

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, JULY 19, 2012**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, July 19, 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.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting began with a moment of silence 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.

**PUBLIC COMMENTS**

None.

**PUBLIC HEARING**

**To Consider the Proposed Creation of the Jefferson Technology Park (JTP) Community Development Authority (CDA) – Jim Cumbie, Esquire, Venable LLP (County Bond Counsel)**

A public hearing was held, as duly advertised, on the JTP CDA.

Mr. Cumbie presented the ordinance regarding the Tax Increment Financing and Resolution designating the CDA.

Public comment was heard from:

- Brad Cline, JTP
- Mark Friis, Rodgers Consulting
- David Palack, DBRE Real Estate
- Steve Bruns
- Tom Wheatley
- M.C. Keegin-Ayer

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*Motion to adopt Resolution #12-10 to designate a Tax Increment Financing District noting there would be no possible adverse financial impact on the Frederick County taxpayers and/or the Frederick County bond rating – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith			X			
Shreve			X			
Gray				X		
Delauter		X	X			

(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](http://www.FrederickCountyMD.gov).)

*Motion to adopt Resolution #12-11 to designate a Community Development Authority noting there would be no possible adverse financial impact on the Frederick County taxpayers and/or the Frederick County bond rating – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith			X			
Shreve			X			
Gray				X		
Delauter		X	X			

(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](http://www.FrederickCountyMD.gov).)

*Motion to adopt Ordinance #12-18-613 regarding the issuance of bonds noting there would be no possible adverse financial impact on the Frederick County taxpayers and/or the Frederick County bond rating – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith			X			
Shreve			X			
Gray				X		
Delauter		X	X			

(A copy of the approved/adopted ordinance can be obtained in the County Manager’s Office or from the county’s website, [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov).)

**WORKSESSION**

**Business Recognition – FACKA Sports**

The Board recognized FACKA Sports for their contributions to the community.

**Business Updates – Helen Riddle, Business Development and Retention Division**

Ms. Riddle updated the Board on business in Frederick County.

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**CONSENT AGENDA**

The following items were presented on the consent agenda:

- Purchasing Memo #13-007 – Bid #12-04 - Renewal of Revenue Contract for Hauling / Recycling of Scrap Metal / Appliances / and Removal / Recovery of Refrigerant Gases  
Award to: Joseph Smith & Sons, Inc.  
Estimated annual revenue: \$220,000.00
- Purchasing Memo #13-009 - Bid #12-CP-26, Law Enforcement Complex Pre-engineered Structure  
Award to: JCS Communications, Inc.  
Award amount: \$66,550.00
- #BT-12-187, Frederick County Public Libraries
- #BT-13-009, Frederick County Public Libraries
- Change Order No. 2 – Amend Integration Agreement – Chuck Nipe, Public Works Division
- Individuals with Disabilities Education Act (IDEA) Supplemental Grant for the Frederick County Infants and Toddlers Program – Dr. Monica Grant, Health Services Division

*Motion to approve the consent agenda as presented – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith			X			
Shreve	X		X			
Gray			X			
Delauter		X	X			

**ADMINISTRATIVE BUSINESS**

**Approval of the July 12, 2012, Amended Consent Agenda Items – Board of County Commissioners**

*Motion to approve the amended consent agenda from July 12, 2012 – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray		X	X			
Delauter			X			

**Workforce Services Integrated Workforce Plan (From 7/12/12 BOCC Meeting) – Laurie Holden, Citizens Services Division**

Ms. Holden and Ms. Pat Rosensteel, Citizens Services Division, reviewed the plan.

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*Motion to approve the plan as presented including the funding – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray		X	X			
Delauter			X			

**Bid Award – Purchasing Memo #13-010 – Renewal of Storage Tank Rental Agreement (6 Units) and Purchase of Liquid De-icing Material (Sole Source) – Bruce Johnson, Finance Division**

*Motion to approve Purchasing Memo #13-010 as presented – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young		X	X			
Smith			X			
Shreve	X		X			
Gray			X			
Delauter			X			

**Request to Increase an Occupational Therapist Position in the Frederick County Developmental Center from a .5 to .75 FTE and Budget Transfer – Dr. Monica Grant, Health Services Division**

Dr. Grant and Dr. Brookmyer, Health Services Division, presented the request.

*Motion to grant the request as presented – Passed 3-2.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve				X		
Gray		X	X			
Delauter				X		

**FY 2013 Gypsy Moth Suppression Program – Regina Howell, Finance Division**

Ms. Howell and Mr. Tom Lupp, Maryland Department of Agriculture, presented the request to participate in a 50% cost share for the gypsy moth survey.

*Motion to fund approximately \$15,000 for the gypsy moth surveying of non-state owned property – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray		X	X			
Delauter				X		

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**Amendment to the Monrovia Wastewater Treatment Plant Multi-Year Tap Agreement (MYTA) – Intercoastal Industrial Park Limited Partnership and Baldwin Road Development, LLC – Kevin Demosky, Utilities and Solid Waste Management Division**

Mr. Demosky presented the amendment.

*Motion to approve the amendment to the Monrovia Wastewater Treatment Plan MYTA as presented – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray			X			
Delauter			X			

**COMMISSIONER COMMENTS**

None.

**PUBLIC COMMENTS**

None.

**QUESTIONS – PRESS**

None.

**CLOSED SESSION**

Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

**Topic** – To discuss with county staff and outside counsel the possible settlement of a construction dispute.

*Motion to go into closed session – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray			X			
Delauter			X			

**ADJOURN**

The meeting adjourned at 12:30 p.m.

Patricia A. Morrow  
Recording Secretary

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**FORM OF STATEMENT FOR  
CLOSING THE MEETING OF THURSDAY, JULY 19, 2012**

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

(7) To consult with counsel to obtain legal advice on a legal matter and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

**Motion:**

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Shreve seconded the motion that passed 5-0.

**Time and Location:**

12:35 p.m. – Third Floor Meeting Room, Winchester Hall

**Topic to be Discussed:**

To discuss with county staff and outside counsel the possible settlement of a construction dispute.

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Patti Morrow  
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING  
ON THURSDAY, JULY 26, 2012  
FOLLOWING THE CLOSED MEETING OF THURSDAY, JULY 19, 2012**

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

(7) To consult with counsel to obtain legal advice on a legal matter and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

**Motion:**

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation. Commissioner Shreve seconded the motion that passed 5-0.

**Time and Location:**

12:35 p.m. – Third Floor Meeting Room, Winchester Hall

**Others in Attendance:**

J. Mathias, M. Marschner, K. Mitchell, K. Demosky, J. Blomquist, D. Dunn, R. Santangelo and P. Morrow.

**Topic Discussed:**

To discuss with county staff and outside counsel the possible settlement of a construction dispute.

**Action Taken:**

The Board approved the settlement agreement as presented.

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Patti Morrow  
Recording Secretary