprise Fund; Citizens Care and Rehabilitation Center Enterprise Fun; Fire/Rescue Tax Districts Special Revenue Fund; and
- Ronnie Griffin – Capital Projects.

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There were no public comments.

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

**AGENDA BRIEFING**

Commissioner Young noted the following public hearing was scheduled for Thursday, June 7, 2012, at 10:00 a.m.: TransIT Fare Increase – Sherry Burford, Transit Services Division

**CONSENT AGENDA**

The following item was presented on the consent agenda:

**CHANGE ORDER**

- Citizens Care and Rehabilitation Center / Montevue Assisted Living Access Control Change Order No. 4 – Sue Barthol, Public Works Division

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

**ADMINISTRATIVE BUSINESS**

**Bid Awards – Hal Good, Finance Division**

**Purchasing Memo #12-200 – Youth Training Program (RFP #10-32) Contract Renewal – 2<sup>nd</sup> of 2 for Workforce Services**

Commissioner Gray moved to approve Purchasing Memo #12-200 as presented. Commissioner Smith seconded the motion that passed 5-0.

**Purchasing Memo #12-201 – Maintenance Agreement for Annual ProQA Software (Sole Source)**

Commissioner Smith moved to approve Purchasing Memo #12-201 as presented. Commissioner Shreve seconded the motion that passed 5-0.

**Rose Hill Manor Park Overview and Partnership Opportunities – Paul Dial, Parks and Recreation Division**

Mr. Bob Hicks and Mr. Paul Hanyock, Parks and Recreation Division, participated in the presentation.

Commissioner Smith moved to move forward with the pilot private contracting initiatives as presented with the pilot program to be reevaluated in one year. Commissioner Shreve seconded the motion that passed 5-0.

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**Impacts of House Bill 987 – Stormwater Management – John Mathias, County Attorney**

Mr. Mathias briefed the Board on HB 987 the Watershed Protection Restoration Program. Mr Mathias reported Frederick County is subject to the National Pollutant Discharge Elimination System Phase I permit. The two main requirements of this legislation are the establishment of a local watershed protection fund and a stormwater management fee which are to be in place by July 1, 2013.

Ms. Shannon Moore, Community Development Division, commented on the legislation requirements.

No action was taken as this item was informational.

**Amendment to Monrovia Wastewater Treatment Plant Multi-Year Tap Agreement (MYTA) – Davis Branch LLC and Market Station LLC, and R.J.D. Development Corporation (Richard J. Demmitt) - Mike Marschner, Office of the County Manager**

Mr. Marschner presented the amendment to the Board.

Commissioner Young moved to approve the revised amendment. Commissioner Smith seconded the motion that passed 5-0.

**Water and Sewer Capacity Fee Payment Plans for Business Expansion – Mike Marschner, Office of the County Manager**

Mr. Kevin Demosky, Utilities and Solid Waste Management Division, and Ms. Helen Riddle, Business Development and Retention Division, commented on the proposed extension payment plans for water and/or sewer capacity fees to small businesses.

Commissioner Smith moved to take the proposal through the public review process. Commissioner Delauter seconded the motion that passed 5-0.

**COMMISSIONERS COMMENTS**

None.

**PUBLIC COMMENTS – (FIVE MINUTE PRESENTATION)**

None.

**QUESTIONS – PRESS**

Bethany Rogers – The Frederick News-Post

(Commissioner Gray left the room.)

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**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  
Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Gray absent.

**ADJOURN**

The meeting adjourned at 12:25 p.m.

Patricia A. Morrow  
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
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**FORM OF STATEMENT FOR  
CLOSING THE MEETING OF THURSDAY, MAY 31, 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:**

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**Time and Location:**

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

**Topic to be Discussed:**

To discuss the reclassification of an individual county employee.

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Patricia Morrow  
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING  
ON THURSDAY, MAY 31, 2012,  
FOLLOWING THE CLOSED MEETING OF THURSDAY, MAY 31, 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.

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**Time and Location:**

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

**Others in Attendance:**

D. Dunn, J. Mathias, M. Chomel, M. Hose, and P. Morrow.

**Topic Discussed:**

To discuss the reclassification of an individual county employee.

**Action Taken:**

The Board voted to approve the reclassification of a county employee effective June 30, 2012.

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Patricia Morrow  
Recording Secretary

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**Time and Location:**

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

**Topic to be Discussed:**

To consider a personnel appeal by a county employee.

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Patricia Morrow  
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**Others in Attendance:**

D. Dunn, J. Mathias, M. Chomel, M. Hose, and P. Morrow.

**Topic Discussed:**

To consider a personnel appeal by a county employee.

**Action Taken:**

The Board gave direction to staff regarding the personnel appeal of a county employee.

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Patricia Morrow  
Recording Secretary