

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 7, 2013**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, March 7, 2013, at 10:30 a.m. Present were Commissioners C. Paul Smith, *Vice President*; Billy Shreve, David Gray and Kirby Delauter. Also present were Ms. Lori Depies, 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

None.

Update of Board of County Commissioners’ Administrative Actions – Commissioner Blaine R. Young and Lori Depies, Office of the County Manager

Commissioner Young and Ms. Depies briefed the public on the Board’s recent administrative actions.

PUBLIC COMMENTS

- Steve Bruns
- Perter Currer
- Matt Seubert
- Ernest Muhly
- Mary McQuillen
- Donald Lee

WORKSESSION

March for Meals Proclamation

The Board proclaimed the month of March as March for Meals Month in Frederick County.

Business Recognition - M.V. Pelletier

The Board recognized M.V. Pelletier for their contributions to the community.

CONSENT AGENDA

The following items were included on the consent agenda:

- Purchasing Memo #13-095 – Temporary Help Services: Clerical, Equipment Operator and Laborer
- Board of Education School Construction Expense Fund Amendment #13-04 and #BT-13-130

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- Construction Change Order No. 73 – Ballenger – McKinney Enhanced Nutrient Removal Wastewater Treatment Plant Expansion
- FY 2014 Office of Problem Solving Court Discretionary Grant Application for Drug Treatment Court

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	X			
Delauter			X			

WORKSESSION

Rosemont Water Service Area Concept – Mike Marschner, Office of the County Manager

Ms. Karin Tome, Mayor, City of Brunswick, and Mr. Thomas Watson, Burgess, Village of Rosemont, were present for the discussion.

Mr. Marschner presented the county consolidated water system ownership concept. It would be based on the county purchasing water in bulk from the City of Brunswick and distributing water through a new county-owned water distribution system to the residents of Rosemont.

There was no public comment.

Motion to move forward with the concept plan as outlined in steps 1-4 of the staff report – Passed 5-0.

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

Mayor Tome and Burgess Watson thanked the Board and staff for their support and direction for solving the water supply issues in Rosemont.

Business Updates – Helen Riddle, Community Development Division

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

2013 Annual Transportation Priorities Review – Ron Burns, Community Development Division

Mr. Burns and Mr. Jim Gugel, Community Development Division, presented a summary of the 2013 Annual Transportation Priorities Review. It was noted the summary would be used by the Maryland Department of Transportation in the preparation of the annual update to their Consolidated Transportation Program.

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There was no public comment.

Motion to approve the draft transportation priorities letter for joint signature by the Board and the Maryland Legislative Delegation for submittal to the Maryland Department of Transportation – Passed 4-0-1.

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 following public hearings were scheduled for Thursday, March 14 at 10:00 a.m.: Fall 2012 Cycle of Water and Sewerage Plan Amendments and the Proposed Resolutions to Amend Water and Sewer Rules and Regulations.

ADMINISTRATIVE BUSINESS

Approval of Board of County Commissioners' Meeting Minutes

The minutes for February 14, February 21 and February 26, 2013, were approved by unanimous consent.

Compliance with HB 987 – Establishing a Stormwater Remediation Fee – Eric Soter, Community Development Division

Mr. Soter, Ms. Shannon Moore, Community Development Division and Ms. Susan Blum, Finance Division, were present to request guidance regarding the setting of a stormwater remediation fee in accordance with HB 987, an act adopted by the Maryland State Legislature in 2012.

Motion to adopt option 3 – Did not receive a second.

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

*Motion to establish a fee beginning July 1, 2013, to direct staff to prepare a proposed ordinance establishing under revenue generating target option 4, and include option 3 under collection method to move forward through the public review process – **Failed** 2-3.*

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

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Motion to direct staff to prepare a proposed ordinance to establish a fee of 1 cent per property to move forward through the public review process – Passed 3-2.

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

**Legislative Issues – John Mathias, Office of the County Attorney and Ragen Cherney,
Office of the County Manager**

Mr. Mathias briefed the Board on the issues before the Frederick County delegation members.

No action was taken.

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

CLOSED SESSION

Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Topic – To discuss the acquisition of real property for public park purposes.

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 1:15 p.m.

Patricia Morrow
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, MARCH 7, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Upon a motion by Commissioner Smith, seconded by Commissioner Shreve, the Board voted 5-0 to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Time and Location:

1:15 p.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss the acquisition of real property for public park purposes.

Patti Morrow
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, MARCH 14, 2013,
FOLLOWING THE CLOSED MEETING OF THURSDAY, MARCH 7, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Upon a motion by Commissioner Smith, seconded by Commissioner Shreve, the Board voted 5-0 to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Time and Location:

1:15 p.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

J. Mathias, M. Chomel, P. Dial, B. Hicks, W. Roach, R. Santangelo

Topic Discussed:

To discuss the acquisition of real property for public park purposes.

Action Taken:

The Board authorized staff to negotiate a price with the landowner for the acquisition.

Patti Morrow
Recording Secretary