

**COUNTY COUNCIL OF FREDERICK COUNTY MEETING
MINUTES
Tuesday, March 3, 2020**

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

Also present were Ragen Cherney, Chief of Staff, County Council; Bryon Black, Assistant County Attorney; Sarah Ambrosio, Recording Secretary; and Sydnee Klimko, 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 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:

- Tommy Davis

Business Items:

Budget Adjustments

- J-20-210 – Sheriff’s Office
- J-20-202 – Parks and Recreation Division
- J-20-211 – Senior Services Division
- J-20-217 – and Board of Education School Construction Fund Budget Amendment #20-07 – Accounting, Finance Division

Council Member Jerry Donald moved to approve the budget adjustments J-20-210, J-20-202, J-20-211 and J-20-217, as presented. Council Member Steve McKay seconded the motion that passed 7-0.

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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		

Approval of Minutes from February 4, February 11, and February 18, 2020

Council Member Jerry Donald moved to approve the minutes from February 4, February 11, and February 18, 2020 as presented. 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		

IIAA Board Member Confirmation

Council Member Steve McKay moved to approve the confirmation of Mr. Jon Alexander to the IIAA Board for the term of March 3, 2020 through June 30, 2022 as presented. 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		

Approval of FY 21 TransIT Grant Application and Resolution

Roman Steichen, Acting Transit Division Director and Lori Finafrock, Fiscal Manager, Transportation Services Division, presented information to the Council for the Approval of FY 21 TransIT Grant Application and Resolution.

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Council Member Steve McKay moved to approve the Resolution authorizing the FY 21 TransIT Grant Application as presented. Council Member Kai Hagen 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		

Authorization of Series 2022A Forward Current Refunding Bonds

Lori Depies, Division Director, Finance Division and James E. Cumbie, Esquire, Venable LLP, Joe Mason and Jenn Diercksen of J. P. Morgan Chase Bank, presented information to the Council for the Authorization of Series 2022A Forward Current Refunding Bonds.

Council Member Steve McKay moved to approve the Resolution Authorizing and empowering Frederick County, Maryland (the "County") to issue and sell at private (negotiated) sale, upon its full faith and credit, its general obligation bond in an amount not to exceed \$23,000,000 to be known as the "General Obligation Public Facilities Refunding Bond, Series 2022A, as presented. Council Member Jessica Fitzwater seconded the motion that passed 6-1.

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		

Authorization of Series 2020A Refunding Bonds

Lori Depies, Division Director, Finance Division and James E. Cumbie, Esquire, Venable LLP, Joe Mason and Jenn Diercksen of J. P. Morgan Chase Bank, presented information to the Council for the Authorization of Series 2020A Refunding Bonds.

Council Member Steve McKay moved to approve the Resolution Authorizing and empowering Frederick County, Maryland (the "County") to issue and sell at private (negotiated) sale, upon its full faith and credit, its general obligation bond in an amount not to exceed \$14,000,000 to be

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known as the "General Obligation Public Facilities Refunding Bond, Series 2020A, as presented. Council Member Michael Blue seconded the motion that passed 6-1.

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		

First Reading Calendar:

Amending Chapter 1-21 of the County Code (Forest Resource Ordinance) to Increase Forest Conservation Efforts

Council Member Kai Hagen briefed the Council on a proposed bill to amend Chapter 1-21 of the Frederick County Code (Forest Resource Ordinance) to increase forest conservation efforts.

Amending Chapter 1-19 of the County Code (Zoning Ordinance) to Update and Clarify Transportation, Environmental Resource Protection, and Historic Preservation Criteria on Rezoning Requests

Council Member Kai Hagen briefed the Council on a proposed bill to amend Chapter 1-19 of the Frederick County Code (Zoning Ordinance) to update and clarify transportation, environmental resource protection, and historic preservation criteria on rezoning requests.

Third Reading Calendar:

Bill No. 20-02 Revised Electric Lighting District Tax

Council Member Jerry Donald moved to approve Bill No. 20-02 Revised Electric Lighting District Tax as presented. 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		

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Motion to go Into Closed Session

A motion was made at 6:15 p.m., by Council Member Jessica Fitzwater, 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. Council Member Jerry Donald 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		

***The council went into closed session at 6:30 p.m.*

Public Comment was heard from:

- None

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 6:25 p.m.

M.C. Keegan-Ayer, President
County Council

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**FORM OF STATEMENT FOR
CLOSING THE MEETING OF TUESDAY, MARCH 3, 2020**

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 6:15 p.m., by Council Member Jessica Fitzwater, 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 Jerry Donald, which passed 7-0.

Time and Location:

6:30 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, MARCH 10, 2020
FOLLOWING THE CLOSED MEETING OF TUESDAY, MARCH 3, 2020**

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 6:15 p.m., by Council Member Jessica Fitzwater, 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 Jerry Donald, which passed 7-0.

Time and Location:

6:30 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; Rick Harcum, Chief Administrative Officer, County Executive's Office.

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