

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES
FOR THURSDAY, SEPTEMBER 4, 2014**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Thursday, September 4, 2014, at 9:30 a.m. at Winchester Hall. Present were Commissioners C. Paul Smith, *Vice President*; David Gray, Billy Shreve, 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 Preparedness Month

The Board proclaimed the month of September as National Preparedness Month in Frederick County.

Proclamation – Constitution Week

The Board proclaimed the week of September 17 as Constitution Week in Frederick County.

Proclamation – National Payroll Week

The Board proclaimed the week of September 1 as National Payroll Week in Frederick County.

**Certificate of Achievement for Excellence in Financial Reporting – Erin White,
Finance Division**

The Board recognized the Finance Division for receiving the Certificate of Achievement for Excellence in Financial Reporting.

Commissioner Comments

Comments were provided by Commissioners Young and Smith.

**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.

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CONSENT AGENDA

The following items were considered on the consent agenda:

- Purchasing Memo #15-034 – Medical Supplies (Piggyback Contract)
- Purchasing Memo #15-035 – Emergency Notification System (Piggyback Contract)
- Purchasing Memo #15-040 – NetMotion Mobility Enterprise Licensing Upgrade (Piggyback Contract)
- Purchasing Memo #15-041 – Food Products for the Adult Detention Center
- Purchasing Memo #15-042 – Independent Hose Company Roof Replacement
- BT-15-033, Department of Aging, Citizens Services Division
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- BT-15-035, Water and Sewer, Utilities and Solid Waste Management Division
- Board of Education School Construction Expense Fund Amendments #15-02 and BT-15-029; and #15-03 and BT-15-030
- Construction Change Order No. 138 – Ballenger-McKinney Enhanced Nutrient Removal, Wastewater Treatment Plant Expansion
- Change Order No. 2 – FY 2014 Bituminous Overlay of Various Frederick County Roadways
- FY 2015 Maryland Access Point Grant Application
- CSAFE Collaborative Grant and Budget Transfer(s)

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		X			
Delauter			X			

PUBLIC HEARINGS

Gapland Road Property Sale – Crystal Chamberlain, Public Works Division and Richard McCain, Office of the County Attorney

A public hearing, as duly advertised, was held on the disposal of property on Gapland Road.

Ms. Chamberlain presented the offer of \$25,000.00 for the one (1) acre parcel located on the east side of Gapland Road from the Gunne family.

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There was no public comment.

Motion that the county has no need for the property; approval to sell the property for \$25,000 to Ms. Roxane Lee Gunne and Mr. Jesse Gunne, and the title would be transferred by special warranty deed – Passed 5-0.

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

Ordinance to Amend the County Gaming Regulations – Article VIII of Chapter 1-2 of the Frederick County Code – Gary Hessong, Community Development Division

A public hearing, as duly advertised, was held on a proposed ordinance to amend the county gaming regulations, Article VIII of Chapter 1-2 of the Frederick County Code.

Mr. Hessong presented the proposed ordinance to revise the gaming regulations to comply with the 2014 Maryland General Assembly Session’s adoption of Senate Bill 615.

There was no public comment.

Motion to approve the proposed ordinance to increase the number of certain gaming events that a qualified organization in Frederick County may hold in a calendar year in which the major prize has a value of more than \$5,000 – Passed 5-0.

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

(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.)

WORKSESSION

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

Affordable Housing Council

There was no public comment.

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Motion to appoint Ms. Katherine Nash to serve as one of the private industry representatives and fill a term to expire June 30, 2016; Mr. Bruce Zavos to serve as one of the private industry representatives and fill a term to expire June 30, 2017; and Mr. Jay Mason to serve as one of the housing consumer representatives and fill a term to 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			

Commission For Women

There was no public comment.

Motion to appoint Ms. Annie Jones and Ms. Chloe Scott to serve terms to 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			

Commission on Disabilities

There was no public comment.

Motion to appoint Ms. Malorie Marti to serve a term to expire June 30, 2015, and Ms. Cheryl Triantos to serve a term to 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			

ADMINISTRATIVE BUSINESS

Installment Purchase Program Agreement (IPP) (Doris Lenhart Property) – Anne Bradley, Community Development Division

Ms. Bradley stated that a closing was scheduled to purchase an agricultural preservation easement through the IPP Agreement consisting of 136-acres located on the south side of Links Bridge Road, west of the Town of Woodsboro, belonging to Ms. Doris S. Lenhart.

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Motion to approve a proposed resolution to enter into an IPP easement on the Doris Lenhart property – Passed 5-0.

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

**Final Update to the Frederick County Government Strategic Plan FY 2011 – FY 2015 –
Lori Depies, Office of the County Manager**

Ms. Depies announced that the Strategic Plan was at 100% completion. Both she and the Board thanked the Division Directors and county staff for their outstanding achievement.

No action taken as this item was informational.

**Updates from County Commissioners’ Liaison – Dave Dunn, Community
Development Division**

Mr. Dunn presented the updates.

No action taken as this item was informational.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

COMMISSIONER COMMENTS

Comments were heard from Commissioners Young, Smith and Shreve.

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CLOSED SESSION

Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Topic – To discuss with the county’s attorneys and staff the legal and procedural issues involved with a pending state permit.

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

ADJOURN

The meeting adjourned at 11:35 a.m.

Patricia Morrow
Recording Secretary

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF THURSDAY, SEPTEMBER 4, 2014**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Motion:

Upon a motion by Commissioner Smith, seconded by Commissioner Gray, the Board voted 5-0 to go into closed session in accordance with Maryland Annotated Code State Government Article §10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Time and Location:

1:35 p.m. – Third Floor Meeting Room, Winchester Hall

Topic to be Discussed:

To discuss with the county's attorneys and staff the legal and procedural issues involved with a pending state permit.

Patti Morrow
Recording Secretary

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON THURSDAY, SEPTEMBER 11,
FOLLOWING THE CLOSED MEETING OF THURSDAY, SEPTEMBER 4, 2014**

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Motion:

Upon a motion by Commissioner Smith, seconded by Commissioner Gray, the Board voted 5-0 to go into closed session in accordance with Maryland Annotated Code State Government Article §10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Time and Location:

1:35 p.m. – Third Floor Meeting Room, Winchester Hall

Others in Attendance:

M. Marschner, L. Depies, J. Mathias, S. Moore, K. Mitchell, and R. Santangelo,

Topic Discussed:

To discuss with the county's attorneys and staff the legal and procedural issues involved with a pending state permit.

Action Taken:

The Board approved the staff recommendation and authorized the director of the Procurement and Contracting Department to sign off on the amendment.

Patti Morrow
Recording Secretary