

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, AUGUST 29, 2013**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, August 29, 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 a moment of silence followed by the recitation of the Pledge of Allegiance.

Proclamation – National Recovery Month

The Board proclaimed the month of September as National Recovery Month.

Commissioner Comments

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

Motion to approve sending \$1,000.00 to the Chesapeake Clean Coalition from the FY 2014 Contingency Fund to contribute to the hiring of a coordinator – Passed 5-0.

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

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

- Rolan Clark
- Dave Shoemaker

Approval of Minutes

By unanimous consent the Board approved the August 22, 2013, minutes.

CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #14-033 – RFP 13-097, Water Meters and Automatic Reading System

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- Purchasing Memo #14-036 – Full Depth Reclamation of Various Frederick County Roadways
- #BT-13-199, Emergency Preparedness, Emergency Management Division
- #BT-13-200, Sheriff's Office
- #BT-14-027, Housing and Community Development, Citizens Services Division
- Construction Change Order No. 33 (WCD 1) – Villages of Lake Linganore (Pinehurst) Water and Sewer Improvements
- Construction Change Order No. 34 (WCD 5) – Villages of Lake Linganore (Pinehurst) Water and Sewer Improvements
- Construction Change Order No. 35 (WCD 6) – Villages of Lake Linganore (Pinehurst) Water and Sewer Improvements
- FY 2014 Emergency Medical Dispatchers Training Grant Application
- Request to Apply for a Grant from the Snyder Foundation for Animals

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			

It was noted that Commissioner Delauter requested the contractor to clarify apparent discrepancies regarding Construction Change Orders 33, 34, and 35.

PUBLIC HEARINGS

Proposed Increase in the Length of Service Award Program (LOSAP) – Michael Chomel, Office of the County Attorney

A public hearing was held, as duly advertised, on the proposed increase in the monthly benefit of the LOSAP.

Mr. Frank Davis, representing Frederick County Volunteer Fire and Rescue Association, Inc., commented on the proposed increase.

There was no public comment.

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Motion to adopt the proposed resolution that would increase the maximum monthly benefit of the LOSAP, based on years of service, to \$300 – Passed 5-0.

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

Proposed Designation of the "Hoover House" (12328 Harp Hill Road, Wolfsville, Maryland) to Frederick County Register of Historic Places (#CR13-01) – Denis Superczynski, Community Development Division

A public hearing was held, as duly advertised, on the proposed designation of the "Hoover House" to the Frederick County Register of Historic Places.

There was no public comment.

Motion to approve the placement of the Hoover House on the Frederick County Register of Historic Places – Passed 5-0.

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

WORKSESSION

7630 Hayward Road Contract Amendment – Richard McCain, Office of the County Attorney

Mr. McCain presented the contract amendment for the sale of the property at 7630 Hayward Road.

Mr. Gary Large, Ausherman Properties, commented on the contract amendment requesting additional time to finalize a storm water management easement over adjacent property owned by the Board of Education.

There was no public comment.

Motion to amend the contract to provide for an additional 60-day study – 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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Revised Policy Guidelines for Tax Increment Financing (TIF) Districts and Application – Erin White, Finance Division

Ms. White presented the revised policy guidelines for TIF districts and the TIF application.

There was no public comment.

Motion to approve the revised TIF guidelines and application as presented – Passed 4-1.

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

ADMINISTRATIVE BUSINESS

Memorandum of Understanding (MOU) Between the Board of County Commissioners and The City of Frederick Regarding the Funding of a Part-time Alcohol Beverages Inspector – Kathy Vahle, Board of License Commissioners and Linda Thall, Office of the County Attorney

Ms. Vahle and Ms. Thall presented the proposed MOU.

Ms. Maggi Hays and Mr. Rick Stup, Board of License Commissioners, commented on the MOU.

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			

Land Trust Memorandum of Understanding (MOU) and Attached Budget Transfer for Start-up Expenses – Jenny Short, Citizens Services Division

Ms. Short presented the MOU.

Mr. Steve Fox, Frederick County Affordable Housing Land Trust, LLC, and Mr. Ron Kramer, Frederick County Habitat for Humanity, Inc., commented on the MOU.

Motion to approve the MOU as presented; the associated budget transfer; and the Foreclosure Clean Up Act Program – Passed 5-0.

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

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**Bid Award – Purchasing Memo #14-031 - Water/Sewer Lines Engineering Services –
Diane George, Finance Division**

Motion to approve Purchasing Memo #14-031 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			

**FY 2014 Gypsy Moth Suppression Program – Regina Howell, Budget Office, Office of
the County Manager**

Motion to participate in a 50% cost share for the gypsy moth survey this fall at an estimated cost of \$12,750.00 – Passed 5-0.

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

**Building Consolidation Task Force – Countywide Synergy and Efficiency Concept Plan
– Chuck Nipe, Community Development Division**

Mr. Nipe presented the Plan, as directed by the Board, that would map out a 5-year effort to centralize similar functions and improve existing space utilization while ridding the county of expenses of several properties.

Motion to approve the Countywide Synergy and Efficiency Concept Plan; direct staff to proceed with project programming in the upcoming CIP; permit Citizens Services Division and Emergency Management Division personnel to relocate; and authorize the termination of the 520 North Market Street CIP project and the sale of the property – Passed 5-0.

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

COMMISSIONER COMMENTS

Commissioner Smith provided comments.

PUBLIC COMMENTS

- Dave Shoemaker

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QUESTIONS – PRESS

None.

CLOSED SESSION/ADMINISTRATIVE FUNCTION

Maryland Annotated Code State Government Article § 10-508(a)(4) To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (7) To consult with counsel to obtain legal advice on a legal matter; and (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Topic – To consider a proposal for the acquisition of a county real property and its possible use for a private enterprise.

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 11:35 a.m.

Patricia Morrow
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, AUGUST 29, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(4) To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (7) To consult with counsel to obtain legal advice on a legal matter; and (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

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) (4) To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (7) To consult with counsel to obtain legal advice on a legal matter; and (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Time and Location:

11:37 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To consider a proposal for the acquisition of a county real property and its possible use for a private enterprise.

Patricia Morrow
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, SEPTEMBER 5, 2013,
FOLLOWING THE CLOSED MEETING OF THURSDAY, AUGUST 29, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(4) To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (7) To consult with counsel to obtain legal advice on a legal matter; and (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

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) (4) To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (7) To consult with counsel to obtain legal advice on a legal matter; and (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Time and Location:

11:37 a.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

L. Depies, R. McCain, C. Nipe, C. Chamberlain

Topic Discussed:

To consider a proposal for the acquisition of a county real property and its possible use for a private enterprise.

Action Taken:

The Board directed staff to take the proposal to public hearing.

Patricia Morrow
Recording Secretary