

COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 16, 2019

Council Members M.C. Keegan-Ayer, President; Steve McKay, Jerry Donald, Kai Hagen, Phil Dacey and Jessica Fitzwater were present for the meeting. Council Member Michael Blue was absent.

Also present were Ragen Cherney, Chief of Staff, County Council; Bryon Black, Assistant County Attorney; Nancy Luna, Executive Assistant, County Council; and Sydnee Sichert, Legislative Analyst, 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 Jerry Donald moved to approve the agenda, as presented. Council Member Kai Hagen seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Public Comment was heard from:

- Ronald Kaltenbaugh
- Tyler Otler
- Chris Hashemzadt
- Stan Mordensky
- Robert Ladner
- Karen Russell

Business Items:

Budget Adjustments

- J-19-311 – Housing and Community Development, Citizens Services Division
- J-20-014 – Utilities and Solid Waste Management Division

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- Board of Education Current Expense Fund Amendment #5-19

Council Member Steve McKay moved to approve the budget adjustments, as presented. Council Member Jerry Donald seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Approval of Minutes from June 18, June 25 and July 2, 2019

Council Member Jerry Donald moved to approve the minutes from June 18, June 25 and July 2, 2019, as presented. Council Member Kai Hagen seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Confirmation of County Executive’s Appointments and Reappointments to Boards and Commissions

Mr. Rick Harcum, Chief Administrative Officer, Office of the County Executive, presented the appointments and reappointments recently made by County Executive Gardner. Mr. Harcum requested the Council’s confirmation of the appointments and reappointments, as presented.

Commission for Women

Council Member Jessica Fitzwater moved to confirm the appointments of Melissa Atherholt and Valerie Dougherty to the Commission for Women, to terms as presented by staff. Council Member Kai Hagen seconded the motion that passed 6-0-1 with Council Member Michael Blue

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absent.

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		

Fire and Rescue Advisory Board

Council Member Jessica Fitzwater moved to confirm the appointments of Michael “Micky” Fyock, Gunnar Pederson and Doug Orner to the Fire and Rescue Advisory Board, to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Human Relations Commission

Council Member Kai Hagen moved to confirm the appointments of Cindy Shubin and Desiree Tucker to the Human Relations Commission to terms as presented by staff. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

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Senior Services Advisory Board

Council Member Jessica Fitzwater moved to confirm the appointment of Sandra Wastler to the Senior Services Advisory Board to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Social Services Board

Council Member Jessica Fitzwater moved to confirm the appointments of Danielle Haskin, Dr. Timothy Tran, Whitney Cummins, Ileana Lund and Carolina Mejia to the Social Services Board to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Solid Waste Advisory Committee

Council Member Kai Hagen moved to confirm the appointments of Dr. Jack Fritz, The Honorable John Kinnaird and Patrick Miglio to the Solid Waste Advisory Board to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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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		

Sustainability Commission

Council Member Kai Hagen moved to confirm the appointment of Faith Klareich to the Sustainability Commission to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Transportation Services Advisory Council

Council Member Jessica Fitzwater moved to confirm the appointments of Michael Levensgood, Dianne Lewis and Maria Lorenzana-Castro to the Transportation Services Advisory Council to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

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Public Hearing:

Bond Authorizing Resolution for the September 2019 Sale of General Obligation Public Facilities Bonds, Series 2019A

A public hearing was held, as duly advertised, on the Bond Authorizing Resolution for the September 2019 Sale of General Obligation Public Facilities Bonds, Series 2019A.

Ms. Lori Depies, Director, Finance, Mr. Jim Cumbie, Partner, Venable, LLP, and Mr. Joseph Mason, Senior Vice President, Davenport & Company, presented the Bond Authorizing Resolution for the September 2019 Sale of General Obligation Public Facilities Bonds, Series 2019A to the Council.

Public comment was heard from:

- Kevin Sellner

Council Member Jessica Fitzwater moved to adopt the attached resolution for approval of the General Obligation Public Facilities Bonds of 2019, Series A issuance, in the amount not to exceed \$164,000,000.00, as presented by staff. Council Member Jerry Donald seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

IPP Settlement Resolution (Conner & Keilholtz)

A public hearing was held, as duly advertised, on the Installment Purchase Agreement and IPP Easement Settlement Resolution #19-20 (Keilholtz Farm)

Ms. Anne Bradley, Land Preservation Program Administrator and Mr. Jim Cumbie, Venable, LLP, presented the IPP Settlement Resolutions to the Council.

Public comment was heard from:

- None

Council Member Jerry Donald moved to approve Resolution #19-20, the Keilholtz Farm, to enter into Installment Purchase Agreement and IPP Easement, as presented by staff. Council

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Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Third Reading Calendar:

Bill No. 19-09 Automobile Filling and Service Stations and Convenience Stores

Council Member Phil Dacey, moved to adopt Bill No. 19-09 Automobile Filling and Service Stations and Convenience Stores. Council Member Steve McKay seconded the motion.

Council Member Phil Dacey moved to approve Amendment #1 to Bill No. 19-09. Council Member Steve McKay seconded the motion that passed 6-0-1.

AMENDMENT 1 to Bill NO. 19-09

Introduced By: Council Member Phil Dacey (At-large)
Introduction Date: July 16, 2019

Adopted/Rejected/Withdrawn:

An ACT to: Address the evolving uses associated with Automobile Filling and Service Stations and Convenience Stores.

On Exhibit 1, Page 1, Amend Section 1-19-11.100 Definitions as follows:

* * *

AUTOMOBILE FILLING AND SERVICE STATION. Any building, structure or area of land that is used for the retail sales of motor vehicle fuels, oils and accessories and where repair service other than paint or body or fender work is incidental, [ø] **AND WHICH MAY INCLUDE A** convenience store; and no junked autos or other vehicles are parked or otherwise stored on the premises. This does not include truck stops and filling station service facilities.

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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		

Bill No. 19-10 Indoor Sports Recreation Facilities without Race Tracks

Council Member Kai Hagen, moved to approve Bill No. 19-10 Indoor Sports Recreation Facilities without Race Tracks. Council Member Steve McKay seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

Bill No. 19-11 – Hotel Tax Audit

Council Member Steve McKay moved to approve Bill No. 19-11 Hotel Tax Audit. Council Member Kai Hagen seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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		

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Workshop:

Livable Frederick Amendments – Kai Hagen

Council Member Kai Hagen moved to approve Amendment #1 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 4-2-1 with Council Members Steve McKay and Phil Dacey opposed and Michael Blue absent.

AMENDMENT 1 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 177. – A Vision for Our Environment, second paragraph:

IT IS THE YEAR 2040...

OUR COUNTY HAS [~~adapted to our current climate. We initiate sustainable urban development and redevelopment strategies that foster green business growth and build reliance on local assets.~~] **MAINTAINED THE COMMITMENT TO RESPOND TO OUR ONGOING CLIMATE CHANGE CRISIS IN A MANNER THAT REFLECTS THE MAGNITUDE OF THE THREAT TO OUR COMMUNITY AND OUR SHARE OF THE RESPONSIBILITY FOR THE PROBLEM. WE HAVE BEEN RESOLUTE AND INNOVATIVE IN OUR EFFORTS TO REDUCE OUR CONTRIBUTION TO GREENHOUSE GAS EMISSIONS, TO SEQUESTER CARBON AND TO BE ADAPTIVE AND RESILIENT IN THE FACE OF THE CHANGES AND CHALLENGES ASSOCIATED WITH OUR CHANGING CLIMATE.**

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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		

Council Member Kai Hagen withdrew Amendment #2 to the Livable Frederick Master Plan.

AMENDMENT 2 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019

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Adopted/Rejected/Withdrawn

Page 39. The Primary Growth Sector, second paragraph:

Text on page 39.

These areas include the ~~[Eastalco Growth Area, the]~~ Brunswick Community Growth Area, the Point of Rocks Community Growth Area, the Urbana Community Growth Area, and the I-270 Growth Area.

Map on page 40.

Revise map to remove Eastalco Growth Area.

Text on page 43 and 44. Multi-Modal District:

~~[New Town-~~

~~A major focal point for new development is identified in the area surrounding the decommissioned "Eastalco" site (12) (identified as the Eastalco Employment Area in the 2010 Plan, and including land holdings of the former Alcoa aluminum refinery and production plant located along Manor Woods Road between New Design Road and Ballenger Creek Pike). This area is currently the largest concentration of industrial land in the county. However, it presents significant potential for growth in the form of a transit oriented, mixed use development "new-town" that includes significant employment and industrial uses. Development in this form should, in coordination with CSX and MARC, include a new MARC station (12a) to serve residents and employees in the growth area.~~

~~As a proposed new town, this area constitutes a form of greenfield development but does not undermine the objectives of the LFMP to moderate the expansion of new development into rural land. There is much in this plan, both implied and explicitly stated, about the desire to de-emphasize, or move away from, an exclusive emphasis on greenfield development. Therefore it may seem counter-intuitive to suggest that a major aspect of the growth strategy advocated by the Thematic Plan involves a significant greenfield project, such as the Eastalco site. One perspective may be that the way to offset greenfield development is to have a singular focus on redevelopment of existing areas in a more efficient and compact fashion, not to advocate for the conversion of rural land to "urban" land.~~

~~However, it is highly unlikely that all future growth can or will be addressed solely by maximizing existing infrastructure and services through infill and redevelopment. This conclusion implies that a necessary strategy of any responsible plan is to consider the conversion of some rural land to urban land for the purpose of accommodating growth.~~

~~In perhaps its most familiar form, this has occurred in Frederick County through the outward expansion of communities into rural land, either through annexation or rezoning. The result of~~
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~~this expansion has been much closer to the haphazard, land consumptive, inefficient, low density pattern of growth known as “sprawl”, than to any notion of settlement continuity, development concentration, efficiency, or multi-modal accessibility.~~

~~However, greenfield development can occur in a manner that is efficient and highly supportive of multi-modal accessibility. If conceived of as an integrated whole that is compact, mixed-use, walkable, and supports multimodal accessibility, then the footprint of such a “new town” around the Eastalco site could be minimized, preserving acres of surrounding rural land that would otherwise become covered with low density development if expansion of existing growth boundaries was the only approach.~~

~~In abstract terms, a new center is required to concentrate growth. The continued expansion of the edge of an existing settlement does not inherently support concentrated growth. Rather, outward spread is by nature a process of dilution. A “new town” type of development at the Eastalco site, one that concentrates growth, is therefore one of the best options for growing in a manner that preserves our rural land.]~~

Map on page 46.
Amend to reflect amended changes.

Map on page 60.
Amend to reflect amended changes.

Text on page 200. Community Growth Areas. County.

County growth boundaries are designated around existing, unincorporated communities where the county is responsible for public infrastructure such as water and sewer service, as well as primary land use regulations such as zoning. Growth areas are also identified in other types of locations in the county where transitional development may occur for employment centers, mixed use transit corridors, or new residential neighborhoods. These may include under-developed commercial corridors and former industrial lands that would benefit from targeted physical planning efforts as part of a corridor planning process. County growth areas identified on the Comprehensive Plan Map are:

- Adamstown
- Ballenger Creek
- Buckeystown
- [Eastalco]
- Fountaindale
- South Frederick (formerly Frederick Southeast)
- Holly Hills
- Jefferson
- Libertytown
- Linganore
- Monrovia

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- Point of Rocks
- Spring Ridge / Bartonsville
- Urbana

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Council Member Kai Hagen moved to approve Amendment #16 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 16 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 117 – Add a fourth supporting imitative to “Food Preparation Traditions” as follows:

4) CREATE GREATER OPPORTUNITIES FOR HANDS-ON EXPERIENTIAL LEARNING REGARDING FOOD PRODUCTION, MEAL TRADITIONS AND THE CULINARY ARTS TO ENHANCE CLASSROOM EDUCATION RELATED TO FOOD, HEALTH, AGRICULTURE AND NUTRITION IN AREA SCHOOLS THROUGH FREDERICK FARM TO SCHOOL INITIATIVES.

* * * * *

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		

Council Member Kai Hagen moved to approve Amendment #17 to the Livable Frederick Master Plan with the change Frederick Farm to School Programs to Frederick Farm to School Initiatives. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 17 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 117 – Amend the first supporting initiative to “Food Preparation Traditions” as follows:

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- 1) Establish or support programs and initiatives that teach local food preparation skills to hobbyists and professionals through mentorship, community kitchens, church feasts, FCC/CTC educational programs, **FREDERICK FARM TO SCHOOL INITIATIVES**, and cultural organizations.

* * * * *

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		

Council Member Kai Hagen moved to approve Amendment #18 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 18 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)

Introduction Date: July 9, 2019

Adopted/Rejected/Withdrawn:

Page 142 – Add a sixth supporting initiative to “Alternative Markets” in the table as follows:

- 6) **INCREASE MARKET DIVERSIFICATION AND LONG-TERM REVENUE STREAM OPPORTUNITIES FOR LOCAL FARMERS BY FOSTERING POSITIVE RELATIONSHIPS WITH LOCAL PRIVATE AND PUBLIC SCHOOLS FOOD AND NUTRITION PROGRAMS THROUGH THE FREDERICK FARM TO SCHOOL INITIATIVES.**

* * * * *

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		

Council Member Kai Hagen moved to approve Amendment #19 to the Livable Frederick Master

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Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 19 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)

Introduction Date: July 9, 2019

Adopted/Rejected/Withdrawn:

Page 168 – Add a supporting initiative to “Buying Local” as follows:

- 1) **EXPLORE SMALL BUSINESS OPPORTUNITIES FOR LOCAL FOOD PROCESSING AND PRESERVATION FOR INSTITUTIONAL MARKETS SUCH AS PUBLIC AND PRIVATE SCHOOLS.**

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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		

Council Member Kai Hagen moved to approve Amendment #20 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 20 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)

Introduction Date: July 9, 2019

Adopted/Rejected/Withdrawn:

Page 21 – Amend “Essential Implementation Principles” as follows:

Area-specific planning studies – including Community and Corridor Plans – shall be responsive to the needs of the neighborhood and community while continuing to support and reflect Our Vision. Planning studies undertaken in future years should also be sensitive to economic development policies and priorities, **ENVIRONMENTAL CHALLENGES**, land use market conditions, implementation challenges, available staffing resources, and available funding. Studies such as those conceived as Community and Corridor Plans should generally include an existing conditions inventory, **A NATURAL RESOURCES INVENTORY**, future land use

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recommendations, aesthetic and functional public space improvements, circulation improvements and transportation management, capital improvement requirements and financing strategies, the need for zoning or subdivision code changes, and other implementation factors. If necessary due to the findings of the area-specific plans, amendments to the Livable Frederick Master Plan should be introduced to ensure internal consistency for the areas involved.

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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		

Council Member Kai Hagen moved to approve Amendment #21 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 21 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)

Introduction Date: July 9, 2019

Adopted/Rejected/Withdrawn:

Page 59 – Amend language to “Sugarloaf Mountain Rural Heritage Landscape” last paragraph as follows:

A thorough analysis of the Sugarloaf Mountain area – beginning with the completion of a visual resources analysis **AND A NATURAL RESOURCES INVENTORY** – would set the stage for any discussion regarding the drafting of specific guidelines, policies, or regulations.

* * * * *

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		

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Council Member Kai Hagen moved to approve Amendment #22 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 22 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 113 – Amend “Tradition” paragraph as follows:

Goals in this category concern the notion that the county’s heritage and traditions remain rooted in its agricultural past **AND NATURAL LANDSCAPE**, while understanding that other forces in the region have “set the table” for a lucrative, healthy, and inspiring future in Frederick County.

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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		

Council Member Kai Hagen moved to approve Amendment #23 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 23 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 123 – Amend “Local Preservation Expertise” as follows:

3) Support training for volunteers in historic preservation, archeological documentation, document conservation, and as docents for museums, historic sites, **NATURAL AREAS**, and tours.

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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		

Council Member Kai Hagen moved to approve Amendment #24 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 24 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019

Adopted/Rejected/Withdrawn:

Page 144 – Amend “Active Children” as follows:

- 4) Explore opportunities to leverage everyday experiences at county parks **AND NATURAL AREAS** as learning opportunities.

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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		

Council Member Kai Hagen moved to approve Amendment #25 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 25 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019

Adopted/Rejected/Withdrawn:

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Page 171 – Amend “Recreation” as follows:

5) Conduct a study regarding the economic impact of public parklands **AND NATURAL AREAS** on the local economy to understand their contributions to community satisfaction and tourism.

* * * * *

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		

Council Member Kai Hagen moved to approve Amendment #27 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 27 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)

Introduction Date: July 9, 2019

Adopted/Rejected/Withdrawn:

Page 179 – Amend section to “Trends and Driving Factors for Our Environment” as follows:

ALL OF FREDERICK COUNTY'S NATURAL RESOURCES AND LANDSCAPE ELEMENTS ARE VALUABLE AND CONTRIBUTE TO A HIGH QUALITY OF LIFE FOR RESIDENTS. GREEN INFRASTRUCTURE DESCRIBES AN AREA'S MOST VALUABLE NATURAL RESOURCES AND THE CONNECTION AND CORRIDORS BETWEEN THEM. FREDERICK COUNTY'S GREEN INFRASTRUCTURE WAS DEVELOPED BY USING THE MARYLAND DEPARTMENT OF NATURAL RESOURCES' BASE GREEN INFRASTRUCTURE MAP, THEN ADDING AREAS THAT ARE ENVIRONMENTALLY SIGNIFICANT IN FREDERICK COUNTY, BASED ON SOUND ECOSYSTEM SCIENCE. FOR EXAMPLE, FORESTLANDS THAT CAN SUPPORT FOREST INTERIOR DWELLING BIRD SPECIES; WATERWAYS OF HIGH QUALITY, BASED ON DATA FROM THE MARYLAND BIOLOGICAL STREAM SURVEY AND BROOK TROUT STUDIES; WETLANDS THAT SUPPORT DIVERSE POPULATIONS OF PLANTS, AMPHIBIANS AND BIRDS, AS WELL AS OTHER SENSITIVE SPECIES HABITATS.

GREEN INFRASTRUCTURE 'HUBS' ARE PORTIONS OF THE LANDSCAPE WITH THE

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HIGHEST ENVIRONMENTAL QUALITY IN TERMS OF SIZE, FUNCTION AND LOCATION AND PROVIDE MULTIPLE ENVIRONMENTAL BENEFITS, AND PROTECT BIODIVERSITY AND ECOLOGICAL SYSTEMS. THESE "ECOSYSTEM SERVICES" INCLUDE:

- FILTERING AND COOLING WATERS IN STREAMS AND AQUIFERS
- STORING AND CYCLING NUTRIENTS
- SEQUESTERING CARBON AND PURIFYING THE AIR
- CONSERVING AND GENERATING SOILS
- ENHANCING PROTECTION AGAINST STORMS AND FLOODS
- PROVIDING WILDLIFE HABITAT FOR INSECTS, BIRDS, MAMMALS, AND POLLINATORS

[50%] 33% of all of the County's green infrastructure does not have a "Natural Resource" OR "PUBLIC PARKLAND/OPEN SPACE" comprehensive LAND USE plan designation TO REFLECT ITS SIGNIFICANCE.

The share of our green infrastructure that exists within current growth areas is 14.6%

CURRENTLY, THERE ARE 10,200 ACRES OF FORESTLAND IN PERMANENT PROTECTIVE EASEMENT IN FREDERICK COUNTY THROUGH THE FOREST CONSERVATION ACT, A STATE LAW WITH MANDATED LOCAL ADOPTION ENFORCEMENT TO ADDRESS THE LOSS OF FOREST RESOURCES FROM LAND DEVELOPMENT ACTIVITIES.

Note** Include a smaller version of the 'ENVIRONMENTAL FEATURES' map from Pg. 56 to Pg. 179, Keeping the existing map legend, but after "Environmental Features," add the following:

Environmental Features include such landscape elements as streams, rivers & their buffers; wet lands; floodplains; forestlands; mountain lands; steep slopes; habitats of rare, threatened and endangered species; limestone/karst topography

* * * * *

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		

Council Member Kai Hagen moved to approve Amendment #28 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council

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Member Michael Blue absent.

AMENDMENT 28 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 181 – Amend section “Three Goals Met” as follows:

THE MARYLAND DEPARTMENT OF THE ENVIRONMENT SET GOALS FOR THE REDUCTION OF NITROGEN, PHOSPHORUS AND SEDIMENT GOING TO THE CHESAPEAKE BAY FROM FREDERICK COUNTY MAKING THEM PART OF ITS PHASE II WATERSHED IMPLEMENTATION PLAN. THESE GOALS WERE MET THROUGH A COMBINATION OF RESTORATION PRACTICES, WASTEWATER TREATMENT PLANT UPGRADES, AND LAND USE CHANGES. MDE IS CURRENTLY WORKING TO CREATE PHASE III GOALS.

~~[INCREASING STORM VOLUMES~~

~~Climate models predict increased storm volumes for our region. Recommendations call for management of 2-2.5 inches of rain for future flood prevention. All new development in Frederick County is required by Maryland law to meet a standard of a natural forest to treat 1” of rainfall using stormwater best management practices.]~~

Replace with:

THE STORMWATER CRITERIA OF THE MARYLAND STORMWATER MANAGEMENT ACT OF 2007 PRIORITIZES THE USE OF ENVIRONMENTAL SITE DESIGNS THAT CAPTURE AND RETAIN ENOUGH RAINFALL SO THAT THE RUNOFF LEAVING A SITE IS REDUCED TO A LEVEL EQUIVALENT TO A WOODED SITE IN GOOD CONDITION FOR THE MOST FREQUENT STORM EVENTS. THIS IS DETERMINED USING UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) NATURAL RESOURCE CONSERVATION SERVICE (NRCS) METHODS (E.G., TR-55). THE INCREASING SIZE OF FLOODING EVENTS PROJECTED BY 2040 COULD REQUIRE A REEXAMINATION OF THIS STANDARD AT THE COUNTY AND/OR STATE LEVEL.

IMPERVIOUS SURFACE: 5.6% 5.6% of the land area in the county is impervious to water percolation. **THE PERCENTAGE OF IMPERVIOUS COVER IN DEVELOPED AREAS IS A LEADING INDICATOR OF WATERWAY HEALTH. IMPERVIOUS LANDS ARE AREAS WHERE WATER CANNOT PERCOLATE DUE TO HARD SURFACES SUCH AS ROADS, PARKING LOTS, COMPACTED SOILS, AND BUILDINGS. IMPERVIOUS COVER OF GREATER THAN 10% TO LAND DRAINING TO A STREAM USUALLY MAKES IT UNABLE TO SUPPORT FISH AND HEALTHY BUGS. IN BROOK TROUT WATERSHEDS, THIS CAN BE TRUE AT 1% IMPERVIOUS COVER OR LESS. THE AREAS WITH THE GREATEST**

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URBANIZATION ARE THE MOST THREATENED, PARTICULARLY WHERE THERE IS OLD DEVELOPMENT THAT DOES NOT HAVE PRACTICES DESIGNED TO TRAP AND HOLD STORMWATER BEFORE IT REACHES STREAMS.

* * * * *

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		

Council Member Kai Hagen moved to approve Amendment 29 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 29 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 182 – Amend section “Greenhouse Gas” as follows:

~~GREENHOUSE GAS: -19% [Between 2005 and 2012, greenhouse gas emissions in Frederick County have declined by 19%.~~

~~The State of Maryland goal is to reduce greenhouse gas emissions from 2006 levels by 25%. The Maryland Department of the Environment’s goal is to reduce greenhouse gas emissions by 2030 by 40%.~~

~~Greenhouse gas (GHG) emissions across all sectors in Frederick County decreased by 19% between 2005 and 2012; from 4,676,245 MT CO2e to 3,771,288 MT CO2e.~~

~~Per capita emissions decreased 24% between 2005 and 2012; from 21.3 MT CO2e to 16.1 MT CO2e. The regional average was 14.6 MT CO2e per capita in 2005 and 13.1 MT CO2e in 2012.~~

~~In 2012, mobile transportation contributed 48% of total emissions. Electricity was the second largest contributor, accounting for 34% of total emissions, with residential use accounting for about 43%.~~

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~~Despite population growth, overall and per capita GHG emissions in Frederick County decreased between inventory years in large part due to efficiency improvements and fuel switching across all sectors.~~

~~Between 2014 and 2016, there were four days of air quality rated unhealthy for sensitive groups. This met EPA standards.]~~

IN 2008, THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) AND LOCAL GOVERNMENTS ACROSS THE METROPOLITAN WASHINGTON D.C. AREA COLLABORATIVELY ESTABLISHED THE REGIONAL GREENHOUSE GAS (GHG) EMISSION REDUCTION GOALS OF 10% BELOW BUSINESS AS USUAL PROJECTIONS BY 2012 (BACK DOWN TO 2005 LEVELS); 20% BELOW 2005 LEVELS BY 2020; AND 80% BELOW 2005 LEVELS BY 2050. COG AND ITS MEMBER JURISDICTIONS ARE WORKING TOWARD THESE GOALS, AND THE REGION AS A WHOLE WAS ABLE TO MEET THE 2012 TARGET, DEMONSTRATING THAT GHG REDUCTIONS ARE POSSIBLE EVEN AS THE REGION'S POPULATION AND ECONOMY GROWS .

- **GHG ARE MEASURED IN METRIC TONS OF CARBON DIOXIDE EQUIVALENT (MT C02E).**
- **GHG EMISSIONS ACROSS ALL SECTORS IN FREDERICK COUNTY DECREASED BY 19% BETWEEN 2005 AND 2012; FROM 4,676,245 MT C02E TO 3,771,288 MT C02E.**
- **PER CAPITA EMISSIONS DECREASED 24% BETWEEN 2005 AND 2012; FROM 21.3 MT C02E TO 16.1MT C02E.THE REGIONAL AVERAGE WAS 14.6 MT C02E PER CAPITA IN 2005 AND 13.1MT C02E IN 2012 .**
- **IN 2012, MOBILE TRANSPORTATION CONTRIBUTED 48% OF TOTAL GHG EMISSIONS.**
- **IN 2012, ELECTRICITY WAS THE SECOND LARGEST CONTRIBUTOR, ACCOUNTING FOR 34% OF TOTAL EMISSIONS, WITH RESIDENTIAL USE ACCOUNTING FOR ABOUT 43%.**
- **DESPITE POPULATION GROWTH, OVERALL AND PER CAPITA GHG EMISSIONS IN FREDERICK COUNTY DECREASED BETWEEN INVENTORY YEARS IN LARGE PART DUE TO EFFICIENCY IMPROVEMENTS AND FUEL SWITCHING ACROSS ALL SECTORS. FREDERICK COUNTY ALSO SAW THE CLOSING OF AN INDUSTRIAL FACILITY, EASTALCO THAT WAS A LARGE ELECTRICITY USER.**
- **CHANGES IN REGIONAL GHG EMISSIONS WERE ALSO DUE TO FUEL SWITCHING FROM COAL TO NATURAL GAS IN ELECTRICITY GENERATION.**
- **FUTURE REDUCTIONS WILL COME FROM MARYLAND'S STANDARDS FOR UTILITY COMPANY RENEWABLE PORTFOLIOS; IMPROVEMENTS IN EXISTING BUILDING ENERGY CONSUMPTION FROM RETROFITS AND CONSERVATION; NEWER, MORE EFFICIENT VEHICLES; AND MORE ELECTRIC VEHICLES.**

SOURCE: GREENHOUSE GAS EMISSIONS INVENTORY FOR THE METROPOLITAN WASHINGTON

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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		

Council Member Kai Hagen moved to approve Amendment #31 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 31 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 189 – Amend “Evaluation of Impact” as follows:

- 1) Include a comprehensive review of natural resources during the **CREATION OF COMMUNITY AND CORRIDOR PLANS AND DURING** the development review process.
- 2) Ensure Frederick County’s Green Infrastructure is protected through [~~a comprehensive assessment and~~] **THE ADOPTION AND IMPLEMENTATION OF A** functional green infrastructure plan.

* * * * *

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		

Council Member Kai Hagen moved to approve Amendment #33 to the Livable Frederick Master Plan with the change of removing the word “plan” at the end and add a period. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

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AMENDMENT 33b to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 191 – Amend “Best Practices” as follows:

14) DEVELOP AND IMPLEMENT FUNCTIONAL PLANNING FOR WATER RESOURCE PROTECTION, CONSERVATION, AND FLOOD MITIGATION.

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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		

Council Member Kai Hagen moved to approve Amendment #35 to the Livable Frederick Master Plan. Council Member Jessica Fitzwater seconded the motion that passed 6-0-1 with Council Member Michael Blue absent.

AMENDMENT 35 to Livable Frederick Master Plan

Introduced By: Council Member Hagen (At-Large)
Introduction Date: July 9, 2019
Adopted/Rejected/Withdrawn:

Page 194 – Amend “Climate and Energy” in the table and in the “Climate Resiliency” paragraphs as follows:

Initiative: Hazard Planning Thoroughly examine, evaluate, and implement the resiliency, adaptation, and mitigation actions needed to prepare the county for future climate related impacts.

1) DEVELOP A POST-DISASTER AND CRISIS RECOVERY PLAN THAT FOCUSES ON CRITICAL INFRASTRUCTURE.

Initiative: Emission Control Evaluate all public and private projects for greenhouse gas impacts and mitigation strategies to reduce greenhouse gas emissions from these projects.

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1) EVALUATE OTHER OPPORTUNITIES TO AMEND CODES TO REDUCE GREENHOUSE GAS EMISSIONS.

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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 took a break at 7:55 p.m. and reconvened at 8:05 p.m.)

Council Member Steve McKay presented his amendments to the Council. Discussion regarding the amendments between the Council Members and Planning and Permitting staff took place, these amendments will be voted on by the Council at the July 23, 2019 Council meeting.

Council Member Phil Dacey presented his amendments to the Council. Discussion regarding the amendments between the Council Members and Planning and Permitting staff took place, these amendments will be voted on by the Council at the July 23, 2019 Council meeting.

Public Comment was heard from:

- Lisa Bell
- William Beam
- Jeannette Bartell
- Matt Seubert

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 9:35 p.m.

M.C. Keegan-Ayer, President
County Council