

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, JULY 26, 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 26, 2012, at 10:15 a.m. Present were Commissioners C. Paul Smith, *Vice President*; Billy Shreve, and Kirby Delauter. Also present were Mr. Dave Dunn, County Manager and Ms. Patti Morrow, Recording Secretary. Commissioner David Gray was absent from the meeting.

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.

WORKSESSION

Business Recognition – ImQuest BioSciences

The Board recognized ImQuest BioSciences for their contributions to the community.

AGENDA BRIEFING

Commissioner Young noted the Board would hold public hearings on Tuesday, July 31 at 6:00 p.m. at Oakdale High School, regarding the Comprehensive Plan / Zoning Review and on Thursday, August 2 at 10:00 a.m. at Winchester Hall, regarding the Frederick County Real Property Tax Credit.

CONSENT AGENDA

The following items were presented on the consent agenda:

- Purchasing Memo #13-011 – e-Maryland Marketplace Water/Wastewater Chemical Solicitations
Award to: Various Vendors
Award amount: \$791,101.62
- #BT-12-193 – Accounting, Finance Division
- #BT-13-013 – Housing and Community Development, Citizens Services Division
- FFY 2012 Emergency Solutions Grant Renewal Application – Jenny Short, Citizens Services Division

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- Work Change Directive No. 5 – Pinehurst Water and Sewer Improvements, Contract No. 196G-SW – Rod Winebrenner, Utilities and Solid Waste Management Division

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

ADMINISTRATIVE BUSINESS

Approval of Board of County Commissioners' Meeting Minutes

Upon a motion by Commissioner Smith, seconded by Commissioner Delauter, the minutes for the following dates were approved 4-0 with Commissioner Gray absent:

- ◆ Thursday, March 29, 2012
- ◆ Thursday, April 5, 2012

Bid Award - Purchasing Memo #13-001 – Subscriptions to Electronic Databases – Frederick County Public Libraries (FCPL) (Tabled from 7/12/12) – Bruce Johnson, Finance Division and Darrell Batson, FCPL

Mr. Batson briefed the Board on the subscriptions.

Commissioner Shreve moved to approve Purchasing Memo #13-001 as presented. Commissioner Smith seconded the motion that passed 4-0 with Commissioner Gray absent.

Bid Award - Purchasing Memo #13-002 – Library Materials Supplier for Frederick County Public Libraries (FCPL) (Tabled from 7/12/12) – Bruce Johnson, Finance Division and Darrell Batson, FCPL

Mr. Batson commented on the purchasing request.

Commissioner Shreve moved to approve Purchasing Memo #13-002 as presented. Commissioner Smith seconded the motion that passed 4-0 with Commissioner Gray absent.

Approval of FY 2013 Frederick County Public Libraries (FCPL) Spending Plan – Darrell Batson, FCPL

Mr. Batson presented the spending plan.

Commissioner Shreve moved to approve the spending plan as presented. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Gray absent.

Final Adoption of the Brunswick Community Plan (BCP) Amendment Resolution (Public Hearing held 7/12/12) – John Dimitriou, Community Development Division

Commissioner Shreve moved to adopt the BCP Amendment Resolution as presented. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Gray absent.

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(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.)

**Review of the Types and the Process of Acquiring a Liquor License – Kathy Vahle,
Liquor Board**

Ms. Vahle briefed the Board on the different classes of liquor licenses in Frederick County. She noted as a result of the last federal census, a very limited number of licenses in specific election districts has been allowed.

It was noted the Board would address this issue through legislation.

**Consideration to Accept a Petition to Enter into a Development Rights and
Responsibilities Agreement (DRRA) - Jefferson Technology Park (JTP) – Eric Soter,
Community Development Division**

Mr. Soter explained the process for the petition for the DRRA to the Board. He indicated he would be working with the developer on the DRRA.

Commissioner Smith moved to approve the request to accept a petition to enter into a DRRA agreement for the JTP. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Gray absent.

**Building Consolidation Task Force (Task Force) Preliminary Report – Chuck Nipe,
Public Works Division**

Mr. Nipe briefed the Board on the preliminary report. He noted because of the amount of loss that would be incurred on the 30 North Market Street facility, the Task Force recommended it be removed from the relocation efforts.

Commissioner Smith moved to halt the demolition of the old Montevue Assisted Living facility and authorized staff to review and investigate possible options to utilize current county facilities. Commissioner Young seconded the motion that passed 3-1 with Commissioner Delauter opposed and Commissioner Gray absent.

**Frederick County Government Strategic Plan FY 2011 – 2015 Quarterly Report Update –
Dave Dunn, Office of the County Manager**

Mr. Dunn presented the quarterly report update of the Strategic Plan.

No action was taken as this item was informational.

**Proposed Amendments to the Frederick County Government Strategic Plan FY 2011 –
2015 – Dave Dunn, Office of the County Manager**

Mr. Dunn briefed the Board on the changes requested by the county division directors and staff during the July 10, 2012, meeting regarding the strategic plan.

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Commissioner Smith commented on the removal from the strategic plan of the transit improvements and expansion item because there was no funding available. He noted he would like to keep the level of service the same.

Commissioner Shreve moved to approve the requested amendments. Commission Delauter seconded the motion that passed 4-0 with Commissioner Gray absent.

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

- Bethany Rogers, The Frederick News-Post

CLOSED SESSION

Maryland Annotated Code State Government Article § 10-508(a) (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Topic: To discuss whether to award a renewal of a county contract and, if so, the terms and the negotiating strategy for the renewal.

Commissioner Smith moved to go into closed session. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Gray absent.

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 26, 2012**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Gray absent.

Time and Location:

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

Topic to be Discussed:

To discuss whether to award a renewal of a county contract and, if so, the terms and the negotiating strategy for the renewal.

Patti Morrow
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, JULY 31, 2012
FOLLOWING THE CLOSED MEETING OF THURSDAY, JULY 26, 2012**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Motion:

Commissioner Smith moved to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process. Commissioner Delauter seconded the motion that passed 4-0 with Commissioner Gray absent.

Time and Location:

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

Others in Attendance:

J. Mathias, D. Dunn, K. Demosky, P. Harris, M. Marschner, L. Depies, B. Johnson, R. Santangelo and P. Morrow.

Topic Discussed:

To discuss whether to award a renewal of a county contract and, if so, the terms and the negotiating strategy for the renewal.

Action Taken:

No action was taken.

Patti Morrow
Recording Secretary