

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, OCTOBER 24, 2013**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, October 24, 2013, at 10:00 a.m. at Winchester Hall. 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 Business Women’s Week

The Board proclaimed the week of October 21 as National Business Women’s Week in Frederick County.

Business Recognition – Accounting Support Services

The Board recognized Accounting Support Services for their contributions to the community.

Commissioner Comments

Comments were provided by Commissioners Young, Smith 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 Board approved the minutes for October 15 and October 17, 2013, by unanimous consent.

Motion to approve the minutes for the week of October 3 – October 9 although the Board did not agree it was a meeting – Failed 2-1-2.

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

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Motion to invite the Open Meetings Compliance Board to explain the requirements of the Open Meetings Act – Passed 3-2.

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

Motion to approve the minutes of October 3 – October 10 noting: no action or votes were taken; no meeting was called to order by the president or any member of the Board; and no agenda was presented – Passed 4-1.

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

Commissioner Smith noted he did not believe the event on October 3 would constitute a meeting according to the Open Meetings Act.

PUBLIC COMMENTS

- John Gretz

CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #14-058, Bulk Road Salt (Piggyback Contract)
- Purchasing Memo #14-059, Miscellaneous Bridge Painting
- Purchasing Memo #14-060, Microsoft Windows Upgrade Project Components (Piggyback Contracts)
- #BT-14-068, Child Advocacy Center, Citizens Services Division

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	X			
Delauter			X			

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PUBLIC HEARINGS

Petition to Close “Old” New Design Road – Dave Olney, Public Works Division

A public hearing was held, as duly advertised, on the request from Corporate Center LLC, and R&R Frederick Associates 1, LLP, to abandon a portion of right-of-way associated with the old alignment of New Design Road, north of Corporate Drive.

Mr. Robert Shen, Public Works Division; Mr. Richard McCain, Office of the County Attorney; and Mr. Fran Zeller, Harris Smariga & Associates, provided comments.

There were no public comments.

Motion to grant petitioners’ request to close and abandon an unused right-of-way associated with the former alignment of New Design Road and to convey the county’s interest, if any, by quit claim deed – Passed 3-1-1.

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

Proposed Changes to Article III of Chapter 1-5 of the Frederick County Code – Parking Restrictions on County Roads – Dave Olney, Public Works Division

A public hearing was held, as duly advertised, on the proposed changes regarding parking restrictions on county roads.

Mr. Olney presented the proposed changes to redefine a restricted vehicle in part as one “rated at or capable of a gross vehicle weight or gross vehicle combination weight of 14,001 pounds or more.”

Public comment was heard from:

- John Gretz

Motion to approve the proposed changes and adopt the proposed ordinance 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			

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WORKSESSION

**Appointment to the Frederick County Commission For Women – Joyce Grossnickle,
Office of the County Manager**

*Motion to appoint Ms. Michelle Nusum-Smith to serve a term to expire June 30, 2016 –
Passed 5-0.*

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

ADMINISTRATIVE BUSINESS

**2014 Legislative Considerations – John Mathias, Office of the County Attorney and
Ragen Cherney, Office of the County Manager**

*By unanimous consent the following legislative proposals would be included in the 2014
Legislative Package:*

- *Modification of retroactive mandatory stormwater management fees imposed on select counties;*
 - *Elimination to reference to maximum value of gaming permits issued for raffles;*
 - *Amendments to the Annotated Code of Maryland pertaining to Charter Government transition; and*
 - *Property tax exemption for properties owned by a land trust.*
- *Authority to allow payment of wages with a debit card – Unanimously passed with Commissioner Shreve opposed.*
 - *Salary adjustment for the Frederick County Sheriff to be tied to the salary of a Lieutenant Colonel in the Maryland State Police. – Unanimously passed.*
 - *Salary adjustment of the Chief Judge of the Orphans' Court at \$16,500 and \$15,000 for the Associate Judges of the Orphans' Court per year – Passed 3-1-1 with Commissioner Young opposed and Commissioner Shreve abstained.*
 - *Authorization for the County Commissioners to establish a transfer tax would be presented on Thursday, October 31.*
 - *The request from The Tourism Council of Frederick County, Inc., to change the 30-day exemption for Frederick County Hotel Rental Tax would be included in the 2014 legislative package – Unanimously passed.*

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- *Motion to send a letter of support in favor of Delegate Huff's bill regarding legislative transparency – Unanimously passed.*

Update on Citizens Care and Rehabilitation Center (CCRC) /Montevue Assisted Living (MAL) – Mike Roles, CCRC/MAL

This item was informational, no action was taken.

Business Updates – Helen Prophter, Community Development Division

This item was informational, no action was taken.

PUBLIC COMMENTS

- John Gretz

QUESTIONS – PRESS

None.

COMMISSIONER COMMENTS

None.

ADJOURN

The meeting adjourned at 12:50 p.m.

Patricia Morrow
Recording Secretary