

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, DECEMBER 19, 2013**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, December 19, 2013, at 9:15 a.m. at Winchester Hall. Present were Commissioners C. Paul Smith, *Vice President*, Billy Shreve, and David Gray. Also present were Ms. Lori Depies, County Manager and Ms. Patti Morrow, Recording Secretary. Commissioner Kirby Delauter was absent from the meeting.

Invocation and Pledge of Allegiance

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

FrederickWORKS! One Job at a Time Recognition – The Frederick News-Post

The Board recognized The Frederick News-Post for participating in the FrederickWORKS! One Job at a Time initiative.

Public Comments

Public comments regarding a recent request for proposal for towing services were heard from:

- Ken Keeney
- Dale Grimm
- Ernest Grimes
- Mike Emeril
- Rob Kraft
- Dick Ingram
- Carolyn Ingram
- Donald Guy
- Rick Ingram
- Mark Sexon
- Mike Ingram
- Barry Bussard

Sheriff Chuck Jenkins, Ms. Diane George, Finance Division; and Sargeant Scott Jewell and Corporal Paul Colantuno, Sheriff’s Office, participated in the discussion.

Motion to suspend the process in place and return with a redefined process in 3 to 6 months – 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 requested to have someone from the towing business on the Procurement and Contracting Evaluation Team. By unanimous consent, Commissioner Smith would also participate on the evaluation team.

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Commissioner Comments

Comments were provided by Commissioners Young, Smith 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.

Approval of Minutes

The minutes for events of November 7 – 14, November 19, November 21 and December 5, were approved by unanimous consent.

PUBLIC COMMENTS

- John Gretz

CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #14-075 – Dental Insurance Plans for Frederick County Government Employees
- FY 2015 State Criminal Alien Assistance Program Grant and Budget Transfer (Purchase - Additional Security Cameras for the Detention Center from Justice Benefits, Inc. (JBI) (Piggyback Contract))
- FFY 2014 Medicare Improvements for Patients and Providers Act (MIPPA) Grant and Subsequent Budget Transfers
- FFY 2013 State Homeland Security Program Competitive Emergency Medical Services Grant Application and Subsequent Budget Transfer(s)
- Maryland Smart Energy Communities Year 2 Grant Program Application and Subsequent Budget Transfer

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

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

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WORKSESSION

Frederick County Boards and Commissions – Joyce Grossnickle, Office of the County Manager

Commission on Aging

There were no public comments.

Motion to extend Ms. RaeAnn Butler’s term for one-year as a non-voting member did not receive a second.

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

Metropolitan Washington Council of Governments (WashCOG)

There were no public comments.

Motion to approve the WashCOG policy boards/committees for 2014 as presented – Passed 4-0.

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

It was noted that a staff representative would attend the Air Quality meetings when Commissioner Gray was not able to attend.

FY 2014 Installment Purchase Program (IPP) – Request for Public Hearing – Anne Bradley, Community Development Division

Ms. Bradley briefed the Board on the applications for the FY 2014 IPP. Ms. Bradley recommended limiting the applications for public hearing to 18 due to funding limitations. Following the public hearing, bids would be requested from applicants and offers would be made based on the bid ratio.

There were no public comments.

Motion to forward the top 18 ranked properties to public hearing – Passed 4-0.

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

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The City of Frederick (City) Annexation – Bowersox Property – John Dimitriou, Community Development Division

Mr. Dimitriou presented the request from the City regarding the Bowersox annexation of approximately 6.13 acres of land into the City.

Ms. Gabrielle Dunn, City, commented on the annexation.

There were no public comments.

Motion to find the allowable land use and density between the City’s Mixed Use (MU) -1 zone and the county’s Agricultural (A) zone substantially different and to grant express approval for development to proceed within five years of the date of the municipal approval – Passed 4-0.

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

The City of Frederick (City) Annexation – Bartgis/Lassick-Rallas Properties – John Dimitriou, Community Development Division

Mr. Dimitriou presented the request from the City regarding the Bartgis/Lassick-Rallas annexation of approximately 48.8 acres of land into the City.

Ms. Gabrielle Dunn, City, commented on the annexation.

There were no public comments.

Motion to find the allowable land use and density between the City’s Residential (R) 8 zone and the County’s A zone are substantially different and to grant express approval for the development to proceed within five years of the date of the municipal approval – Passed 3-1.

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

ADMINISTRATIVE BUSINESS

Emergency Operations Center (EOC)/ 9-1-1 Back-up Relocation to the Public Safety Training Facility (PSTF) and Attached Budget Transfer– Chuck Nipe, Public Works Division and Jack Markey, Emergency Management Division

Mr. Markey and Mr. Nipe presented the request to relocate the EOC and the Back-up 9-1-1 Center from Montevue Lane to the PSTF.

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Motion to approve 2.95 million dollars in FY 2014 to commence infrastructure improvements required for the relocation project and the associated budget transfer, also approval for an additional 1.75 million dollars which would be required in FY 2015 to complete it – Passed 4-0.

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

Bid Awards – Diane George, Finance Division

- Purchasing Memo #14-078 – Replacement of Bridge Over Lake Linganore and Budget Transfer
- Purchasing Memo #14-079 – Utility Relocation Work for MD 85 Short Term Improvements
- Purchasing Memo #14-080 – Relocation of County Radio System

Motion to approve Purchasing Memos #14-078, #14-079, and #14-080, as presented – Passed 4-0.

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

Encroachment Agreement – Center at Monocacy Lot 15 – Beth Ramacciotti, Utilities and Solid Waste Management Division

Ms. Ramacciotti presented the agreement that would allow for the construction of a storm drainage pipe and private water line in a public water and sewer easement.

Motion to approve the execution of the agreement as presented – Passed 4-0.

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

Maryland Smart Energy Communities (MSEC) Year 1 Energy Project – Transfer Station Solar Concept – Shannon Moore, Community Development Division

Ms. Lisa Orr, Community Development; Mr. Mike Marschner, Office of the County Manager; and Mr. Kevin Demosky, Utilities and Solid Waste Management Division, presented the request to evaluate the possibility of a solar project for the Reich’s Ford Road Transfer Station’s roof as an energy project for the MSEC Year 1 grant program.

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Motion to approve the staff recommendation as presented – Passed 4-0.

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

Agricultural Subdivision Potential Transfer Option – Text Amendment Status – Anne Bradley, Community Development Division

Ms. Bradley, Mr. Jim Gugel, Community Development Division; Mr. Dave Wilkinson, Transfer Development Rights (TDR) workgroup member; and Mr. Bob Black, Frederick County Farm Bureau, were present for the discussion. Staff was directed to return when a text amendment had been drafted with the consensus of the group.

No action was taken.

Consideration to Accept Petition to Enter into a Development Rights and Responsibilities Agreement - Gladhill Property – Jim Gugel, Community Development Division

Mr. Gugel presented the petition. Mr. Seymour Stern, Esquire, representing the applicant, commented on the petition.

Motion to accept the petition and commence with the public hearing process noting that based on the simplicity of the application, it would go directly to public hearing – Passed 3-1.

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

FY 2015 Base Budget Presentation – Regina Howell, Budget Office, Office of the County Manager

Ms. Howell gave a PowerPoint presentation on the FY 2015 base budget. She reviewed the FY 2015 revenue and expenditure projections, the 3-year outlook projections, and the departmental base budget requests for the general operating fund. Ms. Howell indicated this was the first step in the budget process.

No action was taken.

CLOSED SESSION

Maryland Annotated Code State Government Article § 10-508(a)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Topic – To consider the acquisition of an interest in real property for the purposes of agricultural preservation.

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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	X			
Delauter						X

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

COMMISSIONER COMMENTS

None.

ADJOURN

The meeting adjourned at 12:10 p.m.

Patricia Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, DECEMBER 19, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Smith moved to go into closed session in accordance with Maryland Annotated Code State Government Article §10-508(a) (3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Delauter absent.

Time and Location:

12:15 p.m. – Winchester Room, Winchester Hall

Topic to be Discussed:

To consider the acquisition of an interest in real property for the purposes of agricultural preservation.

Patti Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, DECEMBER 19, 2013,
FOLLOWING THE CLOSED MEETING OF THURSDAY, DECEMBER 19, 2013**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Motion:

Commissioner Smith moved to go into closed session in accordance with Maryland Annotated Code State Government Article §10-508(a) (3) To consider the acquisition of real property for a public purpose and matters directly related thereto. Commissioner Gray seconded the motion that passed 4-0 with Commissioner Delauter absent.

Time and Location:

12:15 p.m. – Winchester Room, Winchester Hall

Others in Attendance:

J. Mathias, L. Depies, M. Chomel and A. Bradley

Topic Discussed:

To consider the acquisition of an interest in real property for the purposes of agricultural preservation.

Action Taken:

The Board authorized staff to proceed with offers to the applicants and the approval of a budget amendment.

Patti Morrow
Recording Secretary