

**COUNTY COUNCIL OF FREDERICK COUNTY MEETING
MINUTES
Tuesday, December 17, 2019**

Council Members M.C. Keegan-Ayer, President; Michael Blue, Vice-President, Steve McKay, Jessica Fitzwater, Kai Hagen, and Jerry Donald were present for the meeting. Council Member Phil Dacey arrived late as noted below.

Also present were Ragen Cherney, Chief of Staff, County Council; Bryon Black, Assistant County Attorney; Sarah Ambrosio, Recording Secretary; and Nancy Luna, Executive Assistant, County Council.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 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 Jessica Fitzwater moved to approve the agenda, as presented. Council Member Steve McKay seconded the motion that passed 6-0-1. Council Member Phil Dacey was absent.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey			X
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- Sheriff Chuck Jenkins

Business Items:

- **Budget Adjustments**
- J-20-158 - Child Advocacy Center, Citizens Services Division
- J-20-164 - Administrative Services Section, Fire and Rescue Services Division

Council Member Jessica Fitzwater moved to approve budget adjustments J-20-158, and J-20-164 as presented. Council Member Jerry Donald seconded the motion that passed 6-0-1. Council Member Phil Dacey was absent.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		

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District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey			X
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Approval of Minutes from December 3, 2019

Council Member Steve McKay moved to approve the minutes from December 3, 2019, as presented. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1. Council Member Phil Dacey was absent.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey			X
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Comprehensive Annual Financial Report

Information on the Comprehensive Annual Financial Report was provided to the Council by Lori Depies, Division Director Finance; Melanie Thom, Accounting Director; Chris Lehman, SB & Company; Bill Seymour, SB & Company; and Rick Harcum, Chief Administrative Officer.

Council Member Phil Dacey arrived at 5:55 p.m.

First Reading Calendar:

General Obligation Bond Authorization

Council President M.C. Keegan-Ayer (on behalf of the County Executive) introduced legislation and briefed the Council on a proposed bill to Authorize the issuance of General Obligation Bonds.

2017 Electrical Code Updates

Council President M.C. Keegan-Ayer (on behalf of the County Executive) introduced legislation and briefed the Council on a proposed bill to Update the Frederick County Electric Code by adopting the 2017 Edition of the National Electric Code.

2018 Building Code Updates

Council President M.C. Keegan-Ayer (on behalf of the County Executive) introduced legislation and briefed the Council on a proposed bill to Update the Frederick County Building Code by adopting the 2018 Editions of the International Building Code and International Residential Code,

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including the amendments adopted by the State of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07), and subject to the local amendments described § 1-6-18A and § 1-6-18B.

2018 Plumbing Code Updates

Council President M.C. Keegan-Ayer (on behalf of the County Executive) introduced legislation and briefed the Council on a proposed bill Update the Frederick County Plumbing Code by adopting the 2018 Edition of the International Plumbing Code, subject to the local amendments described in § 1-14-57.

Third Reading Calendar:

Bill No. 19-16 Scuba Facility in Mineral Mining District – Council Vice President Michael Blue

Council Member Michael Blue moved to approve Bill No. 19-16 Scuba Facility in Mineral Mining Districts. Council Member Steve McKay seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Bill No. 19-18 Prohibit the Intentional Release of Helium – Filled Balloons within Frederick County – Council Member Kai Hagen

Council Member Kai Hagen moved to approve Bill No. 19-18 Prohibit the Intentional Release of Helium-Filled Balloons within Frederick County. Council Member Jessica Fitzwater seconded the motion that passed 5-2.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue		X	
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer		X	

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Request Extension of Acting Division Director Appointment for the Division of Fire and Rescue Services

Council Member Michael Blue moved to approve the Extension of Acting Division Director Appointment of Thomas Coe to Fire and Rescue Services. Council Member Jessica Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Motion to go Into Closed Session

A motion was made at 6:30 p.m., by Council Vice President Michael Blue, to go into closed session in accordance with Maryland Annotated Code General Provisions Article §3-305(b) (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. The motion was seconded by Council Member Jessica Fitzwater, which passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
District 1 – Donald	X		
At-large – Hagen	X		
At-large – Dacey	X		
Presiding Officer – Keegan-Ayer	X		

***The council went into closed session at 6:35 p.m.*

Public Hearing:

Public Comment on Board of Education Applicants:

A public hearing was held, as duly advertised, on the Board of Education Applicants.

Public Comment was heard from:

- Judith Ricketts
- Alexis Black
- Deborah Carter

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- Lonnie Ropp
- George Stouffer
- Cassandra Hand
- Shabana Sayed
- James Hand
- Kensington Hand
- Matt Johnson

Vote on Board of Education Applicants

Council members voted by show of hands, top three names to send up to the County Executive's office for open Vacancy on the Board of Education. The three names with the highest vote count were, Rae Gallagher, Susan Johnson and Ron Peppe.

Confirmation Vote on County Executive Appointee

Council Member Jessica Fitzwater moved to approve the County Executive Appointee Christine Kay to the Division of Senior Services, Division Director. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- Kavonte Duckett

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 8:10 p.m.

M.C. Keegan-Ayer, President
County Council

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF TUESDAY, DECEMBER 17, 2019**

STATUTORY AUTHORITY TO CLOSE SESSION

Maryland Annotated Code, General Provisions Article §3-305(b) (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

A motion was made at 6:30 p.m., by Council Vice President Michael Blue, to go into closed session in accordance with Maryland Annotated Code General Provisions Article §3-305(b) (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. The motion was seconded by Council Member Jessica Fitzwater, which passed 7-0.

Time and Location:

6:35 p.m. – County Council Conference Room, First Floor, Winchester Hall

Topic for Discussion:

To evaluate and interview a possible candidate that the Council may consider for confirmation.

M.C. Keegan-Ayer, President
County Council

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**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, DECEMBER 17, 2019
FOLLOWING THE CLOSED MEETING OF TUESDAY, DECEMBER 17, 2019**

STATUTORY AUTHORITY TO CLOSE SESSION

Maryland Annotated Code, General Provisions Article §3-305(b) (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:

A motion was made at 6:30 p.m., by Council Vice President Michael Blue, to go into closed session in accordance with Maryland Annotated Code General Provisions Article §3-305(b) (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. The motion was seconded by Council Member Jessica Fitzwater, which passed 7-0.

Time and Location:

6:35 p.m. – County Council Conference Room, First Floor, Winchester Hall

Others in Attendance:

Ragen Cherney, Council Chief of Staff; Bryon Black, Assistant County Attorney; Sarah Ambrosio, Recording Secretary; Monica Bearden, Deputy Chief Administrative Officer; Senior Services Division Director Appointee.

Topic Discussed:

To evaluate and interview a possible candidate that the Council may consider for confirmation..

Action Taken:

None

M.C. Keegan-Ayer, President
County Council