

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, JANUARY 23, 2014**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, January 23, 2014, at 9:30 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 School Choice

The Board proclaimed the week of January 26, 2014, as National School Choice Week in Frederick County.

Recognition of TransIT Paratransit Driver of the Year and Recognition of Maryland Best Fixed Transit Route System Award

The Board recognized Mr. Ray Milburn as Paratransit Driver of the Year for 2013 and the Transit Services Division for their recognition as the Best Large Fixed Route System for 2013 from the Transportation Association of Maryland.

Commissioner Comments

Comments were provided by the Commissioners Young, Smith, Shreve 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 minutes for the events of January 1 – January 15, 2014, were approved by unanimous consent.

Public Comments

None.

CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #14-094 - Landfill Stormwater Pumping Station Improvements and Budget Transfer
- Purchasing Memo #14-095 - Limestone Lane SPS Upgrade

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- Purchasing Memo #14-098 - Emergency Medical Billing Services for Frederick County (Renewal)
- Purchasing Memo #14-099 - eCitation Systems for Frederick County Sheriff's Office (Piggyback Contract)
- #BT-14-111, Department of Aging, Citizens Services Division
- #BT-14-112, Housing, Citizens Services Division
- Board of Education School Construction Amendment #14-05 and #BT-14-115
- FY 2014 Hazardous Materials Emergency Preparedness Grant Application
- FY 2015 Rideshare Grant Application
- Approval of a Security Enhancement Grant for the Courthouse and Associated 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			
Shreve		X	X			
Gray	X		X			
Delauter			X			

WORKSESSION

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

There was no public comment.

Motion to appoint:

- *Ms. Colleen Cusimano as the Board of Education liaison to the Interagency Internal Audit Authority;*
- *The City of Frederick Alderman Donna Kuzemchak to the Affordable Housing Council and the Human Relations Commission;*
- *The City of Frederick Mayor Randy McClement to the Commission on Aging and the Containment Laboratory Community Advisory Committee; and*
- *The City of Frederick Alderman Kelly Russell to the Transportation Services Advisory Council*

Passed 5-0.

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Town of New Market Annexation – Smith-Cline Properties – Jim Gugel, Community Development Division

Mr. Gugel presented the proposed annexation of the 262.4 acres into the Town of New Market.

Winslow Burhans, Mayor, Town of New Market, commented.

There was no public comment.

Motion to find the allowable land use and density between the Town of New Market’s Residential (R) 2 zone and the county’s Agricultural (A) zone substantially different and to grant express approval for development on the subject properties to proceed within five years of the effective date of the municipal annexation – Passed 4-1.

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

Town of New Market Annexation – Delaplaine Property – Jim Gugel, Community Development Division

Mr. Gugel presented the proposed annexation of 134.7 acres into the Town of New Market.

Winslow Burhans III, Mayor, Town of New Market, commented.

There was no public comment.

Motion to find the allowable land use and density between the Town of New Market’s Economic Development Flex (EDF) zone and the county’s Agricultural (A) zone substantially different and to grant express approval for development on the subject property to proceed within five years of the effective date of the annexation – Passed 3-1-1.

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

New Market Bypass Memorandum of Understanding (MOU) – Jason Stitt, Public Works Division

Mr. Stitt and Mr. Robert Shen, Public Works Division, presented the proposed MOU that would accept 1.11 miles of road, including a 471 foot long bridge, that would connect Boyers Mill Road with MD 75. They noted an estimate of approximately \$13,000 per year would be allocated for routine maintenance of the county portion of the road.

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Motion to approve the New Market Bypass MOU as presented and to increase the Office of Highway Operations operating budget by \$13,000 per year once the bypass is accepted for maintenance – Passed 5-0.

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

ADMINISTRATIVE BUSINESS

Bid Awards – Diane George, Finance Division

- Purchasing Memo #14-081 – Support and Maintenance for County Radio System (Sole Source)
- Purchasing Memo #14-091 - EdgeFrontier Software and Training (Sole Source)
- Purchasing Memo #14-092 - Upgrade to Intergraph Mobile for Public Safety (Sole Source)

Motion to approve Purchasing Memos #14-081, #14-091 and #14-092 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			

Agreement for Castle Hill Subdivision – Kevin Demosky, Utilities and Solid Waste Management Division

Mr. Demosky presented the agreement which would allow connection to existing public water and sewer lines, in the Castle Subdivision, that do not meet the county's current minimum design sizing criteria, in exchange for Castle's agreement to be financially responsible for any sewer blockage in the subject public sewer line for a period of twenty (20) years.

Motion to approve and execute the agreement as presented – Passed 5-0.

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

Business Updates – Helen Propherer, Community Development Division

No action taken as this item was informational.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, JANUARY 23, 2014****Legislative Issues – John Mathias, Office of the County Attorney and Ragen Cherney,
Office of the County Manager**

Mr. Mathias and Mr. Cherney briefed the Board on the issues before the Frederick County delegation members.

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 – Possible acquisition of real property for a public road improvement.

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's attorneys certain complaints filed against the county.

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			

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

COMMISSIONER COMMENTS

Commissioner Smith commented on the swimming and diving program at Frederick High School.

ADJOURN

The meeting adjourned at 12:10 p.m.

Patricia Morrow
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, JANUARY 23, 2014**

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; and (7) To consult with counsel to obtain legal advice on a legal matter.

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; and (7) To consult with counsel to obtain legal advice on a legal matter. Commissioner Shreve seconded the motion that passed 5-0.

Time and Location:

10:55 a.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

Possible acquisition of real property for a public road improvement

Patti Morrow
Recording Secretary

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, JANUARY 23, 2014**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, FEBRUARY 6, 2014,
FOLLOWING THE CLOSED MEETING OF THURSDAY, JANUARY 23, 2014**

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; and (7) To consult with counsel to obtain legal advice on a legal matter.

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; and (7) To consult with counsel to obtain legal advice on a legal matter. Commissioner Shreve seconded the motion that passed 5-0.

Time and Location:

10:55 a.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

J. Mathias, L. Depies, K. Mitchell, R. McCain, G. Hessong, C. Nipe, J. Stitt, R. Shen, C. Chamberlain, D. Rudegear and R. Santangelo

Topic Discussed:

Possible acquisition of real property for a public road improvement.

Action Taken:

The Board authorized staff to proceed with the additional compensation for the easement as presented.

Patti Morrow
Recording Secretary

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Topic to be Discussed:

To discuss with the county's attorneys certain complaints filed against the county.

Patti Morrow
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Topic Discussed:

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Action Taken:

No action was taken.

Patti Morrow
Recording Secretary