

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MARCH 28, 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 28, 2013, at 10:00 a.m. Present were Commissioners C. Paul Smith, *Vice President*; and Kirby Delauter. Also present were Mr. Mike Marschner, Office of the County Manager and Ms. Patti Morrow, Recording Secretary. Commissioner David Gray arrived to the meeting at 11:50 a.m. and Commissioner Billy Shreve was absent from the meeting.

INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting began with an invocation followed by the recitation of the Pledge of Allegiance.

PROCLAMATION – COLORECTAL CANCER AWARENESS MONTH

The Board proclaimed the month of March as Colorectal Cancer Awareness Month.

BUSINESS RECOGNITION – THE LITTLE POTTERY SHOP

The Board recognized The Little Pottery Shop for their contributions to the community.

COMMISSIONER COMMENTS

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

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

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

APPROVAL OF MINUTES

Motion to approve the minutes for Thursday, March 14 and Tuesday, March 19, 2013 – Passed 3-0.

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

PUBLIC COMMENTS

- Rolan Clark

CONSENT AGENDA

The following items were included on the consent agenda:

- Application for State Funding from Mediation and Conflict Resolution Office for the Family Mediation Program at the Circuit Court for FY 2014

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- Construction Change Order No. 74, Ballenger-McKinney Enhanced Nutrient Removal (ENR) Wastewater Treatment Plant Expansion
- Construction Change Order No. 75, Ballenger-McKinney Enhanced Nutrient Removal (ENR) Wastewater Treatment Plant Expansion
- Board of Education Nonrecurring Costs Included in FY 2014 Operating Budget

Motion to approve the consent agenda as presented – Passed 3-0.

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

WORKSESSION

Resolution Authorizing the Issuance of General Obligation Public Facilities Bonds of 2013 – Jim Cumbie, Esquire, Venable, LLP (County Bond Counsel)

Mr. Cumbie presented a draft resolution to authorize the issuance of bonds to finance projects previously approved in the Capital Improvements Program. He noted the sale of the bonds would occur on Thursday, April 18.

There was no public comment.

Motion to approve the draft resolution as presented – Passed 3-0.

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.)

Revision to the Companion Animal Welfare Advisory Committee (CAWAC) Charter – Harold Domer, Animal Control Division

Mr. Domer presented the request to revise the CAWAC Charter to reflect meeting at least quarterly.

Motion to approve the revision as presented – Passed 3-0.

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

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Fire and Rescue Budget Adjustments – Tom Owens, Fire and Rescue Services Division

Mr. Owens presented a summary of actions that would achieve a \$4 million budget adjustment due to the return of the fire and rescue services funding to the general fund budget in FY 2004. Mr. Owens presented an adjustment of revenue programs and a reduction in staffing.

Public comment was received from:

- John Neery, President, IAF Local 3666, Career Firefighter Association of Frederick County
- Rodney Masser, Independent Hose Company
- Donald Lee

Commissioner Young noted this was a presentation and would be continued for a decision at a future Board meeting.

ADMINISTRATIVE BUSINESS

(Commissioner Gray arrived to the meeting.)

Third Amendment to Frequency Reconfiguration Agreement – Jack Markey, Emergency Management Division

Mr. Markey presented the amendment and noted it was due to Carroll County delays and also to deal with access issues for the volunteer fire stations which have resulted in additional costs between Motorola and Nextel.

Motion to approve the third amendment as presented – Passed 4-0.

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

Execution of Documents to Facilitate the Tax-exempt Status of Loan to Libertytown Volunteer Fire Department (LVFD) – Doug Orner, Volunteer Fire and Rescue Services, Office of the County Manager

Mr. Orner presented the documents for execution to facilitate the issuance of a tax-exempt bond. Mr. Michael Delauter, Esquire, was present representing Frederick County Bank, in connection with a tax-exempt loan being made to the LVFD.

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Motion to approve the resolution and agreement to facilitate the issuance of a tax-exempt bond for the LVFD – Passed 4-0.

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

Updates from County Commissioner Liaison – Dave Dunn, Office of the County Manager

Mr. Dunn presented the liaison activity for the month of March.

No action taken as item was informational.

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

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

Motion to support the addition of an amendment to House Bill 256 (Land Use – Development Rights and Responsibilities Agreements – Direct Judicial Review) to reinstate the effective date for the bill to the original October 1, 2013, date – Passed 3-1.

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

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

- Donald Lee

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 12:20 p.m.

Patricia Morrow
Recording Secretary