

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, JULY 24, 2014**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, July 24, 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 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.

Business Recognition – Boys and Girls Club of Frederick

The Board recognized the Boys and Girls Club of Frederick for their contributions to the community.

Commissioner Comments

Comments were provided by the Commissioners.

Sheriff Chuck Jenkins reported on his recent trip to the Texas border.

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.

PUBLIC COMMENTS

None.

CONSENT AGENDA

The following items were removed from the consent agenda:

- Purchasing Memo #15-003 – Stormwater Management Facility Maintenance Contract
- Purchasing Memo #15-011 – Englandtowne Stream Restoration
- Purchasing Memo #15-013 – Bus Shelter Advertising Program (Piggyback Contract)
- Purchasing Memo #15-015 – Purchase of Five (5) Plug-in Hybrid Vehicles (Piggyback Contract)

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The following items were considered on the consent agenda:

- Purchasing Memo #15-008 – Procurement Card Credit Card Services (Piggyback Contract)
- Purchasing Memo #15-012 – Energy Efficiency Audits, Retrofits and Upgrades for the Power Saver Retrofits Program
- BT-14-210, Accounting, Finance Division
- BT-15-009, Sustainability and Environmental Resources, Community Development Division
- Board of Education School Construction Amendment #15-01 and BT-15-012
- Construction Change Order No. 129, Ballenger-McKinney ENR WWTP Expansion and Budget Transfer
- Construction Change Order No. 130, Ballenger-McKinney ENR WWTP Expansion
- Request to Apply for Grant Funding from the State of Maryland Spay and Neuter of Pets and Animals

Motion to approve the consent agenda as amended – Passed 5-0.

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

Bid Awards – Diane George, Finance Division

Purchasing Memo #15-003 – Stormwater Management Facility Maintenance Contract and Purchasing Memo #15-011 – Englandtowne Stream Restoration

Mr. Chuck Nipe, Public Works Division and Ms. Shannon Moore, Community Development Division, commented on the purchasing requests.

Motion to approve Purchasing Memos #15-003 and # 15-011 as presented – Passed 5-0.

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

(Commissioner Young passed the gavel to Commissioner Smith and left the dais.)

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Purchasing Memo #15-013 – Bus Shelter Advertising Program (Piggyback Contract)

Nancy Norris, Citizens Services Division, provided comments.

Motion to approve Purchasing Memo #15-013 as presented – Passed 3-1.

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

(Commissioner Young returned to the dais.)

Purchasing Memo #15-015 – Purchase of Five (5) Plug-in Hybrid Vehicles (Piggyback Contract)

Ms. Shannon Moore, Community Development Division, commented on the grant funding for the vehicle purchases.

Motion to approve Purchasing Memo #15-015 as presented – Passed 5-0.

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

PUBLIC HEARING

To Consider the Woodbourne Manor Development Rights and Responsibilities Agreement (DRRA #14-04) in Accordance with Chapter 1-25 of the Frederick County Code – Jim Gugel, Community Development Division and Kathy Mitchell, Office of the County Attorney

Commissioner Young swore in all who would testify.

A public hearing was held, as duly advertised, on the proposed DRRA for the Woodbourne Manor property.

Ms. Mitchell and Mr. Gugel presented the proposed DRRA. It was noted the property was located in the Jefferson community growth area and the Adequate Public Facilities Ordinance (APFO) review was completed and the Letter of Understanding was effective June 12, 2013. The Frederick County Planning Commission made a finding of consistency with the Frederick County Comprehensive Plan.

The applicant, Jefferson Valley LLC, was represented by Noel Manalo, Esquire, Miles and Stockbridge; and John Pembroke and Jeremy Holder, Ausherman Development.

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There was no public comment.

Motion to approve the DRRA as presented with an effective date of July 24, 2014 – Passed 4-1.

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

AGENDA BRIEFING

Commissioner Young noted a public hearing would be held Tuesday, August 5 at 7:00 p.m. regarding Zoning Map Amendment #R-14-02 - Monocacy Glen Property.

WORKSESSION

(Commissioner Delauter left the meeting.)

Impact Fee Waiver for Family Farms – Jim Gugel, Community Development Division

Mr. Gugel and Ms. Kathy Mitchell, Office of the County Attorney, requested direction regarding a proposed amendment to Chapter 1-22 of the Frederick County Code Development Impact Fees that would provide a waiver of the impact fees for farm owners who provide a building lot for a family member. It was noted the Linganore Grange and the Frederick County Pomona Grange expressed support of the issue.

(Commissioner Delauter returned to the meeting.)

Motion to proceed through the public hearing process – Passed 4-0-1.

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

Consideration to Accept a Petition to Enter into a DRRA – Hogan Property - Jim Gugel, Community Development Division

Mr. Gugel presented the petition submitted by Lawrence and Ilona Hogan to enter into a DRRA on the 9.5 acre property located in the Ballenger Creek community growth area.

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Motion to accept the petition to enter into a DRRA for the Hogan property – Passed 4-1.

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

ADMINISTRATIVE BUSINESS

Presentation of Ordinance for Signature Purposes – Rezoning Condition Amendment #R-88-50(A) – Hogan Property (Public Hearing Held 6/17/14) – John Mathias, Office of the County Attorney

Mr. Mathias presented the ordinance for signature purposes regarding Rezoning Condition Amendment #R-88-50(A).

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.)

(Commissioner Gray left the meeting.)

Bid Awards – Diane George, Finance Division

Purchasing Memo #15-004 – Utility System Maintenance, Repair and Replacement

Motion to approve Purchasing Memo #15-004 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			

Purchasing Memo #15-009 – PeopleSoft Technical Consulting Services for PeopleSoft Pension Administration Module (Sole Source)

Motion to approve Purchasing Memo #15-009 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			

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Proposed Changes to the Consent Agenda Policy – Joyce Grossnickle, Office of the County Manager

Ms. Grossnickle presented the proposed changes.

Motion to approve the proposed changes – Passed 4-0.

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

Spectrum Drive Lease Renewal One-year Fixed Term – Crystal Chamberlain, Public Works Division

Ms. Chamberlain and Mr. Chuck Nipe, Public Works Division, presented the lease renewal request.

Motion to approve the 2014 lease extension agreement beginning September 1, 2014 – Passed 4-0.

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

Agreement for the Point of Rocks Ruritan Community Building - Crystal Chamberlain, Public Works Division

Motion to enter into a new lease agreement with the Point of Rocks, MD Ruritan, Inc. for the continued use of the Point of Rocks Community Center at Point of Rocks Park – Passed 4-0.

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

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Recommendation to Approve Membership with the Center for Internet Security Multi-state Information Sharing Analysis Center (ISAC) – Sherry Weakley, Interagency Information Technologies Division

Motion to approve the execution of the Center for Internet Security Multi-state ISAC Member Agreement – Passed 4-0.

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

(Commissioner Gray returned to the meeting.)

Request for Public Hearing to Consider a Sale of County-owned Land on Crabapple Drive – Beth Ramacciotti, Utilities and Solid Waste Management Division

Ms. Ramacciotti presented the proposed contract to sell two parcels of county-owned land to the Crestwood Village Home Owners Association (HOA).

Motion to take to public hearing the proposed contract by HOA to purchase county property no longer needed – Passed 4-0-1.

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

Transfer of Frederick County’s Housing Bond Allocation to the State Community Development Administration (CDA) – Jenny Short, Citizens Services Division

Motion to approve the transfer of the 2014 housing bond allocation to the CDA within the Maryland Department of Housing and Community Development Administration in the amount of \$8,448,427 for use in issuing housing bonds or mortgage credit certificates to fund the Maryland Mortgage Program in Frederick County/Maryland HomeCredit Program – 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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Business Updates – Helen Propheter, Community Development Division

Ms. Propheter presented the business updates.

No action taken as this item was informational.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

COMMISSIONER COMMENTS

None.

ADJOURN

The meeting adjourned at 11:45 a.m.

Patricia Morrow
Recording Secretary