

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, April 2, 2024**

Council Members Mason Carter, Jerry Donald, Kavonte Duckett, M.C. Keegan-Ayer, Renee Knapp, Steve McKay, and Brad Young were present for the meeting.

Also present were Catherine Keller, Assistant County Attorney; Ragen Cherney, County Council Chief of Staff; Nancy Luna, Executive Assistant, County Council; and Abby Boroughs, Administrative Assistant, County Council.

Council President Brad Young called the meeting to order at 5:30 p.m.

Opening Statement from Council President Brad Young

Council President Brad Young provided an opening statement at the start of the meeting. Included in that statement was a welcome to the Legislative Day for Tuesday, April 2, 2024, and information on how to watch and participate in the meeting.

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

Council President Brad Young asked staff to call role and a quorum was established.

Action on the Agenda

Council Member M.C. Keegan-Ayer moved to approve the agenda for 04/02/2024 as presented. Council Member Renee Knapp seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/Abstain/Present
District 1 – Donald	X		
District 2 – McKay	X		
District 3 – Keegan-Ayer	X		
District 4 – Duckett	X		
District 5 – Carter	X		
At Large – Knapp	X		
Presiding Officer – Young	X		

Public Comment

Public Comment was heard from:

- Reverend Mike Morris
- Walter Ruby
- Thomas Rena
- Maria Dennis

With no further comments, Council President Brad Young closed Public Comment.

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Approval of Minutes

Council Member Renee Knapp moved to approve the minutes from 03/19 & 03/26, 2024. 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 3 – Keegan-Ayer	X		
District 4 – Duckett	X		
District 5 – Carter	X		
At Large – Knapp	X		
Presiding Officer – Young	X		

Budget Adjustments – Kelly Weaver, Director, Budget Office

Council Member Jerry Donald moved to approve the following budget adjustments:

- J-24-238 – Division of Finance and Board of Education School Construction Fund Budget Amendment #24-10
- J-24-239 – Division of Finance and Board of Education School Construction Fund Budget Amendment #24-08
- J-24-240 – Sheriff's Office
- Board of Education School Construction Fund Budget Amendment #24-09
- J-24-241 – Division of Energy & Environment
- J-24-242 – Division of Emergency Management

Council Member M.C. Keegan-Ayer seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 3 – Keegan-Ayer	X		
District 4 – Duckett	X		
District 5 – Carter	X		
At Large – Knapp	X		
Presiding Officer – Young	X		

Public Hearing on a Proposed Ordinance - Benefit Updates to the Frederick County Length of Service Awards Program - M. Shane Darwick, Deputy Chief/Director, Division of Volunteer Fire and Rescue Services

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M. Shane Darwick briefed the Council on Proposed Ordinance – Benefit Updates to the Frederick County Length of Service Awards Program.

Public Comment was heard from:

- Mark Pegeil

With no further comments, Council President Brad Young closed Public Comment.

Council President Brad Young passed the gavel to Council Vice President Kavonté Duckett in order to make a motion.

Council President Brad Young moved to approve Proposed Ordinance – Benefit Update to the Frederick County Length of Service Awards Program. 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 3 – Keegan-Ayer	X		
District 4 – Duckett	X		
District 5 – Carter	X		
At Large – Knapp	X		
Presiding Officer – Young	X		

Council President Brad Young regained the gavel in order to once again preside over the meeting.

Authorizing Resolution for the Immigrant Affairs Commission – Council President Brad Young

Council Vice President Kavonté Duckett briefed the Council on Authorizing Resolution for the Immigrant Affairs Commission.

Proposed Resolution - Updates to the Fire Marshals' Office Fee Schedule - Tom Coe, Chief/Director, Division of Fire and Rescue Services

Chief Tom Coe briefed the Council on Proposed Resolution – Updates to the Fire Marshals' Office Fee Schedule.

Council Member Renee Knapp moved to approve Proposed Resolution – Updates to the Fire Marshals' Office Fee Schedule. Council Vice President Kavonté Duckett

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seconded the motion.

Council Member M.C. Keegan-Ayer moved to amend Exhibit A to remove the section regarding the Fire Permit Application Fee and to attach amended Exhibit A to the resolution. Council Member Renee Knapp seconded the motion that passed 7-0.

Amendment to Exhibit A

Exhibit A		
PREVENTIVE INSPECTION FEES	MERCANTILE OCCUPANCIES	CAPACITY CERTIFICATES
ASSEMBLY OCCUPANCIES		Capacity Certificates
<ul style="list-style-type: none"> - Class A (more than 1,000 persons) \$360.00 - Class B (301 to 1,000 persons) \$240.00 - Class C (50 to 300 persons) \$120.00 	<ul style="list-style-type: none"> - Class A (over 30,000 gsf) \$300.00 - Class B (3,000 – 29,999 gsf) \$150.00 - Class C (under 3,000 gsf) >> \$100.00 	<ul style="list-style-type: none"> - \$75.00 – Original - \$10.00 – Duplicates
EDUCATIONAL OCCUPANCIES	BUSINESS OCCUPANCIES	RE-INSPECTION FEES
<ul style="list-style-type: none"> - Elementary Schools \$125.00 - Middle or Junior High Schools \$180.00 - Senior High Schools \$180.00 - Nursery or Group Day Care Centers \$100.00 - Family or Group Day Care Homes (Initial) \$75.00 <li style="padding-left: 20px;">(Renewal) \$50.00 	<ul style="list-style-type: none"> (per 3,000 gsf or portion thereof) \$120.00 	Re-inspection Fee - Violations
		<ul style="list-style-type: none"> A. 1st Re-inspection Included in Fee B. 2nd Re-Inspection \$125.00 C. 3rd Re-inspection \$250.00 D. 4th and Subsequent Re-inspections \$500.00
HEALTH CARE OCCUPANCIES	INDUSTRIAL OR STORAGE OCCUPANCIES	EXPEDITE FEES
<ul style="list-style-type: none"> Ambulatory Health Care Centers (per 3,000 gsf or portion thereof) \$180.00 - Hospitals, Nursing Homes, Limited Care Facilities, Domiciliary Care Homes <li style="padding-left: 20px;">\$120.00/building plus \$2.50/patient bed 	<ul style="list-style-type: none"> (per 5,000 gsf or portion thereof) - Low or Ordinary Hazard \$120.00 - High Hazard \$200.00 	After Hour Inspections - Requested by the Applicant (Fees are in addition to Inspection Fees)
		<ul style="list-style-type: none"> A. 1st Hour \$200.00 B. Each Additional Hour or Fraction Thereof \$100.00
DETENTION AND CORRECTION OCCUPANCIES	TRAILER PARKS & CAMPGROUNDS	LATE FEES
<ul style="list-style-type: none"> \$120.00/building plus \$2.50/patient bed 	<ul style="list-style-type: none"> \$2.00 per site, Minimum \$75.00 per facility 	Late Payment Fee (Calculated from date of invoice)*
		<ul style="list-style-type: none"> 0 – 30 Days No Charge 31+ Days 1 % of Invoice Amt. / Month <p><i>NOTE: Late Payment Fee Schedule applies to all fees involved except Re-inspection Fees and After Hour Inspections. These fees must be paid prior to any additional services that are provided by the Fire Marshal's Office.</i></p>
RESIDENTIAL OCCUPANCIES	OUTSIDE STORAGE OF COMBUSTIBLE MATERIALS	
<ul style="list-style-type: none"> - Hotels and Motels <li style="padding-left: 20px;">\$120.00/complex plus \$2.50/guest room/suite - Dormitories <li style="padding-left: 20px;">\$2.50/bed, Minimum \$120.00 per building - Apartments <li style="padding-left: 20px;">\$2.50/apartment, Minimum \$120.00/building - Lodging/Rooming Houses <li style="padding-left: 20px;">\$120.00 - Board & Care Homes <li style="padding-left: 20px;">4 – 16 residents \$75.00 <li style="padding-left: 20px;">Over 16 residents \$125.00 	<ul style="list-style-type: none"> (scrap trees, tree stumps, lumber, etc.) \$75.00/acre 	
	OUTSIDE STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS/GASES	
	<ul style="list-style-type: none"> (Drums or Tanks) (per 5,000 gsf or portion thereof) \$120.00 	
	LICQUOR INSPECTION FEES	
	<ul style="list-style-type: none"> \$100.00 per establishment 	
	SPECIAL REQUESTS AND MISCELLANEOUS INSPECTIONS NOT LISTED ABOVE	
	<ul style="list-style-type: none"> \$75.00 per hour or portion thereof 	
	GENERAL INSPECTION FEES	
	FIRE LANE ESTABLISHMENT	
	<ul style="list-style-type: none"> - \$100.00 for Review and Inspection 	
	MINIMUM FEE	
	<ul style="list-style-type: none"> \$75.00 (Unless otherwise noted) 	

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 3 – Keegan-Ayer	X		
District 4 – Duckett	X		
District 5 – Carter	X		
At Large – Knapp	X		
Presiding Officer – Young	X		

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With the amendment to the resolution passing, the Council returned to the original motion.

Council Member Renee Knapp moved to approve Proposed Resolution – Updates to the Fire Marshals’ Office Fee Schedule. Council Vice President Kavonté Duckett seconded the motion that passed 6-1, with Council Member Mason Carter opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 3 – Keegan-Ayer	X		
District 4 – Duckett	X		
District 5 – Carter		X	
At Large – Knapp	X		
Presiding Officer – Young	X		

First Reading Calendar:

a) Update of the County Building Code – Council President Brad Young on behalf of the Administration

Council President Brad Young introduced updates to the County Building Code.

b) Update of the County Electrical Code - Council President Brad Young on behalf of the Administration

Council President Brad Young introduced updates to the County Electrical Code.

c) Update of the County Plumbing Code - Council President Brad Young on behalf of the Administration

Council President Brad Young introduced updates to the County Plumbing Code.

Council President Brad Young passed the gavel to Council Vice President Kavonté Duckett in order to make a motion.

Third Reading Calendar:

a) Amended Bill 24-01 - Amendments to Ch. 1-23 of the Frederick County Code - Historic Preservation Ordinance Bill - Council President Brad Young on behalf of County Executive Jessica Fitzwater

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Council President Brad Young moved to approve Amended Bill 24-01 - Amendments to Ch. 1-23 of the Frederick County Code - Historic Preservation Ordinance Bill. Steve McKay seconded the motion.

Council Member Steve McKay moved to approve amendment 4 to Bill 24-01. Council Member Mason Carter seconded the motion that passed 5-2, with Council Vice President Kavonté Duckett and Council President Brad Young opposed.

Amendment 4 – Council Member Steve McKay

AMENDMENT 4 on Bill No. 24-01

Introduced By: Council Member Steve McKay (District 2)
Introduction Date: April 2, 2024
Adopted/Rejected/Withdrawn: _____

AN ACT to: Amend Chapter 1-23 of the Frederick County Code (Historic Preservation) to update the text and add provisions related to: (1) delisting locally designated historic properties; (2) demolition review of non-designated historic properties; (3) archaeological resource and cemetery protections; (4) economic hardship; and (5) county-owned historic properties.

On Exhibit 1, it is hereby amended as follows:

§ 1-23-6. DESIGNATION.

(6) If a property or district within Frederick County shall be deemed by the Historic Preservation Commission to possess unusual [and special] historic value to the citizens of Frederick County, the Historic Preservation Commission may initiate a petition for historic designation. In this instance, the petition shall first be sent to the Maryland State Historic Preservation Officer for their [his or her] concurrence that said property has unusual [and special] historic value. If the Maryland State Historic Preservation Officer does concur with the Historic Preservation Commission, then the petition shall proceed to the county governing body. A petition for designation of an area of unusual historic value [special merit] shall require a favorable vote of the County Council [and the concurrence of the property owner(s) in the proposed area of special merit] to receive historic designation. **IN MAKING THEIR DETERMINATION, THE COUNTY COUNCIL SHALL CONSIDER WHETHER THE PROPERTY OWNER(S) CONCUR ON THE DESIGNATION, ALONG WITH ANY INFORMATION PROVIDED BY THE PROPERTY OWNER(S) REGARDING THEIR ABILITY TO COMPLY WITH THE PROVISIONS OF THIS CHAPTER, IN THE EVENT THAT THEIR PROPERTY IS DESIGNATED.**

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Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 3 – Keegan-Ayer	X		
District 4 – Duckett		X	
District 5 – Carter	X		
At Large – Knapp	X		
Presiding Officer – Young		X	

b) Bill 24-02 - Amend the Frederick County Code regarding Sustainable Monocacy Commission – Council President Brad Young

Council President Brad Young moved to approve Bill 24-02 – Amend the Frederick County Code regarding Sustainable Monocacy Commission. Council Member Mason Carter seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 3 – Keegan-Ayer	X		
District 4 – Duckett	X		
District 5 – Carter	X		
At Large – Knapp	X		
Presiding Officer – Young	X		

Council President Brad Young regained the gavel in order to preside over the remainder of the meeting.

Final Action on the South Frederick Corridors Plan – Council President Brad Young

Council Member Steve McKay moved to approve the amended South Frederick Corridors Plan. Council Member Renee Knapp seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 3 – Keegan-Ayer	X		
District 4 – Duckett	X		
District 5 – Carter	X		
At Large – Knapp	X		

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Presiding Officer – Young	X		
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Public Comment

Public Comment was heard from:

- None.

With no further comments, Council President Brad Young closed Public Comment.

Council Member Comments

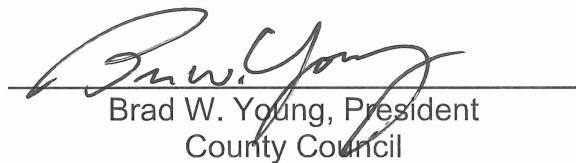
Council Member comments were provided.

Upcoming Meetings

- Tuesday, April 9, 2024 – Legislative Day
- Tuesday, April 16, 2024 – Legislative Day

Adjourn

The meeting adjourned at 6:35 p.m.



Brad W. Young, President
County Council