

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR THURSDAY, MAY 8, 2014**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, May 8, 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 Correctional Officer Week**

The Board proclaimed the week of May 6 as Correctional Officer’s Week in Frederick County.

**Proclamation – Police Week**

The Board proclaimed the week of May 11 as Police Week in Frederick County.

**FrederickWORKS! One Job at a Time Recognition – Home Depot**

The Board recognized Home Depot for their participation in the FrederickWORKS! One Job at a Time initiative.

**2014 Sustainability Awards – Shannon Moore, Community Development Division**

The Board recognized the award winners: Mr. Tim Goodfellow, Community Development Division; Frederick County Fleet Services; and Mr. Peter Brehm.

**Commissioner Comments**

Comments were provided by the Board.

**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.

Mr. John Mathias, Office of the County Attorney; and Mr. Stan Snow, Aurora Health Management, LLC, provided an update on the recent sale of the Citizens Care and Rehabilitation Center/Montevue Assisted Living to Aurora Health Management, LLC.

**Approval of Minutes**

The minutes for events for April 16 – April 30, 2014, were approved by unanimous consent.

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**PUBLIC COMMENTS**

- Julie Stewart

**CONSENT AGENDA**

The following items were considered on the consent agenda:

- Purchasing Memo #14-169 – Legal Services for the Frederick County Retirement Plans
- Purchasing Memo #14-178 – Local Access Mechanism – Single Point of Access for Western Maryland and Frederick County Systems Navigation
- Governor’s Office of Crime Control and Prevention (GOCCP) – FY 2015 Edward J. Byrne Memorial Justice Assistance (BJAG) Grant Application
- Division of Rehabilitation Services (DORS) Summer and Year Round Youth Jobs Agreement
- FY 2015 Maryland State Consolidated Local Implementation Grant (CLIG) for Frederick County Infants and Toddlers Program and Any Related Budget Transfers

*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			
Delauter		X	X			

**AGENDA BRIEFING**

A public hearing will take place on Tuesday, May 13 at 7:00 p.m. regarding Rezoning Case #/R-06-05(A) Carroll Manor Planned Unit Development and Thursday, May 22 at 9:30 a.m. regarding Zoning Text Amendment #ZT-14-01 – Accessory Structure Requirements on Residential Properties.

**WORKSESSION**

**Presentation of the Monocacy Scenic River Water Trail Map – Paul Dial, Parks and Recreation Division**

Mr. Dial presented the trail map and introduced the various partners who participated in the project.

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**Ballenger Creek Park Synthetic Turf Athletic Field Fees – Paul Dial and Jeremy Kortright, Parks and Recreation Division**

Mr. Dial and Mr. Kortright presented the proposed hourly rental fees for the turf field at Ballenger Creek Park.

There was no public comment.

*Motion to approve the proposed fee structure for the new synthetic turf multi-purpose field 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			

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

Commission on Disabilities

There was no public comment.

*Motion to reappoint Ms. Jeanine Aubertin to serve a three-year term beginning July 1, 2014, and to expire June 30, 2017, and the appointment of Ms. Mari Lee to serve a term to expire June 30, 2014, and to also serve a full three-year term to become effective July 1, 2014, and to expire June 30, 2017 – Passed 5-0.*

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

Monocacy Scenic River Citizens Advisory Board

There was no public comment.

*Motion to reappoint Mr. Jack Lynch to serve a new four-year term to expire May 8, 2018 – Failed 2-3.*

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

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Commission for Women

There was no public comment.

*Motion to appoint Ms. Anne Soule to serve a term to expire June 30, 2014, and to also serve a full three-year term to become effective July 1, 2014, and to expire June 30, 2017  
Passed - 5-0.*

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

Transportation Services Advisory Council

There was no public comment.

*Motion to appoint Mr. Joe Miller to fill the vacant community agency category and serve a term to expire June 30, 2014, and to also serve a full three-year term to become effective July 1, 2014, and expire June 30, 2017 – Passed 5-0.*

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

Soil Conservation District Boards – Catoclin and Frederick

There was no public comment.

*Motion to appoint Mr. Ben Sowers to serve a five-year term effective July 1, 2014, and to expire June 30, 2019, as the county-appointed representative on the Catoclin District Board; and to reappoint Mr. Bobby Rakestraw to serve a five-year term effective July 1, 2014, and to expire June 30, 2019, as the county-appointed representative on the Frederick District Board – 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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Property Tax Assessment Appeal Board

There was no public comment.

*Motion to forward Mr. James Kunkle’s name to The Maryland Governor’s Appointments Office for reappointment to the Frederick County Property Tax Assessment Appeal Board – Passed 5-0.*

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

**Frederick County Parcel Disposition/Gapland Road – Crystal Chamberlain, Public Works Division**

Ms. Chamberlain presented an offer of \$25,000 for the one-acre parcel located on Gapland Road. She indicated staff was not aware of any Frederick County Government use for the parcel.

There was no public comment.

*Motion to move forward to public hearing to consider the offer for the parcel located on Gapland Road – 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**

**Memorandum of Understanding (MOU) for Hepatitis Clinic, Inc. – Crystal Chamberlain, Public Works Division**

Ms. Chamberlain presented the request from the Hepatitis Clinic, Inc. to extend the term for the use of space at the Frederick County Health Department through December 31, 2014.

*Motion to approve the MOU with the Frederick County Hepatitis Clinic, Inc. 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			

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES FOR THURSDAY, MAY 8, 2014**

**Potomac Edison Right-of-Way Agreement / Ballenger Creek Park Turf Field – Crystal Chamberlain, Public Works Division**

Ms. Chamberlain presented the Right-of-Way Agreement from Potomac Edison to allow the necessary access to the proposed electrical components which would be installed during construction at the Ballenger Creek Park turf field.

*Motion to approve the Potomac Edison Right-of-Way Agreement for the Ballenger Creek Park turf field 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			

**Present for Signature Purposes Ordinance Regarding Zoning Map Amendment #R-13-04 – Rayburn Property (Public Hearing Held 4/1/14) – Kathy Mitchell, Office of the County Attorney**

Ms. Mitchell presented the ordinance for signature; no action was taken.

(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](http://www.FrederickCountyMD.gov).)

**Adoption of the FY 2015 Property Tax Rate (Public Hearing Held 5/6/14) – Regina Howell, Budget Office, Office of the County Manager**

Ms. Howell presented the proposed tax rates for FY 2015.

*Motion to table the vote until Thursday, May 29 – Passed 4-1.*

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

**PUBLIC COMMENTS**

- Gary Brennan, President, Frederick County Teachers Association

**QUESTIONS – PRESS**

None.

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**COMMISSIONER COMMENTS**

None.

**CLOSED SESSION**

Maryland Annotated Code State Government Article § 10-508(a) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

**Topic** – To consider an appeal under the County Personnel Rules.

**Topic** – To consider an increase in staffing of the Sheriff’s Office.

*Motion to go into closed session – Passed 5-0.*

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 12:35 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, MAY 8, 2014**

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

**Motion:**

Commissioner Smith moved to go into closed session in accordance with Maryland Annotated Code State Government Article §10-508(a) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals. Commissioner Delauter seconded the motion that passed 5-0.

**Time and Location:**

12:35 p.m. – Third Floor Meeting Room, Winchester Hall

**Topic to be Discussed:**

To consider an appeal under the County Personnel Rules.

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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 TUESDAY, MAY 13, 2014,  
FOLLOWING THE CLOSED MEETING OF THURSDAY, MAY 8, 2014**

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

(1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

**Motion:**

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**Time and Location:**

12:35 p.m. – Third Floor Meeting Room, Winchester Hall

**Others in Attendance:**

J. Mathias, L. Depies, M. Chomel and M. Hose

**Topic Discussed:**

To consider an appeal under the County Personnel Rules.

**Action Taken:**

Staff was authorized to uphold the determination of the division director.

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Patti Morrow  
Recording Secretary

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**Time and Location:**

12:35 p.m. – Third Floor Meeting Room, Winchester Hall

**Topic to be Discussed:**

To consider an increase in staffing of the Sheriff's Office.

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Patti Morrow  
Recording Secretary

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**Motion:**

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**Time and Location:**

12:35 p.m. – Third Floor Meeting Room, Winchester Hall

**Others in Attendance:**

J. Mathias, L. Depies, C. Jenkins, R. Williar

**Topic Discussed:**

To consider an increase in staffing of the Sheriff's Office

**Action Taken:**

Approval to increase the staffing of the Sheriff's Office.

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Patti Morrow  
Recording Secretary