

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, APRIL 15, 2014**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, April 15, 2014, at 9:45 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 an invocation followed by the recitation of the Pledge of Allegiance.

Proclamation – Month of the Young Child

The Board proclaimed the month of April as the Month of the Young Child in Frederick County.

Proclamation – Asian Heritage Month

This proclamation was rescheduled to the April 29th meeting.

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 minutes for March 18, April 1, and April 3, 2014, were approved by unanimous consent.

PUBLIC COMMENTS

- Robert Lawrence

CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #14-135 – White Rock Waste Water Treatment Plant Upgrades
- Purchasing Memo #14-150 – Bituminous Overlay of Various County Roadways

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- Board of Education School Construction Amendments:
#14-07 and BT-14-154; #14-08 and BT-14-155; #14-09 and BT-14-156; and #14-10 and BT-14-157
- Construction Change Order No. 108 – Ballenger McKinney Waste Water Treatment Plant Enhanced Nutrient Removal Expansion

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	X			
Gray			X			
Delauter			X			

AGENDA BRIEFING

Commissioner Young noted the Board would hold a public hearing on Tuesday, April 29 at 9:30 a.m. regarding the proposed modifications to the Senior Citizens’ Property Tax Credit.

WORKSESSION

Emmitsburg Ambulance Company No. 26 – Eric Smothers, Frederick County Volunteer Fire and Rescue Association, Inc. (FCVFRA)

Mr. Smothers presented the recommendation from the FCVFRA to defund the Emmitsburg Ambulance Company No. 26 and to move the operational component to the Vigilant Hose Company No. 6.

Mr. Ian Bartman, Esquire, Severn & Kresslein, P.A., commented on behalf of Company No. 26.

Public comment was heard from:

- Mary Lou Little, President, Company No. 26
- Dallas M. Buchheit
- Tim Clark, President, Vigilant Hose Company No. 6

Mr. John Mathias, County Attorney, discussed the process issues regarding the request from the FCVFRA.

(The Board took a break at 11:00 a.m. and returned at 11:10 a.m.)

Mr. Allen Keyser, Fire and Rescue Services Division, commented on the failure of response calls.

Ms. Erin White, Finance Division, commented on the funding allocations.

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Ms. Kathy Tritsch, Finance Division, commented on the Amoss funds.

Motion to suspend Company 26 until a list of 10 active persons, who live in the first due area or within five miles of the company building and have completed the MIEMS basic emergency medical technician course, is vetted with the Frederick County Volunteer Fire and Rescue Association, Inc., and is presented to the Board with a date certain of June 15, 2014; and the following:

- *The county would not seek the recovery of the FY 2014 allocation (\$67,932) already paid to Company 26;*
- *The April distribution of the Amoss funds would be held in abeyance for now; release of these funds would occur after Company 26 submits its list of 10 active persons to the Board;*
- *Company 6 (Vigilant Hose Company of Emmitsburg) would sign the Ambulance Transport Billing Agreement to allow it to begin receiving a percentage of the ambulance transport billing receipts;*
- *Company 26 would retain the subscription club payments received up until Company 6 was designated as the “first due ambulance service.” (Company 6 would receive all future payments until such time the suspension is lifted for Company 26);*
- *The Board would continue to provide indirect financial support to Company 26; and*
- *Company 26 was requested to indicate to the Board its willingness to begin discussions regarding a possible merger with Company 6 – Passed 5-0.*

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

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

Human Relations Commission

Motion to appoint Mr. Francisco Alves and Mr. Kavonte Duckett to serve terms to expire June 30, 2015; and to appoint Ms. Mari Lee and Ms. Georgia Anne McCauley to serve terms to expire June 30, 2016 – Passed 5-0.

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

Maryland Fire Service Personnel Qualifications Board

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Motion to appoint Acting Battalion Chief David A. Barnes to serve as Frederick County’s primary representative and Lt. Christopher Mullendore to serve as the alternate – Passed 5-0.

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

(The Board broke for lunch at 12:45 p.m.)

Commissioner Blaine R. Young, *President*, reconvened a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Tuesday, April 15, 2014, at 1:30 p.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.

ADMINISTRATIVE BUSINESS

Bid Award – Purchasing Memo #14-140 – Investment Safekeeping Services – Diane George, Finance Division

Motion to approve Purchasing Memo #14-140 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			

Development Rights and Responsibilities Agreement (DRRA) – Blentlinger Property – Jim Gugel, Community Development Division

Ms. Kathy Mitchell, Office of the County Attorney, presented the petition submitted by William Blentlinger LLC, and Lillian Blentlinger, LLC, to initiate the process for entering into a DRRA for the Blentlinger property. She noted that the DRRA would be brought back to the Board (following staff review) prior to being heard by the Frederick County Planning Commission.

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Motion to accept the petition to enter into a DRRA as presented and initiate the public hearing process – Passed 4-1.

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

Development Rights and Responsibilities Agreement (DRRA) – Woodbourne Manor Property – Jim Gugel, Community Development Division

Ms. Kathy Mitchell, Office of the County Attorney, presented the petition submitted by Jefferson Valley, LLC, to initiate the process for entering into a DRRA for the Woodbourne Property. It was noted the DRRA would proceed (following staff review) directly to the Frederick County Planning Commission due to the simplicity of this particular DRRA.

Motion to accept the petition to enter into a DRRA as presented and initiate the public hearing process – Passed 4-1.

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

2014/2015 Constant Yield Tax Rate – Regina Howell, Budget Office, Office of the County Manager

Ms. Howell presented the constant yield tax rate and the proposed FY 2015 tax rate.

Motion to place an ad in The Frederick News-Post regarding the constant yield tax rate and the proposed real property tax rate; hold a public hearing on May 6, and adopt the property tax rate on May 8, 2014 – Passed 5-0.

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

Motion to go forward to public hearing with the FY 2015 Recommended Operating Budget – Passed 5-0.

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

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**Participation in One-time Grant Funding – Maryland Department of Transportation –
Lori Depies, Office of the County Manager**

A request was made to participate in a one-time grant that would be restricted to pothole and other road repairs caused by the winter weather.

Motion to approve the participation in a one-time transportation grant to assist with pothole and other road repair caused by the winter weather – Passed 5-0.

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

Commissioner Shreve commented on the recent legislation to decriminalize marijuana.

ADJOURN

The meeting adjourned at 2:00 p.m.

Patricia Morrow
Recording Secretary