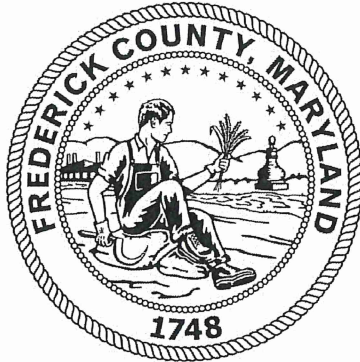




Bill No. 19-17  
Concerning: Sustainable Monocacy Commission  
Introduced: November 5, 2019  
Revised: 1/8/2020 Draft No. 1  
Enacted: January 21, 2020  
Effective: March 21, 2020  
Expires: February 3, 2020  
Frederick County Code, Chapter 1-2, Title X  
Section(s) Section 300-307

## COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President M. C. Keegan-Ayer on behalf of County Executive Jan Gardner

**AN ACT** to: Establish a Sustainable Monocacy Commission.

Executive: Jan H. Gardner Date Received: 1/22/2020  
Approved: ✓ Date: 1-23-2020  
Vetoed: \_\_\_\_\_ Date: \_\_\_\_\_

By amending:

Frederick County Code, Chapter, 1-2 Section(s) 300-307

Other: \_\_\_\_\_

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Underlining

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Double underlining boldface indicates matter added by Amendment.

[[Double bracket]] boldface and ~~strikethrough~~ indicates matter deleted by Amendment.

*Heading or defined term.*

*Added to existing law.*

*Deleted from existing law.*

*Existing law unaffected by bill.*

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The County Council of Frederick County, Maryland, finds it necessary and appropriate to establish a Sustainable Monocacy Commission (SMC); provide for the composition term, compensation of members, powers and duties of the SMC, and matters generally relating to the SMC.

THE MONOCACY RIVER AND ITS TRIBUTARIES ARE VALUED NATURAL RESOURCES OF FREDERICK COUNTY, WITH THE RIVER HAVING BEEN RECOGNIZED BY THE STATE OF MARYLAND FOR ITS NATURAL HABITAT, HISTORICAL AND ARCHEOLOGICAL SITES, AND ITS SCENIC, CULTURAL AND RECREATIONAL VALUE TO THE COUNTY AND STATE, AS WELL AS A SIGNIFICANT SOURCE OF DRINKING WATER FOR COUNTY RESIDENTS. AS A RESULT, THE FREDERICK COUNTY COUNCIL FINDS THAT IT IS IN THE COUNTY'S INHERENT INTEREST TO MANAGE THE PROTECTION, AND SUSTAIN THE WISE USE, OF THE MONOCACY SCENIC RIVER FOR THIS AND FUTURE GENERATIONS. THEREFORE, A SUSTAINABLE MONOCACY COMMISSION IS HEREBY ESTABLISHED TO ASSESS, ON AN ONGOING BASIS, THE CONDITION OF THE RIVER AND ITS TRIBUTARIES, REPORT ON SAME AT ESTABLISHED INTERVALS AS APPROPRIATE, AND MAKE RECOMMENDATIONS FOR ENSURING THE RIVER'S CONTINUED AND IMPROVED HEALTH, VIBRANCY, AND CONTRIBUTION TO FREDERICK COUNTY AND ITS RESIDENTS AS A HIGHLY SIGNIFICANT AND VALUED NATURAL RESOURCE.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF  
FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby,  
amended by adding Article X to Chapter 1-2, as shown on the attached Exhibit 1.

  
\_\_\_\_\_  
M.C. Keegan-Ayer, President  
County Council of Frederick County,  
Maryland 

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**CHAPTER 1-2: ADMINISTRATION**

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**ARTICLE X. SUSTAINABLE MONOCACY COMMISSION**

**§1-2-300. Creation, Purpose.**

- (A) There shall be a Frederick County Sustainable Monocacy Commission (SMC).
- (B) Among its duties, the SMC shall:
- 1) Recommend policies that: improve water quality, maintain and restore the ecological health and productivity of the Monocacy River and its tributaries, and conserve and protect wildlife habitat, the natural, cultural, and scenic character of the Monocacy River and its tributaries flowing in and through Frederick County.
  - 2) Review studies, policies, and rules formulated by federal, state, and local government agencies that concern or affect the Monocacy River and its tributaries, and to comment and provide advice on such proposals as appropriate.
  - 3) Review and make recommendations on federal, state, county, and local programs, policies, regulations, and public and private projects, which the SMC believes may have an impact on the Monocacy River and its tributaries.
  - 4) Review and make recommendations concerning the implementation of the most recent, Frederick County-approved Monocacy Scenic River Management Plan and to help fulfill the other objectives as outlined in the document.
  - 5) Educate the public and increase awareness about the importance of the Monocacy River's environmental, cultural, and recreational resources, and provide information related to actions that can be taken by individuals and communities to reduce pollution, conserve water, and promote a healthy and productive Monocacy River and its tributaries.
  - 6) Prepare a written report outlining the activities, goals, and accomplishments of the SMC annually or as appropriate. This report shall be submitted to the County Executive and County Council, and posted on the SMC website.
  - 7) Meet and collaborate with the Carroll County River Board (or its equivalent board) annually or as needed and agreed upon by the two boards.

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### **§1-2-301. Membership.**

#### **(A) Number.**

Subject to confirmation by the County Council, the County Executive shall appoint up to ~~[[nine (9)]] ELEVEN (11)~~ members to the SMC, all of whom shall be registered voters and residents of Frederick County. The elected official from the City of Frederick, or designee, shall be a non-voting member of the SMC. The elected official from the County Council, or designee, shall be a non-voting member of the SMC.

#### **(B) Composition.**

##### **1) The SMC shall consist of:**

- a) Two (2) owners of property adjacent to Monocacy River;
- b) Two (2) ~~[[owners of property not]] INDIVIDUALS WHO DO NOT RESIDE ON PROPERTY WHICH IS~~ contiguous to Monocacy River;
- c) One (1) elected official of The City of Frederick, or designee, non-voting;
- d) One (1) elected official of the County Council, or designee, non-voting;
- e) One (1) representative of the agricultural community; and
- f) ~~[[Two (2)]] THREE (3)~~ individuals having educational expertise or experience in the fields of biology, ecology, chemistry, earth sciences, environmental education, natural resources, or related fields.
- g) **ONE (1) MEMBER FROM THE GENERAL PUBLIC.**

### **§1-2-302. Terms, Reappointments, Vacancies.**

**(A) The term of office of each of the members shall be for a period of four (4) years.**

**(B) Of the initial ~~[[nine (9)]] ELEVEN (11)~~ members, ~~[[four (4)]] FIVE (5)~~ shall be appointed for a four-year term; and ~~[[three (3)]] FOUR (4)~~ shall be appointed for a three-year term; and two (2) shall be appointed for a two-year term.**

**(C) Members may be reappointed, but may not serve more than two (2) full consecutive four-year terms.**

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- (D) Vacancies shall be filled on the same basis as the original appointments for the unexpired terms. Members shall continue in office until their successors are appointed and qualified.

**§1-2-304. Chair, Vice-Chair.**

The Chair and Vice Chair will be selected by the members of the SMC.

**§1-2-305. Meetings and Quorum.**

- (A) The SMC shall meet as frequently as determined by the SMC, but not less than twice per calendar year. Meeting locations shall be determined by the SMC Chair and shall be in Frederick County, open to the public, and ADA accessible.
- (B) Notice of the date, time, and place of the SMC meetings shall meet the requirements of the Maryland Open Meetings Act.
- (C) A majority of the SMC voting members shall constitute a quorum for the transaction of regular business.
- (D) Any voting member of the SMC who fails to attend at least 50% of the meetings during any period of 24 consecutive months shall be considered to have resigned. Subject to confirmation by the County Council, the County Executive shall appoint a replacement.

**§1-2-306. Rules and Regulations.**

The SMC shall adopt rules to govern its procedures and activities.

**§1-2-307. Compensation.**

Members of the SMC shall receive no compensation for their services.

**§1-2-308. County Staff.**

A county staff member will be designated by the County Executive as a liaison to assist the SMC in its duties.

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