

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, MAY 30, 2013**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, May 30, 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. Patti Morrow, Recording Secretary.

Invocation and Pledge of Allegiance

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

Introduction of Colonel Steven Middlecamp, Commander, U.S. Army Garrison, Fort Detrick

Colonel Middlecamp introduced himself to the Board and offered his support regarding the continuing communication between Fort Detrick and Frederick County.

Proclamation – Elder Abuse Awareness Day

The Board proclaimed June 15 as Elder Abuse Awareness Day in Frederick County.

Commissioner Comments

Comments were provided by Commissioners Young, Smith, Shreve 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

The May 9, 2013, minutes were approved by unanimous consent.

PUBLIC COMMENTS

- Steve Bruns

(Commissioner Young passed the gavel to Commissioner Smith and left the meeting.)

CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #13-156 – Chemical Root Application for Sanitary Sewers (Piggyback Contract)
- Boyers Mill Road Bridge Declaration to Establish and Retain Easements

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- Reallocating Unused American Recovery and Reinvestment Act (ARRA) Funds

Motion to approve the consent agenda as presented – Passed 4-0.

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

(Commissioner Smith passed the gavel back to Commissioner Young who reentered the meeting.)

PUBLIC HEARINGS

Watershed Protection and Restoration Special Revenue Fund and Program – Shannon Moore, Community Development Division

A public hearing was held, as duly advertised, on a stormwater utility fee as required by House Bill 987: Stormwater Management – Watershed Protection and Restoration Program.

Ms. Moore presented the proposed ordinance which included the following elements required by law:

- A stormwater mediation fee;
- A local watershed protection and restoration fund (i.e. special revenue fund); and
- A process for appeals, credits and hardship claims.

Public comment was received from:

- Senator David Brinkley
- Delegate Kelly Schulz
- Chris Kline

Motion to approve and adopt the proposed ordinance setting the fee at one cent (\$0.01) per eligible property including the revisions presented by staff – Passed 3-2.

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

(A copy of the approved/adopted ordinance can be obtained in the County Manager's Office or from the county's website, www.FrederickCountyMD.gov.)

Sale of 7630 Hayward Road Property – Richard McCain, Office of the County Attorney

A public hearing was held, as duly advertised, on an offer to purchase county property located at 7630 Hayward Road, Frederick.

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Mr. McCain presented the offer from the Ausherman Development Corporation to purchase the Frederick County Public Schools former administrative support facility for \$1,371,714.50. Ms. Crystal Chamberlain, Public Works Division; and Mr. Ray Barnes, FCPS, commented on the purchase offer.

There was no public comment.

Motion to approve the sale of the property noting the county had no need for the property; accept the offer of \$1,371,714.50 from the Ausherman Development Corporation; and property would be sold subject to the Board of Public Work's consent – Passed 4-0-1.

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

AGENDA BRIEFING

Commissioner Young noted the Board would hold a public hearing on Tuesday, June 4 at 7:00 p.m. on a Developers Rights and Responsibilities Agreement and Consideration of a Combined APFO Letter of Understanding – Urbana/Natelli Projects.

ADMINISTRATIVE BUSINESS

Bid Award – Purchasing Memo #13-145 – Custodial Services – Diane George, Finance Division

Motion to approve Purchasing Memo #13-145 as presented.

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

Announcement of the New Green Homes Challenge Website – Shannon Moore and Nicole Robinson, Community Development Division

Ms. Moore and Ms. Robinson presented the new interactive website for the New Green Homes Challenge program.

No action was taken, this item was informational.

Middletown Community Park Annexation Agreement – Michael Chomel, Office of the County Attorney

Mr. Chomel presented the proposed annexation agreement.

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Motion to approve the annexation agreement as presented that would allow the Town of Middletown to annex the county-owned Middletown Community Park – Passed 5-0.

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

**Letter of Support for Heart of the Civil War Grant Applicants – Denis Superczynski,
Community Development Division**

Mr. Superczynski presented the request for a letter of support for eight (8) Frederick County applicants seeking funding through the Maryland Heritage Areas Authority in FY 2014, for projects in the local Heart of the Civil War Heritage Area.

Motion to approve the submission of a combined letter of recommendation for the eight (8) projects seeking state grant funding through the Maryland Heritage Areas Authority FY 2014 Project Grant Program – Passed 5-0.

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

Ridgecrest Business Incubator – Commissioner Billy Shreve

Mr. John Laughlin briefed the Board on the Ridgecrest Business Incubator.

No action was taken, this item was informational.

**Frederick Innovative Technology Center, Inc. (FITCI) Memorandum of Understanding –
Helen Riddle, Community Development Division**

Ms. Riddle, Mr. Richard Griffin, The City of Frederick; and Mr. Don Schilling, Chairman, FITCI, commented on the MOU.

Motion by Commissioner Shreve to approve the MOU for a period of one (1) year received no second.

Motion to approve the MOU as presented with \$40,000 of county support and a request that FITCI provide to the Board quarterly reports (including financials and bank statements) via e-mail – Passed 4-1.

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

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Mr. Chris Kemp, Kemp Bio, spoke to the Board on his experience with FITCI program.

**FY 2014 Fee Resolution for the Department of Permits and Inspections and the
Planning and Development Review Functions of the Community Development Division
– Gary Hessong, Community Development Division**

Mr. Hessong and Mr. Eric Soter, Community Development Division presented the updates to the fee schedules.

Motion to adopt the proposed resolution to update the fee schedule for the Department of Permits and Inspections and the Development Review functions of the Community Development Division – Passed 5-0.

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

**Update of the Standard Stormwater Management Deed of Easement and Maintenance
Agreement – Gary Hessong, Community Development Division**

Mr. Hessong presented the draft standard agreement to be used when development proposes micro scale facilities as required by the 2007 SWM Act. He indicated the agreement would streamline and provide a cost effective method of meeting the requirements that allow for required county maintenance and inspection functions.

Motion to approve the updated agreement – Passed 5-0.

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

(Commissioner Delauter left the room.)

**First Amendment to the Potomac River Water Supply Agreement (PRWSA) – Kevin
Demosky, Utilities and Solid Waste Management Division**

Mr. Demosky presented the proposed amendment to the PRWSA as requested by The City of Frederick (City) to amend Section 30 of the PRWSA that would allow The City to update Exhibit 4 on an annual basis.

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Motion to approve the first amendment to the PRWSA as presented – Passed 3-1.

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

**Intergovernmental Agreement with the Maryland Environmental Service (MES) for
Citizen and Agricultural Scrap Tire Drop-off Day 2013 – Phil Harris, Utilities and Solid
Waste Management Division**

Ms. Lori Finafrock, Utilities and Solid Waste Management Division, presented the request to enter into an Intergovernmental Agreement with the MES to hold a Scrap Tire Drop-off Day event.

Motion to approve the Intergovernmental Agreement with the MES – Passed 4-0.

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

(Commissioner Delauter returned to the meeting.)

**Update on the Citizens Care and Rehabilitation Center / Montevue Assisted Living –
Stephen Ryan, LW Consulting Services, Inc.**

Mr. Ryan reviewed the financial results for CCRC/MAL for the ten (10) months ended April 30, 2013. Mr. Bob Aims, CCRC / MAL, and Ms. Erin White, Finance Division, commented on the financials.

No action was taken, this item was informational.

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

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ADJOURN

The meeting adjourned at 1:30 p.m.

Patricia Morrow
Recording Secretary