

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, November 15, 2016**

Council Members Bud Otis, President; M.C. Keegan-Ayer, Vice-President; Tony Chmelik, Kirby Delauter, Jerry Donald, Jessica Fitzwater, and Billy Shreve were present for the meeting.

Also present were Ragen Cherney, Council Chief of Staff; Wendy Kearney, County Attorney’s Office; Joyce Grossnickle, Office of the County Executive, 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.

**Action on the Agenda**

*Council Member Keegan-Ayer moved to approve the agenda as presented.  
Council Member Chmelik seconded the motion that passed 6-1 with Council Member 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		

**Public Comments**

- John Gretz

**Budget Adjustments – Rick Harcum, Budget Office, Office of the County Executive**

- J-17-085 – Animal Control Division
- J-17-086 – Animal Control Division
- J-17-087 – Department of Aging, Citizens Services Division
- J-17-088 – Housing and Community Development, Citizens Services Division
- J-17-090 – Frederick County Public Libraries
- J-17-093 – Fleet Services, Public Works Division

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, November 15, 2016**

*Council Member Delauter moved to remove from the consent agenda Budget Adjustment J-17-093 – Fleet Services, Public Works Division. Council Member Shreve seconded the motion.*

Mr. Harcum commented on the budget adjustment noting it was correcting a technicality. Mr. Chuck Nipe, Public Works Division, stated the Fleet Services Department was requesting to have this budget adjustment approved as soon as possible.

*The vote **failed** 3-4 with Council Members Otis, Keegan-Ayer, Donald, and Fitzwater 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	

*Council Member Keegan-Ayer moved to approve the budget adjustments as presented. Council Member Donald seconded the motion that passed 4-3 with Council Members Chmelik, 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		

**Business Items**

**Approval of Minutes for October 18, and October 25, and November 1, 2016**

*Council Member Keegan-Ayer moved to approve the minutes for October 18, October 25, and November 1, 2016, as presented. Council Member Donald seconded the motion that passed 6-1 with Council Member Shreve opposed.*

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, November 15, 2016**

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		

**Affirm the Confirmation of the County Executive’s Appointment – Council President Bud Otis**

*Council Member Keegan-Ayer moved to confirm the appointment of Mr. Jeremy Kortright to the position of Director of the Division of Parks and Recreation. 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		

**Confirm the County Executive’s Appointments to the Frederick County Ethics Commission - Mary Ellen Rhoderick, Ethics Commission Nominating Committee and – Linda Thall, Office of the County Attorney**

Ms. Rhoderick presented the appointments recently made by County Executive Gardner to the Ethics Commission. Ms. Rhoderick and Ms. Melanie Cox, League of Women Voters, requested the Council’s confirmation of the appointments as presented.

*Council Member Keegan-Ayer moved to confirm the appointments of Mr. Shane Canfield and Ms. Deborah Lundahl for terms to expire June 30, 2018, and Mr. Alan Shapiro for a term to expire June 30, 2019. Council Member Donald seconded the motion that passed 7-0.*

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, November 15, 2016**

<b>Council Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent/ Abstain/ Present</b>
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		

**Third Reading Calendar:**

**Amended Bill No. 16-17 – Establishing a Clean Energy Program for Commercial Properties – Council President Bud Otis (On behalf of the County Executive)**

*Council Member Keegan-Ayer moved to adopt and enact amended Bill No. 16-17 as presented. Council Member Fitzwater seconded the motion that passed 7-0.*

<b>Council Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent/ Abstain/ Present</b>
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/enacted bill can be obtained from the county's website, [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov).)

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, November 15, 2016**

**Public Hearing:**

**Summer 2016 Water and Sewerage Plan Amendments – Tim Goodfellow, Planning and Permitting Division**

A public hearing was held, as duly advertised, on the proposed 2016 summer cycle of water and sewerage amendments.

Council Member Otis swore in all those who would testify.

Mr. Goodfellow presented the requested amendments.

#WS-16-03 – Division of Planning and Permitting – Tax Map 84, Parcel 256, Lots 201, 203, 204, and 205, located on the west side of Old Middletown Road, north of Jefferson Pike.

There were no public comments.

*Council Member Keegan-Ayer moved to approve #WS-16-03 as presented. Council Member Donald seconded the motion that passed 7-0.*

<b>Council Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent/ Abstain/ Present</b>
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 resolution can be obtained from the county’s website, [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov).)

#WS-16-04 – Summers Family, LLLP – Tax Map 411, Parcel 2159, bordered by Mt. Philip Road, Butterfly Lane, and US40A, Old National Pike, within The City of Frederick.

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, November 15, 2016**

Mr. Bruce Dean, Esquire, Linowes and Blocher, LLP, representing the applicant, commented on the request.

There were no public comments.

*Council Member Keegan-Ayer moved to approve #WS-16-04 as presented. Council Member Donald seconded the motion that passed 7-0.*

<b>Council Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent/ Abstain/ Present</b>
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 resolution can be obtained from the county's website, [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov).)

**Public Comments**

- John Gretz

**Council Member Comments**

Comments were provided by the Council Members.

**Adjourn**

The meeting adjourned at 4:45 p.m.

---

Bud Otis, President  
County Council