

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, JUNE 21, 2012**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, June 21, 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 recitation of the Pledge of Allegiance.

COMMISSIONER COMMENTS

Comments were provided by Commissioners Young, Smith, Shreve, Gray and Delauter.

Commissioner Young requested a letter be sent to Delegate Kathy Afzali regarding Frederick County’s position on video lottery terminals.

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.

PUBLIC COMMENT

- Annette Breiling

Commissioner Gray made a motion to inquire from staff if a listing on non-profit organizations could be included as a part of the operating budget. There was no second.

WORKSESSION

Business Recognition – Turning Point Real Estate

The Board recognized Turning Point Real Estate for their contributions to the community.

Green Homes Challenge: Launch of Challenge 2: Be a Green Leader – Shannon Moore, Lisa Orr and Nicole Robinson, Community Development Division

The Board recognized the launch of the second Green Home Challenge.

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

Agriculture Business Council

There was no public comment.

Commissioner Smith moved to reappoint Mr. Anthony Aellen, Ms. Arlene Atkins, and Mr. Tom Mullineaux for three-year terms to become effective July 1, 2012, and to expire June 30, 2015. Commissioner Delauter seconded the motion that passed 5-0.

Parks and Recreation Commission

There was no public comment.

Commissioner Gray moved to reappoint Ms. Charlotte Lawson Davis and Ms. Barbara Taylor for four-year terms to become effective July 1, 2012, and to expire June 30, 2016, and to appoint Mr. Timothy Jones to fill an unexpired term to expire June 30, 2014, and appoint Dr. Howard Looney to serve a four-year term to become effective July 1, 2012, and expire June 30, 2016. Commissioner Smith seconded the motion.

Commissioner Shreve offered an amendment to reappoint Ms. Charlotte Lawson Davis and Ms. Barbara Taylor for four-year terms to become effective July 1, 2012, and to expire June 30, 2016, and to advertise again for the other two (2) vacancies coordinating with those municipalities lacking in representation. Commissioner Delauter seconded the amendment that passed 3-2 with Commissioners Smith and Gray opposed.

The vote on the main motion was 4-1 with Commissioner Gray opposed.

Roads Board

There was no public comment.

Commissioner Young moved to appoint Mr. Stephen Burd to serve a five-year term to become effective July 1, 2012, and to expire June 30, 2017. Commissioner Delauter seconded the motion that passed 5-0.

Workforce Development Board

There was no public comment.

Commissioner Smith moved to approve the reappointment of: Mr. M. Richard Adams and Mr. Darren Wigfield to serve four-year terms to become effective July 1, 2012, and expire June 30, 2016; and the appointment of Ms. Ann Bonitatibus to serve as the Public Sector representative with no term assigned; and Ms. Cheryl Cioffi and Dr. J. J. Lin to serve as Private Sector representatives for four-year terms to become effective July 1, 2012, and expire June 30, 2016; Mr. Rob Collings to fill an unexpired term to expire June 30, 2014; and Ms. Lisa Mulks and Ms. Amanda Haddaway to fill unexpired terms to expire June 30, 2015. Commissioner Young seconded the motion that passed 5-0.

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**To Consider Zoning Text Amendment #ZT-12-03 – Communication Towers – Eric Soter
and Larry Smith, Community Development Division**

Staff presented zoning text amendment #ZT-12-03. Mr. Soter indicated #ZT-12-03 was tabled for 60 days during the public hearing held on April 17, 2012. The proposed text amendment was intended to amend the existing provisions of the Frederick County Zoning Ordinance to address concerns relating to communication towers in existence prior to 1999, if such a tower ceased to be used for wireless communications for 12 consecutive months.

Public comment was heard from:

- Brian Quinn, Esquire, Venable, LLP
- Greg Rapisarda, Esquire, Saul Ewing
- Rand Weinberg, Esquire, Miles and Stockbridge

Mr. Michael Chomel, Office of the County Attorney, commented on the text amendment.

Commissioner Young moved to approve zoning text amendment #ZT-12-03 as presented with an effective date of July 1, 2012. Commissioner Shreve seconded the motion that passed 5-0.

AGENDA BRIEFING

Commissioner Young noted the following public hearings were scheduled for Thursday, June 28 at 10:00 a.m.: Spring 2012 Water and Sewerage Plan Amendments – Tim Goodfellow, Community Development Division; and Land Preservation, Parks and Recreation Plan – Jim Gugel, Community Development Division

CONSENT AGENDA

The following items were pulled from the consent agenda:

- Purchasing Memo #12-220 – Request to Authorize FY 2013 Parts and Service Blanket Purchase Order Agreements
Award to: Various Vendors
Award amount: \$995,000.00
- Construction Change Order No. 39, Ballenger McKinney Enhanced Nutrient Removal (ENR) Wastewater Treatment Plant Expansion – Rod Winebrenner, Utilities and Solid Waste Management Division

The following items remained on the consent agenda:

BID AWARD

- Purchasing Memo #12-219 - Bid #12-34, Custodial Services for Various County Locations and Attached Budget Transfer
Award to: C.J. Maintenance (10 County Buildings) - \$158,848 **and** Professional Maintenance Company, Inc. (Solid Waste Management Campus – 9031 Reichs Ford Road) - \$25,670.90

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GRANT

1. U.S. Department of Justice – 2012 Bulletproof Vest Partnership Grant Program Application
– Marty Gallagher, Sheriff's Office

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

ADMINISTRATIVE BUSINESS

Purchasing Memo #12-220 – Request to Authorize FY 2013 Parts and Service Blanket Purchase Order Agreements – Bruce Johnson, Finance Division

Mr. Tom Meunier and Mr. Pat Hannah, Public Works Division, commented on the purchasing memo.

Commissioner Smith moved to approve Purchasing Memo #12-220 as presented. Commissioner Gray seconded the motion that passed 4-1 with Commissioner Delauter opposed.

Construction Change Order No. 39, Ballenger McKinney Enhanced Nutrient Removal (ENR) Wastewater Treatment Plant Expansion – Rod Winebrenner, Utilities and Solid Waste Management Division

Mr. Kevin Demosky, Utilities and Solid Waste Management Division, commented on the construction change order.

Commissioner Smith moved to approve the construction change order as presented. Commissioner Young seconded the motion that passed 5-0.

PUBLIC HEARING

(Commissioner Young passed the gavel to Commissioner Smith and left the room.)

TransIT Services Fare Increase Proposal – Nancy Norris, Transit Services Division

By unanimous consent, the Board moved to allow for public comment.

Ms. Sherry Burford, Transit Services Division, presented the proposed fares.

Public comment was heard from:

- Diane Vander Weyden
- Joan Bacashilder

Commissioner Smith moved to accept the proposed public transit fares and the revised transit plus fare increases with an effective date of July 30, 2012. Commissioner Shreve seconded the motion that passed 4-0 with Commissioner Young absent.

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Ms. Burford requested the authority to hire two (2) full-time TransIT drivers.

Commissioner Gray moved to authorize the Transit Services Division staff to hire two (2) full-time TransIT drivers. Commissioner Smith seconded the motion that failed 2-2 with Commissioners Shreve and Delauter opposed and Commissioner Young absent.

(Commissioner Young returned to the room and Commissioner Smith passed the gavel back to him.)

**Bid Award - Purchasing Memo #12-210 – Custodial Services for 17 County Buildings –
Bruce Johnson, Finance Division**

Commissioner Shreve moved to approve Purchasing Memo #12-210 as presented. Commissioner Smith seconded the motion that passed 5-0.

**Amendment to the List of Exempt Employees – Linda Thall, Office of the County
Attorney**

Ms. Thall presented the proposed revision to the list of designating exempt employees to change the amount of severance pay certain covered employees would receive if they were terminated or asked to resign other than for reasons involving misconduct or gross misconduct.

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

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 12:40 p.m.

Patricia A. Morrow
Recording Secretary