

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, June 21, 2022**

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

Also present were Ragen Cherney, County Council Chief of Staff; 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.

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

Council President M.C. Keegan-Ayer provided an opening statement at the start of the meeting. Included in that statement was a welcoming to the Legislative meeting for Tuesday, June 21, 2022 and information on how to watch and participate in the meeting. President Keegan-Ayer called roll and a quorum was established for the 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 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 | | |

Public Comment was heard from:

- None

Business Items:

Budget Adjustments

- J-22-341 – Debt & Benefit Trust, Finance Division
- J-22-343 – Engineering & Construction Management, Public Works Division
- J-22-348 – Emergency Communications, Emergency Management Division

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- J-23-002 – Liquor Board
- J-23-003 – Housing & Community Development, Citizens Services Division

Council Member Steve McKay moved to approve Budget Adjustments J-22-341, J-22-343, J-22-348, J-23-002 and J-23-003 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 | | |

Approval of Minutes from June 7, 2022.

Council Member Steve McKay moved to approve the minutes from June 7, 2022, 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 | | |

Confirmation of County Executive's Appointments to the Frederick County Boards and Commissions

Joyce Grossnickle, Administrative Officer, briefed the Council on the Confirmation of County Executive's Appointments to Boards and Commissions.

Adult Public Guardianship Review Board

Council Member Jessica Fitzwater moved to confirm the appointment Scott Birdsall to the Adult Public Guardianship Review Board to terms as presented by staff. Council Member Phil Dacey 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 | | |

Advisory Plumbing Board

Council Member Jessica Fitzwater moved to confirm the appointment of Christopher Allen to the Advisory Plumbing Board to terms as presented by staff. 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 | | |

Containment Laboratory Community Advisory Committee

Council Member Jessica Fitzwater moved to confirm the appointment of Dr. J. Craig Reed to the Containment Laboratory Community Advisory Committee to terms as presented by staff. 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 | | |

Insurance Committee

Council Member Jessica Fitzwater moved to confirm the appointment of Matthew Stegle to the Insurance Committee to terms as presented by staff. Council Member Jerry Donald 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 | | |

Parks and Recreation Commission

Council Member Jerry Donald moved to confirm the appointment of Harry Lashley to the Parks and Recreation Commission to terms as presented by staff. 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 | | |

Public Library Board

Council Member Jerry Donald moved to confirm the appointment of Terri Lancaster to the Public Library Board to terms as presented by staff. 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 | | |

2022 Land Preservation, Parks and Recreation Plan

Council Member Jerry Donald moved to approve the 2022 Land Preservation, Parks and Recreation Plan. Council Member Kai Hagen 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 | | |

Park Place at Ballenger Creek PUD – Rezoning Application No. R-21-01

Council Member Jessica Fitzwater moved to approve rezoning application 21-01, rezoning 2.978 acres from Agricultural (A) to Planned Unit Development (PUD) with one condition: that the Applicant shall develop the Site with no more than 29 dwelling units. (This represents a net total of twenty-seven (27) DUs after accounting for the two (2) existing single-family dwellings to be demolished as a result of this development). 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 | | |

Knowledge Farms MXD – Rezoning Application No. R-21-02

Council President M.C. Keegan-Ayer advised that this item was removed from the agenda per the applicant's request.

Rezoning Case #R-22-01 – Kenel Farm MXD

Council Member Kai Hagen moved to approve rezoning application 22-01, rezoning 19.662 acres from Agricultural (A) to Mixed Use Development (MXD). Council Member Michael Blue seconded the motion.

Council Member Kai Hagen moved to add a condition to the rezoning: the Applicant shall establish and maintain no more than 70% of the gross project acreage for commercial uses at any given time on the Subject Site. Council Member Michael Blue 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 | | |

The Council then returned to the Original Motion made by Council Member Hagen and seconded by Council Member Blue 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 5:59 p.m. Council President M.C. Keegan-Ayer passed the gavel to Council Vice President Michael Blue.

Bill No. 22-11 – Increase General Fund Mandated Reserve (Committed General Fund Balance)

Council President M.C. Keegan-Ayer moved to approve Bill No. 22-11 – Increase General Fund Mandated Reserve (Committed General Fund Balance). 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 3 – Keegan-Ayer | X | | |
| At-large – Dacey | X | | |
| At-large – Hagen | X | | |
| Presiding Officer – Blue | X | | |

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At 6:10 p.m. Council Vice President Michael Blue passed the gavel back to Council President M.C. Keegan-Ayer.

Bill No. 22-12 – Facilities for Functions

Council Member Jessica Fitzwater moved to postpone Bill No. 22-12 – Facilities for Functions until the July 5, 2022 Council Meeting. 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 | | |

Public Comment was heard from:

- None

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 6:32 p.m.

M.C. Keegan-Ayer, President
County Council