

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, SEPTEMBER 5, 2013**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, September 5, 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 Preparedness Month in Frederick County.

Commissioner Comments

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

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

None.

Approval of Minutes

By unanimous consent the Board approved the August 29, 2013, minutes.

CONSENT AGENDA

The following items were considered on the consent agenda:

- Child Advocacy Center Services Grant
- Approval of FFY 2013 Emergency Management Performance Grant and Attached Budget Transfer
- Collaborative Supervision and Focused Enforcement Grant (Renewal) for the Assistant State’s Attorney III; Approval of an Additional \$10,000 as a Sub-grant for the Sheriff’s Office and Attached Budget Transfers
- FY 2014 Senior Center Operating Fund Grant Application

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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			

WORKSESSION

Keller Property Memorandum of Understanding – Jason Stitt, Public Works Division

Mr. Stitt and Mr. Robert Shen, Public Works Division, presented the MOU between the City of Frederick and the county, as required by the Keller property annexation resolution, to establish the upgrade, ownership, and maintenance of Yellow Springs Road, Walter Martz Road, and Rocky Springs Road where they abut the annexed property.

Motion to take the MOU to public hearing 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			

Waterbody Buffer Draft Zoning Ordinance Text Amendment – Eric Soter and Tim Goodfellow, Community Development Division

Mr. Soter and Mr. Goodfellow presented the proposed text amendment that would address concerns with existing waterbody buffer regulations as outlined in the Business Friendly Improvement Area list.

Motion to take the draft text amendment through the public review process – Passed 5-0.

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

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ADMINISTRATIVE BUSINESS

Bid Award - Purchasing Memo #14-034 – Construction Inspection and Construction Management Services for Roads and Bridges (IDQ Contract) – Diane George, Finance Division

Motion to approve Purchasing Memo #14-034 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			

Memorandums of Understanding for Sheltering Services – Jenny Short, Citizens Services Division

Ms. Short and Ms. Pat Rosensteel, Citizens Services Division, presented the MOUs by and between the county and each of three nonprofit agencies to provide a total of \$135,000.00 in funding from the county's Housing Initiative Fund for sheltering services.

Motion to approve the MOUs as presented – Passed 5-0.

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

Municipal Recycling Drop Off Centers Initiatives and Incentives – Kevin Demosky, Utilities and Solid Waste Management Division

Mr. Demosky presented the request to continue the pilot program as a permanent program for the three (3) active drop-off centers in Middletown, Walkersville, and Emmitsburg. He also indicated a request to include The City of Frederick and the Town of Thurmont, if they would choose to participate in the program as well as the modifications presented.

Motion to approve the recommendation to continue the pilot program as a permanent program with modifications 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			

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**Updates from County Commissioners' Liaison – Dave Dunn, Community Development
Division**

Mr. Dunn presented the updates.

No action was taken as this item was informational.

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

CLOSED SESSION

Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Topic – To consider a proposed settlement of a debt.

Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter.

Topic – To discuss with the County Attorney and county staff the legal issues involved in an existing agreement.

Motion to go into closed session – Passed 5-0.

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

ADJOURN

The meeting adjourned at 11:07 a.m.

Patricia Morrow
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, SEPTEMBER 5, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(7) To consult with counsel to obtain legal advice on a legal matter and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Motion:

Upon a motion by Commissioner Smith, seconded by Commissioner Delauter, the Board voted 5-0 to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Time and Location:

11:10 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To consider a proposed settlement of a debt.

Patricia Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, SEPTEMBER 5, 2013**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, SEPTEMBER 12, 2013,
FOLLOWING THE CLOSED MEETING OF THURSDAY, SEPTEMBER 5, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(7) To consult with counsel to obtain legal advice on a legal matter and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Motion:

Upon a motion by Commissioner Smith, seconded by Commissioner Delauter, the Board voted 5-0 to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Time and Location:

11:10 a.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

L. Depies, J. Mathias, L. Thall, R. McCain, M. Roles, R. Santangelo

Topic Discussed:

To consider a proposed settlement of a debt.

Action Taken:

The Board authorized staff to accept the proposed settlement of a debt.

Patricia Morrow
Recording Secretary

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Time and Location:

11:10 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss with the County Attorney and county staff the legal issues involved in an existing agreement.

Patricia Morrow
Recording Secretary

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Motion:

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Others in Attendance:

L. Depies, J. Mathias, R. McCain, R. Santangelo

Topic Discussed:

To discuss with the County Attorney and county staff the legal issues involved in an existing agreement.

Action Taken:

The Board authorized legal staff to inform the state that the county has fully executed a grant agreement.

Patricia Morrow
Recording Secretary