

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, April 19, 2016**

Council Members Bud Otis, President; M.C. Keegan-Ayer, Vice-President; Tony Chmelik, Treasurer; Kirby Delauter, Jerry Donald, and Jessica Fitzwater. Council Member Billy Shreve arrived to the meeting at 4:35 p.m.

Also present were Ragen Cherney, Council Chief of Staff; Michael Chomel, County Attorney's Office, and Patti Morrow, Recording Secretary.

Council Member Otis called the meeting to order at 4:30 p.m. in the first floor hearing room, Winchester Hall, 12 East Church Street, Frederick, Maryland.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Council Member Keegan-Ayer moved to approve the agenda as presented. Council Member Donald seconded the motion that passed 6-0 with Council Member Shreve absent.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve			X
Presiding Officer - Otis	X		

CONSENT AGENDA

The following items were considered on the consent agenda:

- BT-16-200 – Office of Sustainability, Planning and Permitting Division
- BT-16-201 – Office of Sustainability, Planning and Permitting Division
- BT-16-204 – Office of Sustainability, Planning and Permitting Division

Council Member Keegan-Ayer moved to approve BT-16-200 for the Office of Sustainability, Planning and Permitting Division, as presented. Council Member Donald seconded the motion that passed 5-1 with Council Member Delauter opposed and Council Member Shreve absent.

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Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis			
At-large - Shreve			X
Presiding Officer - Otis	X		

Council Member Keegan-Ayer moved to approve BT-16-201 and BT-16-204 for the Office of Sustainability, Planning and Permitting Division, as presented. Council Member Donald seconded the motion that passed 6-0-1 with Council Member Shreve abstained.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve			X
Presiding Officer - Otis	X		

Business Items:

Installment Purchase Program Easements (John Steward Baumgardner, Jr. and Helen Marie Baumgardner, Tenant in Common and Wade A. Burgee and Matthew Burgee, Tenant in Common) and Approval of Budget Transfer BT-16-207 – Anne Bradley, Planning and Permitting Division

Ms. Bradley and Mr. Jim Cumbie, Esquire, Venable, LLP, (County Bond Counsel) presented the easement requests.

Council Member Keegan-Ayer moved to approve Resolution No. 16-05 – John Steward Baumgardner, Jr. and Helen Marie Baumgardner to purchase an agricultural easement for 179.2914 acres located on Keysville Road and Bridgeport Road. Council Member Fitzwater seconded the motion that passed 7-0.

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Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve	X		
Presiding Officer - Otis	X		

(A copy of the adopted/approved resolution can be obtained from the county's website <http://www.frederickcountymd.gov/>)

Council Member Keegan-Ayer moved to approve Resolution No. 16-06 – Wade A. Burgee and Matthew Burgee, Tenants in Common to purchase an agricultural easement for 112.3984 acres located on Burgee Lane on the south side of U.S. 340. Council Member Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve	X		
Presiding Officer - Otis	X		

(A copy of the adopted/approved resolution can be obtained from the county's website <http://www.frederickcountymd.gov/>)

Council Member Keegan-Ayer moved to approve BT-16-207 to increase the FY 2016 budget to fund the agricultural preservation easement acquisitions. Council Member Donald seconded the motion that passed 7-0.

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Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve	X		
Presiding Officer - Otis	X		

Introduction of Resolution Establishing the Constant Yield Tax Rate – Diane Fox, Finance Division

Ms. Fox presented the proposed resolution to establish the FY 2017 property tax rates. It was noted that a public hearing on the 2017 property tax rates would be held on Tuesday, May 3, 2016, at 7:00 p.m.

No action was taken on this item.

Presentation of Resolution Containing Findings and Decision, following Circuit Court Remand of Social Betterment Historic Designation Application – Wendy Kearney, Office of the County Attorney

Ms. Kearney presented a resolution regarding the findings and the decision on the Trout Run application for the Frederick County Register of Historic Places. The resolution would be executed by the Council Members who voted on the prevailing side of the original Motion.

Council Member Keegan-Ayer moved to approve and adopt the Trout Run resolution as presented. Council Member Donald seconded the motion that passed 5-2 with Council Members Delauter and Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

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Public Hearings:

Maryland Community Development Block Grant (CDBG) (Washington County Human Development Council, Inc. (HDC)– Mt. Zion Project) – Miles Ward, Citizens Services Division

A public hearing was held, as duly advertised, on the CDBG grant for the Mt. Zion Project. Grant funding was used in the acquisition of the property on Mt. Zion Road for the purpose of an adult medical day care and habilitation/vocational day facility for developmentally disabled adults.

Mr. Ward noted the public hearing was a requirement of the CDBG regulations to provide the status of the grant activities.

There was no public comment.

No action was taken on this item.

(The Council took a break at 5:10 p.m. and reconvened at 7:00 p.m.)

County Executive's Draft FY 2017 Operating Budget, Draft FY 2017-2022 Capital Improvements Program and Draft FY 2017 Capital Budget for all other Frederick County Divisions/Departments/Agencies (excluding the budgeted support for the Frederick County Board of Education) - Rick Harcum, Budget Office, Office of the County Executive

A public hearing was held, as duly advertised, on the proposed FY 2017 budgets.

Mr. Harcum delivered a PowerPoint presentation on the proposed budget.

Public comment was heard from:

- Keith Nolan
- Pat Carson
- Deborah Carter
- Elizabeth Burmaster, President, Frederick Community College
- Mary Ann Brodie-Ennis – Commissioner, Town of Walkersville
- George Laugelli, Board of Trustees, Frederick County Public Libraries
- Dale Cline – Frederick County Volunteer Fire and Rescue Association (FCVFRA)
- Susie Nicol – FCVFRA
- Pat Kelly
- Louise Kennelly – Frederick County Arts Council

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- Annette Breiling

Public Comments

None.

Council Member Comments

Comments were provided by the Council Members.

Adjourn

The meeting adjourned at 7:49 p.m.

Bud Otis, President
County Council