

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, February 16, 2021**

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; Catherine Keller, 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. virtually via video conference.

**Opening Statement from Council President M.C. Keegan-Ayer**

Good Evening and welcome to the virtual meeting of the Frederick County Council. Today is Tuesday, February 16, 2021, and it is a legislative day for the County Council.

The Frederick County Council is continuing to conduct our meetings on-line during this time and it seems this may be the way we will be holding our meetings for the foreseeable future due to concerns about the spread of the COVID virus.

Our meetings are televised on Frederick County Government Channel 19, on Frederick County Government's website: [www.FrederickCountyMD.Gov/FCGTV](http://www.FrederickCountyMD.Gov/FCGTV), and while we are meeting virtually, we will continue to use our software program which allows the public to watch and participate in our meetings. Please go to [www.frederickcountymd.gov/councilmeetings](http://www.frederickcountymd.gov/councilmeetings) in order to watch us on that format.

You may still send us comments via email at: ([Councilmembers@frederickcountymd.gov](mailto:Councilmembers@frederickcountymd.gov)), or by calling our office line (301) 600-1135 and leaving a voicemail message. Or using our virtual format, you may call toll free 855-925-2801 and enter meeting code 8365 to listen to our meetings live and to give public comment. I will be giving instructions for how to give public comment before each portion of our meeting when public comment will be received. As always, all comments received will be reflected in the minutes.

As a reminder during these virtual meetings, I will periodically stop to allow the members to ask any questions in a round robin type fashion, calling the council members by name to make sure the public is aware of which member has the floor.

As a continued caution to our Council Members – Please be respectful of each other's time and wait to be recognized before you begin to speak. Remember the microphone issue and please limit your questions to one at a time. I will come back around as often as necessary until all questions are heard.

To begin our meeting, I will start with a roll call vote to determine a quorum. Just

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respond with “here”. Again, going in alphabetical order: CM Blue, Dacey, Donald, Fitzwater, Hagen, and McKay. A quorum having been established, we will begin our meeting.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

**Action on the Agenda**

*Council Member Michael Blue moved to approve the agenda as presented. 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		

**Public Comment was heard from:**

- None

**Business Items:**

**Budget Adjustments**

- J-21-202 – Accounting & Finance, Water & Sewer Utilities Division
- J-21-206 – Accounting, Finance Division and Board of Education School Construction Fund Budget Amendment #21-03
- J-21-208 – Administrative Services Section, Fire & Rescue Services Division
- J-21-209 – Office of Children & Families, Citizens Services Division
- J-21-212 – Child Advocacy Center, Citizens Services Division
- J-21-213 – Frederick County Public Libraries
- Board of Education School Construction Fund Budget Amendment #21-04

*Council Member Jessica Fitzwater moved to approve Budget Adjustments J-21-202, J-21-206, J-21-208, J-21-209, J-21-212, J-21-213 and Board of Education School Construction Fund Budget Amendment #21-04 as presented. Council Member Steve McKay seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present

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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 2, and February 9, 2021.**

*Council Member Michael Blue moved to approve the minutes from February 2, and February 9, 2021. 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		

**Confirmation of the County Executive’s Appointments to the Frederick County Domestic Violence Coordinating Council**

Joyce Grossnickle, Administrative Officer, briefed the Council on the County Executive’s Appointments to the Frederick County Domestic Violence Coordinating Council.

*Council Member Jessica Fitzwater moved to approve the Appointments of Council Member Jessica Fitzwater, District Court Administrative Judge Eric Schaffer, Judge Julia Martz-Fisher, Circuit Court, State’s Attorney J. Charles Smith III., Regional Administrator Shina’ Castain-Thompson; Designee: Field Supervisor II Christopher King, Maggie Henderson, Victim Services Unit, Frederick County Sheriff’s Office, Suzan Boisclair, Victim Services Supervisor, Frederick Police Department, Pamela Holtzinger, Forensic Nursing Examiner/ Program Coordinator, Frederick Health Hospital, Dr. Inga James, Heartly House, Inc., Frederick, Maryland, Shelley Sexton, Program Manager, Child Protective Services, Frederick County Department of Social Services, Maryland Department of Human Services, Jay Hessler, LCPC, Assistant Director, Behavioral Health Services (Jessica Chauskay, LCADC, Manager, BHS Adult Services, will serve as an alternate), Lynn Davis, Coordinator of Student Services, Frederick County Public Schools, Robin Grove, Director, Frederick County Child Advocacy Center, Blaine Hoffmann, Esquire, Carin Golze, Esquire, Lynne Galletti, and Manasi Tanikella to the*

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Frederick County Domestic Violence Coordinating Council to terms 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		

**Third Reading Calendar**

At 5:44 p.m. Council President M.C. Keegan-Ayer passed the gavel to Council Vice President Michael Blue

**Bill No. 21-01 – Amending Chapter 1-19 of the County Code (Zoning Ordinance) to allow variances for nonconforming structures if certain conditions are met**

Council President M.C. Keegan-Ayer moved to approve Bill No. 21-01 – Amending Chapter 1-19 of the County Code (Zoning Ordinance) to allow variances for nonconforming structures if certain conditions are met. Council Member Steve McKay seconded the motion.

Council President M.C. Keegan-Ayer moved to approve Amendment 1 on Bill No. 21-01 – Amending Chapter 1-19 of the County Code (Zoning Ordinance) to allow variances for nonconforming structures if certain conditions are met. Council Member Steve McKay seconded the motion that passed 7-0.

**AMENDMENT 1 on Bill No. 21-01**

**Introduced By:** Council President Keegan-Ayer (District 3)  
**Introduction Date:** February 16, 2021  
**Adopted/Rejected/Withdrawn:** \_\_\_\_\_

An ACT to Amend Chapter 1-19 of the Frederick County Code (Zoning Ordinance) to allow variances for expanding nonconforming portions of structures if certain conditions are met

On Exhibit 1, Cover Page, it is hereby amended as follows:

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Section(s) **3.220 and 4.220**

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On Exhibit 1, Page 2, it is hereby amended as follows:

**§ 1-19-4.220. NONCONFORMING STRUCTURES.**

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(C) The Board of Appeals may grant a variance to expand a nonconforming portion of an existing nonconforming structure only if the proposed expansion does not:

(1) increase the original footprint of the nonconforming portion of the structure; or

(2) extend farther into the required setback(s) than the existing nonconforming portion(s) of the nonconforming structure; OR

**(3) INCLUDE THE CONSTRUCTION OF A NONCONFORMING PORCH, ENCLOSURE OF AN EXISTING NONCONFORMING PORCH, OR THE ADDITION OF STORIES ON TOP OF A NONCONFORMING PORCH.**

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 3 – Keegan-Ayer	X		
District 4 – Fitzwater	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Blue	X		

**Bill No. 21-02 – Amending Chapter 1-2 of the Frederick County Code (Kari's Law)**

*Council President M.C. Keegan-Ayer moved to approve Bill No. 21-02 – Amending Chapter 1-2 of the Frederick County Code (Kari's Law). 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		

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District 3 – Keegan-Ayer	X		
District 4 – Fitzwater	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Blue	X		

At 5:56 p.m. Council Vice President Michael Blue passed the gavel back to Council President M.C. Keegan-Ayer

**Public Comment was heard from:**

- None

**Council Member Comments:**

Council Member comments were provided.

**Adjourn**

The meeting adjourned at 6:15 p.m.

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M.C. Keegan-Ayer, President  
County Council