

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, AUGUST 23, 2012**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, August 23, 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 the invocation followed by the recitation of the Pledge of Allegiance.

COMMISSIONER COMMENTS

Comments were provided by Commissioner 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.

Commissioner Young offered sympathies to the family of U.S. Army Sergeant David Williams who was killed recently in Kandahar, Afghanistan, while serving Enduring Freedom.

PUBLIC COMMENTS

None.

WORKSESSION

Brunswick Business Recognitions – Antiques N' Ole Stuff and Brunswick Hardware

The Board recognized Antiques N'Ole Stuff and Brunswick Hardware for their contributions to the community.

Presentation of Certificate of Achievement for Excellence in Financial Reporting

The Finance Division was recognized for their achievement for excellence in financial reporting.

Online Sale of Frederick County General Obligation Public Facilities Bonds - James Cumbie, Esquire, Venable LLP (County Bond Counsel); Sam Ketterman, Davenport & Company LLC (County Financial Advisor); and Lori Depies, Finance Division

Mr. Ketterman, Mr. Cumbie and Ms. Depies explained to the Board the procedure of selling bonds. The bids arrived at 11:00 a.m. for the bonds, with the apparent low bidder being Raymond James.

The bids would be verified and a resolution prepared to finalize the sale of the bonds.

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The Board moved to approve Resolution No. 12-14 delegating authority to the finance director to award the bonds to the lowest bidder.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		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.)

PUBLIC HEARING

To Consider an Amendment to the List of Exempt Employees – Linda Thall, Office of the County Attorney

A public hearing was held, as duly advertised, to consider a revision to the list of exempt employees.

Ms. Thall and Mr. Mitch Hose presented the amendment that would change the amount of severance pay that certain covered employees would receive if they are terminated.

Public comment was received from:

- Diane Smoley

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 administrative business meeting scheduled for Thursday, September 6.

WORKSESSION

FY 2013 Maryland Agricultural Land Preservation Foundation (MALPF) Easement Acquisition Program – Request to Go to Public Hearing, Anne Bradley, Community Development Division

Ms. Bradley presented the FY 2013 MALPF applications.

There were no public comments.

Motion to take the applications through the public review process – Passed 5-0.

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

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Appointment/Reappointment to Boards/Commissions – Joyce Grossnickle, Office of the County Manager

Agricultural Preservation Advisory Board

There were no public comments.

Motion to reappoint Mr. Zene Wolfe for a five-year term to expire June 30, 2017 – Passed 5-0.

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

Board of Gaming Appeals

There were no public comments.

Motion to appoint Mr. Steve Starliper for a term to expire June 30, 2015 – Passed 5-0.

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

Historic Preservation Commission

There were no public comments.

Motion to reappoint Ms. Barbara Wyatt for a three-year term to expire June 30, 2015 – Passed 5-0.

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

Sustainability Commission

There were no public comments.

Motion to reappoint Mr. Don Briggs, Ms. Margie Lance, and Winifred Palmer, Ph.D. for three-year terms to expire June 30, 2015 – Passed 5-0.

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

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Transportation Services Advisory Council

There were no public comments.

Motion to reappoint Mr. Rick Stup and Mr. Neil Essmyer for three-year terms to expire June 30, 2015, and to appoint Mr. Haywood Evans for a term to expire June 30, 2014 – Passed 4-1.

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

AGENDA BRIEFING

Commissioner Young noted the Board would hold a public hearing on Thursday, August 30, 2012 at 10:00 a.m. regarding proposed amendments to the benefit assessment ordinances for certain lots at Lake Linganore.

CONSENT AGENDA

The following items were presented on the consent agenda:

- Purchasing Memo #13-024 – Reichsford Road Landfill Sampling and Analysis
Award to: Northeast Maryland Waste Disposal Authority
Award amount: \$62,977.00 (Operating and Enterprise Funds)
- #BT-13-032, Utilities and Solid Waste Management Division
- #BT-13-034, Accounting for Citizens Care and Rehabilitation Center

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

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

ADMINISTRATIVE BUSINESS

Approval of Board of County Commissioners' Meeting Minutes

The minutes for the following dates were approved by unanimous consent:

- ◆ Wednesday, May 2, 2012
- ◆ Thursday, May 3, 2012
- ◆ Thursday, May 10, 2012
- ◆ Thursday, May 17, 2012
- ◆ Thursday, May 24, 2012

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**Bid Award – Purchasing Memo #13-025, Bid #12-CP-27, Wynn Hill Court Waterline
Extension and Attached Budget Transfer – Bruce Johnson, Finance Division**

Mr. Demosky and Mr. Rod Winebrenner, Utilities and Solid Waste Management Division, commented on the bid award.

Motion to approve Purchasing Memo #13-025 conditioned on the use of private firms was withdrawn.

Motion to approve Purchasing Memo #13-025.

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

Commissioner Smith withdrew the second.

Motion to approve Purchasing Memo #13-025 with the caveat to do mini-procurement on the construction management inspection services as discussed – Passed 4-1.

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

**Memorandum of Understanding (MOU) – Community Living, Inc. – Wayne Roach,
Public Works Division**

Mr. Chuck Nipe, Public Works Division; Ms. Pat Rosensteel, Citizens Services Division; and Mr. Michael Plank, Community Living, Inc. participated in the request.

Motion to approve the MOU 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			

**2012 Transfer of Frederick County’s Housing Bond Allocation to the State Community
Development Administration (CDA) – Jenny Short, Citizens Services Division**

Ms. Short presented the request.

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Motion to approve the transfer of the 2012 Housing Bond Allocation to the CDA in the amount of \$7,833.622 for use in issuing housing bonds to fund the Maryland Mortgage Program in Frederick County – Passed 5-0.

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

Frederick County Volunteer Fire and Rescue Association (FCVFRA) Website (Tabled from 8/2/12) – Sherry Weakley, Interagency Information Technologies Division and Doug Orner, Office of the County Manager

Mr. Orner and Ms. Weakley provided information regarding the FCVFRA website.

Motion for Frederick County IIT staff to oversee and maintain the FCVFRA website – Passed 3-2.

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

Modification of Regulations for the Receipt and Disbursement of State Amoss Funds and County Appropriations and Budget Process Guidelines for Volunteer Fire and Rescue Companies, Teams and Committees – Kathy Tritsch, Finance Division and Doug Orner, Office of the County Manager

Motion to approve and adopt the revised regulations for the receipt and disbursement of State Amoss Funds and county appropriations as well as the budget process and guidelines for the volunteer fire and rescue companies, teams and committees retroactive to July 1, 2012 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			

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

- Diane Smoley

QUESTIONS – PRESS

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Ryan Marshall, The Gazette

ADJOURN

The meeting adjourned at 12:00 p.m.

Patricia A. Morrow
Recording Secretary