



Bill No. 24-02
Concerning: Amend the Frederick County Code re.
Sustainable Monocacy Commission
Introduced February 20, 2024
Revised: _____ Draft No. _____
Enacted: _____
Effective: _____
Expires: May 20, 2024
Frederick County Code, Chapter 1-2
Section(s) 301, 302

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President Brad W. Young on behalf of County Executive Jessica Fitzwater

AN ACT to: Amend certain provisions of the Frederick County Code related to membership on the Sustainable Monocacy Commission.

Date Council Approved: _____ Date Transmitted to Executive: _____

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

Date returned to Council by County Executive with no action: _____

By amending:

Frederick County Code, 1-2 Section(s) 301, 302

Other: _____

Boldface

Underlining

[Single boldface brackets]

* * *

Heading or defined term.

Added to existing law.

Deleted from existing law.

Existing law unaffected by bill.

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1 The County Council of Frederick County, Maryland, finds it necessary and appropriate to
2 amend Chapter 1-2 of the Frederick County Code to amend certain provisions related to
3 membership on the Sustainable Monocacy Commission.
4

5 NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF
6 FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby,
7 amended as shown on the attached Exhibit 1.

Brad W. Young, President
County Council of Frederick County,
Maryland

ARTICLE XIII: 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.

Underlining indicates matter added to existing law.

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1 **§ 1-2-301. MEMBERSHIP.**

2 (A) Number. Subject to confirmation by the County Council, the County Executive
3 shall appoint up to ~~[11]~~ 13 members to the SMC, all of whom shall be ~~[registered voters and]~~
4 residents of Frederick County. The elected official from The City of Frederick, or designee, shall
5 be a non-voting member of the SMC. The elected official from the County Council, or designee,
6 shall be a non-voting member of the SMC.

7 (B) Composition.

8 (1) The SMC shall consist of:

9 (a) Two owners of property ~~[adjacent]~~ contiguous to Monocacy River;

10 (b) One owner of property contiguous to a named or unnamed
11 tributary of the Monocacy River;

12 ~~[(b)]~~ (c) Two individuals who do not reside on property which is
13 contiguous to Monocacy River;

14 ~~[(c)]~~ (d) One elected official of The City of Frederick, or designee, non-
15 voting;

16 ~~[(d)]~~ (e) One elected official of the County Council, or designee, non-
17 voting;

18 ~~[(e)]~~ (f) One representative of the agricultural community;

19 (g) One student representative enrolled in a high school or postsecondary
20 institution;

21 ~~[(f)]~~ (h) Three individuals having educational expertise or experience in
22 the fields of biology, ecology, chemistry, earth sciences, environmental education, natural
23 resources, or related fields; and

24 ~~[(g)]~~ (i) One member from the general public.

25
26 **§ 1-2-302. TERMS, REAPPOINTMENTS, VACANCIES.**

27 (A) The term of office of each of the members shall be for a period of four years,
28 based on the County's fiscal year, July 1 to June 30. The terms of the members shall be staggered
29 so that no more than five members are replaced each year.

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1 [(B) Of the initial 11 members, five shall be appointed for a four-year term; and four
2 shall be appointed for a three-year term; and two shall be appointed for a two-year term.]

3 [(C)](B) Members may be reappointed but may not serve more than two full
4 consecutive four-year terms.

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

8
9 **§ 1-2-303. CHAIR, VICE-CHAIR.**

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

11
12 **§ 1-2-304. MEETINGS AND QUORUM.**

13 (A) The SMC shall meet as frequently as determined by the SMC, but not less than
14 twice per calendar year. Meeting locations shall be determined by the SMC Chair and shall be in
15 Frederick County, open to the public, and ADA accessible.

16 (B) Notice of the date, time, and place of the SMC meetings shall meet the
17 requirements of the Maryland Open Meetings Act.

18 (C) A majority of the SMC voting members shall constitute a quorum for the
19 transaction of regular business.

20 (D) Any voting member of the SMC who fails to attend at least 50% of the meetings
21 during any period of 24 consecutive months shall be considered to have resigned. Subject to
22 confirmation by the County Council, the County Executive shall appoint a replacement.

23
24 **§ 1-2-305. RULES AND REGULATIONS.**

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

26
27 **§ 1-2-306. COMPENSATION.**

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

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1 **§ 1-2-307. COUNTY STAFF.**

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

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