

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, SEPTEMBER 26, 2013**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners (“Board”) of Frederick County, Maryland, for Thursday, September 26, 2013, at 10:00 a.m. Present were Commissioners C. Paul Smith, *Vice President*, David Gray and Kirby Delauter. Also present were Ms. Lori Depies, County Manager and Ms. Joyce Grossnickle, Administrative Officer. Commissioner Billy Shreve was absent.

Invocation and Pledge of Allegiance

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

Proclamation – Fire Prevention Week

The Board proclaimed the week of October 6 as Fire Prevention Week in Frederick County.

Recognition of Donald Crum, Division of Public Works

The Board surprised Mr. Crum with a certificate of recognition on the occasion of his upcoming retirement from county government with his last day of work being September 27.

Commissioner Comments

Comments were provided by Commissioners Young, Smith, and Delauter. Commissioner Gray indicated he would save his comments until the end of the meeting.

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 – September 19, 2013

The minutes from September 19, 2013, were approved by unanimous consent.

PUBLIC COMMENTS

Public comments were made by:

- Dr. Sonja Sperlich
- Dr. Joseph Berman
- Steve Brauns

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PUBLIC HEARING

To Consider an Ordinance to Revise Chapter 1-21 of the Frederick County Code (Forest Resource Ordinance) – Eric Soter and Mike Wilkins, Community Development Division

Mr. Wilkins noted that due to House Bill 706 (Forest Conservation Act of 2013), which became effective October 1, 2013, it required staff to make several changes to Frederick County’s Forest Resource Ordinance as follows:

- Add definitions for “Priority Funding Area” and “Stream Restoration Project
- Add the following project types to the current list of projects that are exempt from the provisions of the Forest Resource Ordinance:
 - Stream restoration projects that meet certain criteria.
 - Maintenance or retrofitting of stormwater management structures with certain stipulations.
 - Redevelopment of previously developed areas covered by impervious surface where located with a Priority Funding Area.

There were no public comments.

Motion to approve and adopt the proposed ordinance as presented by staff – Passed 4-0.

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.)

CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #14-046 – Bid #14-021, Frederick Animal Health Laboratory Roof Replacement
- Purchasing Memo #14-048 – Grinder Pump Maintenance and Repair
- Purchasing Memo #14-049 – Local Calling Services (Piggyback Contract)
- Purchasing Memo #14-050 – Snow Removal Services
- Purchasing Memo #14-051 – Urbana Community Park Bioretention Project

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- #BT-14-051, Fire and Rescue Services Division
- Approval of the FY 2014 Money Follows the Person Options Counseling Grant Application and HIPAA Business Associate Agreement
- FY 2014 Area Plan and Senior Medicare Patrol Grant
- Department of Aging Community Foundation Grant Application
- FY 2014 Maryland Family Network Services Contract Agreements for Family Support Center **and** Budget Transfer
- Renewal of Promoting Safe and Stable Families Memorandum of Agreement **and** Budget Transfer
- Approval of FY 2014 Advanced Life Support Education Grant Agreement **and** Associated Budget Transfer(s)
- Hazard Mitigation Grant Program Application

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

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

AGENDA BRIEFING

Commissioner Young noted the following public hearings were scheduled for Tuesday, October 1, 2013: Rezoning Case #/R-05-09(A) Ballenger Run Planned Unit Development (PUD) and the Ballenger Run PUD Development Rights and Responsibilities Agreement.

WORKSESSION

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

Commission on Aging

There were no public comments.

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Motion to appoint Ann Holiday for a term to expire June 30, 2015 – Passed 4-0.

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

The Board took no action at this time on the remaining applicant, D. Sue Thomson.

Mental Health Management Agency Board of Directors

There were no public comments.

Motion to appoint Ashley VanCleaf, Esquire, for a term to expire June 30, 2016 – Passed 4-0.

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

Public Library Board

There were no public comments.

Motion to appoint Debbie Kiser for a term to expire June 30, 2014 – Passed 4-0.

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

ADMINISTRATIVE BUSINESS

Bid Award – Purchasing Memo #14-047, Consulting Services Related to Frederick County’s National Pollution Discharge Elimination System (NPDES) MS4 Permit (Sole Source) – Diane George, Finance Division

Motion to approve Bid Award – Purchasing Memo #14-047 – Passed 4-0.

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

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Grant Application to the Community Foundation of Frederick County to Fund Early Childhood School Readiness Program – Shelly Toms, Citizens Services Division

Motion to approve grant application – Passed 4-0.

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

Requesting Non-benefited Additional Kennel Technician Position – Harold Domer, Animal Control Division

Motion to approve request for non-benefited additional kennel technician position – Passed 4-0.

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

Proposal to Modify the Regulations to the Ambulance Transport Fee Program – Chief Denise Pouget and Tawanda Bailey, Fire and Rescue Services Division

Motion to approve proposed changes to the Ambulance Transport Fee Program – Passed 4-0.

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

FY 2015 Operating Budget Calendar and Preliminary Direction – Regina Howell, Budget Office, Office of the County Manager

Motion to approve the FY 2015 Operating Budget calendar – Passed 4-0.

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

COMMISSIONERS COMMENTS

Comments were provided by Commissioner Gray.

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PUBLIC COMMENTS

There were no public comments.

QUESTIONS - PRESS

There were no questions from the press.

CLOSED SESSION

Maryland Annotated Code State Government Article § 10-508(a)(14) – to discuss a matter related to a negotiation strategy before a contract is awarded.

Topic – To establish the terms and strategy for sale of surplus property.

Motion to go into closed session – Passed 4-0.

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 11:35 a.m.

Joyce M. Grossnickle
Administrative Officer

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, SEPTEMBER 26, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a): (14) – to discuss a matter related to a negotiation strategy before a contract is awarded.

Motion:

Upon a motion by Commissioner Smith, seconded by Commissioner Delauter, the Board voted 4-0 to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (14) – to discuss a matter related to a negotiation strategy before a contract is awarded. Commissioner Shreve was absent.

Time and Location:

11:35 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To establish the terms and strategy for sale of surplus property.

Joyce Grossnickle, Administrative Officer

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, OCTOBER 1, 2013,
FOLLOWING THE CLOSED MEETING OF THURSDAY, SEPTEMBER 26, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a): (14) – to discuss a matter related to a negotiation strategy before a contract is awarded.

Motion:

Upon a motion by Commissioner Smith, seconded by Commissioner Delauter, the Board voted 4-0 to go into closed session under the Maryland Annotated Code State Government Article § 10-508(a) (14) – to discuss a matter related to a negotiation strategy before a contract is awarded. Commissioner Shreve was absent.

Time and Location:

11:35 a.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

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

Topic Discussed:

To establish the terms and strategy for sale of surplus property.

Action Taken:

The Board directed staff to move forward with the terms and strategy proposed for the sale of surplus property.

Joyce Grossnickle, Administrative Officer