

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 23, 2013

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners (“Board”) of Frederick County, Maryland, for Thursday, May 23, 2013, at 10:00 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. Joyce Grossnickle, Administrative Officer.

Invocation and Pledge of Allegiance

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Proclamations – Police Week and Correctional Officers Week

The Board proclaimed the week of May 19 through May 25, 2013, as Police Week and Correctional Officers Week.

Business Recognition – Habitat for Humanity

The Board recognized Habitat for Humanity for its contributions to the community.

Commissioner Comments

Comments were provided by Commissioners Young and Shreve.

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.

PUBLIC COMMENTS

Public comments were made by:

- Donald Lee
- Dave Shoemaker
- Steve Bruns

WORKSESSION

Extension of the Aspen North Community Development Authority (CDA) – Jim Cumbie, Esquire, Venable LLP (County Bond Counsel)

Mr. Cumbie and Ms. M. J. Minton, representing the Eaglehead Community Preservation Corporation (“Corporation”), presented the request from the Corporation for a two-year extension of time (from June 30, 2013, to June 30, 2015) to issue the special obligation bonds not to exceed \$6.5 million to finance certain improvements within the Aspen North CDA.

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 23, 2013

Motion to approve the request for the time extension – 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

Citizens Care and Rehabilitation Center (CCRC) / Montevue Assisted Living (MAL) Recommendation – Request for Public Hearing – Lori Depies, Office of the County Manager

Ms. Depies introduced Mr. Stan Snow of Aurora Healthcare Management, whose company has offered \$30 million to purchase the CCRC and MAL from Frederick County Government. Aurora Healthcare Management was selected by the evaluation committee as the favored proposer.

Also present for this discussion were Erin White, Susan Blum, and Diane George, Finance Division; John Mathias and Richard McCain, Office of the County Attorney; Mitch Hose, Human Resources Division; and Jim Cumbie, Esquire, Venable LLP (County Bond Counsel).

It was noted the offer made to Frederick County Government by Aurora Healthcare Management to purchase the CCRC and MAL would need to be taken through the public hearing process. The public hearing has been slated to take place on Tuesday, June 25 at 6 p.m. at the Jack B. Kussmaul Theater at Frederick Community College.

Mr. Mathias presented the draft ordinance regarding the repeal and re-enactment of Article II, Sections 1-11-21 through 1-11-26 of the Frederick County Code that would essentially abolish the Citizens Nursing Home Board of Trustees and to adopt a new Article II, Section 1-11-21 that would allow the Board to operate the Citizens Nursing Home and MAL. Mr. Mathias indicated the Board would need to decide if this ordinance should be taken through the public hearing process.

Motion to take the offer made by Aurora Healthcare Management through the public hearing process – Passed 4-1.

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

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 23, 2013

Motion to take the proposed ordinance to abolish the Citizens Nursing Home Board of Trustees through the public hearing process – Passed 4-1.

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

CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #13-133 – Legal Services for Frederick County Retirement Plans
- Purchasing Memo #13-134 – Actuarial Consulting Services for Frederick County Retirement Plan
- Purchasing Memo #13-136 – Investment Advisory Consulting Services
- Purchasing Memo #13-138 – PeopleSoft Pension Administration Module Functional and Technical Support Services (Contract Renewal)
- Purchasing Memo #13-150 – Surface Coat of Various Frederick County Roadways
- #BT-13-171, Housing and Community Development, Citizens Services Division
- Board of Education Current Expense Fund Amendment #2-13 (No County Budget Transfer Required)
- Construction Change Order No. 24 – New Design Water Transmission Main, Part 5 and Attached Budget Transfer
- FY 2014 Consolidated Local Implementation Grant for the Frederick County Infants and Toddlers Program and Attached Budget Transfer
- Victim of Crime Assistance (VOCA) Grant

Motion to approve the consent agenda 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			

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 23, 2013

AGENDA BRIEFING

Commissioner Young noted the Board would hold public hearings on Thursday, May 30 at 10:00 a.m. on the Watershed Protection and Restoration Special Revenue Fund and Program and the sale of the 7630 Hayward Road property.

WORKSESSION

Appointments/Reappointments to Boards/Commissions – Joyce Grossnickle, Office of the County Manager

Commission on Disabilities

Motion to reappoint Mary Kemp and Linda Werner to serve terms to expire June 30, 2015, reappoint Gil House to serve a three-year term to begin July 1, 2013, and expire June 30, 2016; and to appoint Marlene Kenny and Debra Overs to serve a term to expire June 30, 2013, and to also serve three-year terms to begin July 1, 2013, and expire June 30, 2016; and appoint Ashley VanCleaf to serve a term to expire June 30, 2014 – Passed 5-0.

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

Parks and Recreation Commission

Motion to reappoint Robert Failor to serve a four-year term to begin July 1, 2013, and expire June 30, 2017; to appoint Harry Lashley to serve a term to expire June 30, 2016; and to appoint Paul Spurrier to serve a four-year term to begin July 1, 2013, and expire June 30, 2017 – Passed 5-0.

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

Public Library Board

Motion to reappoint Blanca Poteat to serve a five-year term to begin July 1, 2013, and expire June 30, 2018 – Passed 5-0.

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

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 23, 2013

Metropolitan Washington Council of Governments (MWCOC) – Human Services and Public Safety Policy Committee

Motion to approve sending the recommendation to the MWCOC to have County Commissioners’ Liaison Dave Dunn serve as Frederick County’s alternate on the MWCOC’s Human Services and Public Safety Policy Committee – Passed 5-0.

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

(Commissioner Young left the meeting.)

State Highway Needs Inventory Update – Jim Gugel and Dial Keju, Community Development Division

Mr. Gugel and Mr. Keju reviewed the projects listed on the State Highway Needs Inventory noting that staff had spent significant efforts preparing proposed modifications to the current inventory that were considered necessary. Staff was seeking the Board’s approval of the recommended revisions to the inventory listing and to forward it on to the State Highway Administration.

Motion to approve the recommended revisions to the inventory listing – Passed 4-0.

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

(Commissioner Young returned to the meeting.)

Third Quarter Financial Analysis – Reporting Financial Results for Nine Months Ended March 31, 2013 – Erin White, Finance Division

Also joining Ms. White at the table from the Finance Division were Melanie Thom and Kathi Tritsch. Staff presented the third quarter financial analysis (reporting financial results for nine months ended March 31, 2013).

No action was taken by the Board since this agenda item was for informational purposes only.

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 23, 2013

ADMINISTRATIVE BUSINESS

Business Updates – Helen Riddle, Community Development Division

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

Public Works Division FY 2014 Initiatives – Chuck Nipe, Public Works Division

Mr. Nipe presented the proposed initiatives pertaining to the issues of fleet utilization, workforce, building consolidation, pilot programs, and synergies within his division.

No action was taken by the Board since this agenda item was for informational purposes only.

Fleet Utilization Study – Pat Hannah, Public Works Division

Joining Mr. Hannah at the table was Chuck Nipe, Director, Public Works Division.

Mr. Hannah noted that in an effort to “right size” the county’s fleet, the Department of Fleet Services performed a review of vehicle utilization and distribution in order to determine recommendations for sharing the use of vehicles/equipment between departments as well as determine underutilized/obsolete units for possible disposal. Staff was seeking the Board’s approval to implement the recommendations summarized in the staff report and detailed in the Fleet Utilization Study dated May 2013.

Motion to approve going forward with the study as recommended by staff – Passed 5-0.

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

Frederick County Government Strategic Plan FY 2011 – FY 2015 (April 2013) – Lori Depies, County Manager

Ms. Depies provided the quarterly update on the Frederick County Government Strategic Plan FY 2011 – FY 2015. The report (for the time period August 2011 through April 1, 2013) delineated the progress the division directors have made concerning the goals, objectives, action steps, timelines, needed resources, estimated costs, and recommendations for an alternative plan of implementation. To date 65.9% of all objectives have been completed.

By unanimous consent, the Board approved the quarterly update.

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 23, 2013

Proposed Amendments to the Frederick County Strategic Plan FY 2011 – FY 2015 - Lori Depies, County Manager

Ms. Depies indicated two requests were received from staff to delete two objectives from the Frederick County Strategic Plan FY 2011 – FY 2015 as follows:

Community Development Division

Objective #1.8 - By June 2013, assess and develop new employment corridors through the Community and Corridor Planning Process in an effort to increase new employment opportunities along strategic thoroughfare throughout the County.

Emergency Management Division

Objective #4.4 - By January 2013, assess the need to enhance the public service capabilities of employees by expand incorporating additional mobile devices into the environment, as appropriate, to improve response, communications, and public interaction.

Currently, there are six goals and 46 objectives. If the Board approved the request, there would still be six goals but only 42 objectives.

Motion to delete the two objectives (#1.8 and #4.4) from the Frederick County Strategic Plan FY 2011 – FY 2015 as requested by staff – Passed 5-0.

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

Potential Budget Discussions – Regina Howell, Budget Office, Office of the County Manager

Ms. Howell reviewed the final adjustments to the proposed FY 2014 budget. The final budget was slated to be approved by the Board during their meeting on Thursday, June 6, 2013.

Motion to accept the final adjustments as presented by staff – Passed 5-0.

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

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 23, 2013

COMMISSIONERS COMMENTS

Commissioner Shreve reminded everyone of the event taking place this Saturday at Crumland Farms sponsored by Habitat for Humanity.

PUBLIC COMMENTS

None.

QUESTIONS - PRESS

None.

CLOSED SESSION

Maryland Annotated Code State Government Article § 10-508(a) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

Topic – To consider an appeal under the county’s personnel rules.

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 1:00 p.m.

Joyce M. Grossnickle
Administrative Officer

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MAY 23, 2013**

**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, MAY 23, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

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) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

Time and Location:

1:00 p.m. – First Floor Hearing Room, Winchester Hall

Topic to be Discussed:

To consider an appeal under the county's personnel rules.

Joyce Grossnickle, Administrative Officer

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MAY 23, 2013**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, MAY 30, 2013,
FOLLOWING THE CLOSED MEETING OF THURSDAY, MAY 23, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

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) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

Time and Location:

1:00 p.m. – First Floor Hearing Room, Winchester Hall

Others in Attendance:

L. Depies, M. Chomel, and M. Hose

Topic Discussed:

To consider an appeal under the county's personnel rules.

Action Taken:

The Board directed staff to deny the appeal.

Joyce Grossnickle, Administrative Officer