



Builder Bulletin



New Market Mayor Winslow F. Burhans III (left) administers the oath of office to the 2011 FCBA board of Directors at the December Installation and Holiday Luncheon at Ceresville Mansion. Board members shown from left to right are Tom Hyde, 1st Vice President, Bob Mochi, Immediate Past President, Brendan Madden, Secretary, and Directors Jerry Connelly, Fran Denmark, John McConnell, Rod Hart, Dave Wiegand, Ross Ostrander, and Jason Wiley. Not pictured are Doug Macmaster, 2nd Vice President, Hugh Gordon, Treasurer, and Stuart Terl, Director.

STEVE SEAWRIGHT

FREDERICK COUNTY BUILDERS
ASSOCIATION PRESIDENT

When Charles Dickens wrote, "It was the best times. It was the worst of times.", he must have had in mind the productive relationship we now enjoy with Frederick County elected officials contrasted against the dysfunctional relationship experienced by business in general, and our industry in particular, with State-level officialdom.

The promising prospects FCBA members now look forward to in Frederick County are the result of our having worked closely with the Frederick County Chamber of Commerce in both voter education and "getting out the vote", coupled with perhaps an unprecedented level of active support of individual candidates by FCBA members. As testimony to the extent that the super-majority of County Commissioners "get it", there has been coordinated outreach by the Board of County Commissioners (BOCC) to the Chamber and our membership to insure that every impediment to County competitiveness, promoting job growth and utilizing taxpayer-funded resources more efficiently is identified and then methodically addressed.

If you have been reading "Builder Buzz" you know that the process of identifying and prioritizing issues and proposing workable solutions for obstacles to economic development and job growth began for the Land Use Council and newly installed

FCBA officers even before newly elected Commissioners were sworn in. To the Commissioners' credit, they have reached out to the Chamber and FCBA for our collective recommendations and are resolved to address business issues to the greatest extent possible, as soon as possible.

While a number of issues daily affecting our members lend themselves to being addressed quickly at a departmental level, statutory matters, such as the County's Adequate Public Facilities Ordinance, require more time-consuming revision of County law. But, in this more demanding task, your association's membership, staff and leadership have been hard at work. During the week preceding Christmas alone, 5 teams of FCBA members met for a minimum of 2 hours per team to detail and advise more fully on issues

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Mayor Burhans swears in Steve Seawright as the 2011 Frederick County Builders Association President.

**FREDERICK COUNTY
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2011

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associated with APFO school and transportation requirements, a host of commercial development issues and storm water issues. Admittedly some of work of the Task Forces was made easier by reason of the necessary analysis already have been prepared for presentation to the prior BOCC, which declined to listen and summarily disregarded sound, reasoned advice.

Thanks to this early preparation and coordination with the Chamber, improvements already have been seen in Department of Permitting and Plan Review (DPPR) practices that will decrease our regulatory burden and facilitate our being the key player in County job growth as the economy recovers. Policy changes we have endorsed are being taken up by County departments weekly and the growing cumulative effect of announced and forthcoming policy changes should prove substantial.

But, as Dickens did declare, this also is, "The worst of times", evidenced by a return to office at the State level of an administration that is determined to continue Maryland's well-earned reputation as an over-regulated state unfriendly to business. The number and types of bills introduced annually during the General Assembly's legislative session are ample testimony to this being an unfortunate reputation that too many state legislators and department directors are far too eager to maintain. And, no currently proposed action by the State illustrates more clearly than the present Chesapeake Bay clean-up initiative how oblivious and indifferent state authorities are to considerations of fiscal responsibility, wise use of public resources and the need to fashion a framework of equitable regulation that will enable business in Maryland to be successful.

Walking in lock-step with the Environmental Protection Agency (EPA) concerning Bay clean-up, the Maryland Department of the Environment (MDE) has produced a Watershed Improvement Plan (WIP) that contemplates drastic and costly changes in design standards for how urban in-fill and residential storm water run-off must be managed. The objective of these changes is to achieve EPA's Total Maximum Daily Load (TMDL)

of nutrient run-off into the Chesapeake Bay which, if achieved, should result in a clean Chesapeake. And, since EPA felt there was no problem in passing onto states in the Bay watershed an unfunded mandate extending into the billions (yes, billions) of dollars for Bay clean-up, Maryland appears determined to do the same to its counties and municipalities. MDE then assures failure of the Bay clean-up by pretending that Bay clean-up goals can be met if agriculture, the single sector of land use making the largest contribution to Bay nutrient overload, is left to contribute to the Bay clean-up effort on a voluntary, best-efforts basis.

Despite the preceding pessimistic assessment of the folly and predicted failure of MDE's emerging Bay clean-up program, we as builders and land use practitioners must be at the table and remain there as constructive, though largely ignored, participants in the formulation of the Bay clean-up program. Whether the program actually is implemented in a final form will depend on the success of almost certain legal challenges by State of Maryland Builders Association (SMBA), supported by NAHB, and on whether Maryland's counties, municipalities and citizenry rebel against the enormity of unfunded mandates that the Governor and MDE would impose.

As a builders association we need and require the involvement of every member in addressing the State-level legislative and regulatory challenges we face. At the same time each of must recognize that these same matters are being pushed down to the County and municipal level to be dealt with in all of their complexity and unfunded glory. It thus behooves each of us to stay informed and involved on all of the legislative and regulatory proposals that can affect our businesses adversely. What we can not deflect must be accommodated and the sooner we become informed on an issue, the better prepared we will be in adjusting to a new reality. Since your officers and Board Members can not appreciate fully how any given issue will affect your business and your employees, we rely greatly upon you to gain that understanding and to volunteer your time so that your interests are best represented by FCBA. ♦

TODD WALKER

SALES & MARKETING COUNCIL
PRESIDENT

Happy New Year !

Personally, and as the in-coming President of the Sales & Marketing Council, I look forward to 2011. May it please bring 'consumer confidence' back so we can all begin to breathe easier and begin to pave a road to true economic recovery. I don't know about you, but I am tired of dodging potholes and finding myself on dead-end streets.

Before stepping up to my soapbox, I want to send a huge 'thank you' to Sasha Scaun for her wonderful work leading the Sales & Marketing Council these past few years. Sasha, you have done a fantastic job ! The energy you brought to the position makes you a hard act to follow. Please, pretty please, be

available for consults.

I think it is safe to say that we have all suffered some business & market pain over the past 3-4 years. All we need to do is look around and notice how many folks are no longer members of the Builders Association, many of whom had been active members for many years. The recession has not been kind. It has touched all of us. Let's be thankful that it hasn't been worse, and let's take every success, no matter how small, and move forward with a positive outlook.

Let's take a quick look back. 'We the People' spoke. We voted in a new board of County Commissioners, and we sent a strong message to the Federal Government. Locally we have been told to expect big changes and a return to a common sense form of governing, one which will be fiscally frugal with 'our money'. We've also been told that with this frugality, we can expect some painful cuts to County services. The word

'cut' has always reminded me of pain, but pain can sometimes lead to better health, so I'll grit my teeth and think positively.

Although still sluggish, the economy does show signs of positive movement. New home sales (in Frederick County) are up. General real estate is also doing better. 85% of the folks still have the same job, or a better one, than they did five years ago. The one thing missing is 'consumer confidence'. Those who are still doing well are still being cautious. They are in a wait & see mode, keeping a tight grip on their money, looking and hoping for someone to tell them everything will be okay. They need their confidence restored. Will it happen this year ? I think 2011 is the year it will begin to come back. So, as my first official act as President of the Sales & Marketing Council, I designate 2011 as the 'Year of the Come Back'. May it bring you good things in small, medium, and large packages. ♦

BRUCE DEAN

LAND USE COUNCIL PRESIDENT

What a difference a year makes. When told it was time to write my inaugural column as the new Land Use Council President, my first instinct was to see what our past President, Jeremy Holder, had written a year ago. I won't reprise his entire column, but read this and remember how we all felt just a short year ago:

"One of the biggest problems left facing the long-term recovery of our marketplace is that our local, State and Federal regulators have over-reacted. In an attempt to overcome the "abnormally high peak in the market cycle" fueled by ultra liberal lending practices which we will never see again, they have forced the pendulum far from center. And they have done so just in time to kick an industry that is already ailing.... I hope you will work with the Land Use Council and do your part to share in one of my New Year's resolutions.....OUT WITH THE OLD AND IN WITH THE NEW."

What a difference a year makes. It does not matter what your political persuasion is, if you work in the real estate industry in Frederick County, you have just suffered through 4 years of one of the most openly hostile governmental regimes I have witnessed. 12 years ago, Lennie Thompson first campaigned on the platform that "If Developers Win, You Lose" and for the last 4 years he has finally had 3 additional County Commissioner votes more than happy to implement his wishes. The negative changes wrought by the prior Board

of County Commissioners cannot be undone quickly or easily; they have undertaken a biblical "salting of the earth" toward the real estate industry in Frederick County. But again, what a difference a year makes.

With the election of Blaine Young, Paul Smith, Billy Shreve and Kirby Delauter to the Board of County Commissioners in November, we finally have a majority of elected officials in the County who do not believe that providing housing is inherently an evil undertaking that can only be properly done if completely over-regulated by Big Brother. We finally have a majority of elected officials who actually see that the industry we all work in actually helps provide one of the most inherent human needs we all have; along with food and clothing, shelter is something we have all needed since the human race began. This is not evil, and developers and builders should be applauded for continuing to move forward against the implacable opposition they typically face in trying to provide this essential service.

I was asked at our breakfast meeting this past week with the Frederick Delegation to the General Assembly what my outlook was for the coming year; my response was that if I had been asked that question as recently as September I would have believed that the outlook for the coming year was one of complete gloom. However, since November, I simply cannot count the

number of phone calls I have received asking about opportunities to do business in Frederick County, and I now look forward toward 2011 with optimism and confidence.

I am reminded of a 1984 campaign advertisement used in the campaign to re-elect President Ronald Reagan. For those of you too young to remember, the tv commercial began with a voice saying "It's morning again in America" and went on to describe just how much better America was than it had been 4 years earlier. Well, we have not yet seen what positive changes the local and national elections will bring, but I am confident that, like then, it is morning again in America, and especially here in Frederick County. Thank you for all the work you have done since Jeremy's column a year ago to make this so. As President of the Land Use Council, I look forward to working this coming year, to make sure that next year's incoming President won't be working toward "out with the old and in with the new."

Happy New Year. ♦

William R. Norton, III
Financial Advisor
Financial Planning Specialist
Portfolio Manager

30 West Patrick Street
Seventh Floor
Frederick, MD 21701
direct 301 696 8265
fax 301 663 4798 toll free 800 634 0072
<http://fa.smithbarney.com/norton>
william.r.norton@mssb.com

**Morgan Stanley
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Area Building Market

Special reviews from
**Strategic Marketing
Group newsletters**

The following column comes from my newsletters. Call me at **301-831-6536** or at lshanton@edurostream.com for details, a market review presentation, or a tour of the Fort.



Strategic Marketing Group

My firm tracks growth in the market through two newsletter (**P+D News**/Frederick and **QSDN**/ten counties in four states). If you need to know the market, subscribe to my newsletters.

Tours & Market Review — 2010

Beginning two years ago as a Board member of the **Fort Detrick Alliance**, I started taking clients on tours of Fort Detrick. I continue this for FCBA members; am retired Navy with a base sticker for my SUV; we drive right through the gate with no delays. This will continue in 2011.

Military Facilities in FCBA Area

Beside Fort Detrick, there 18± facilities in Maryland, Pennsylvania, and West Virginia; all could mean business for FCBA members:

- **Andrews Air Force Base** — Prince George's County.
- **Army Research Laboratory** — Montgomery County.
- **Coast Guard Operations Center** — Berkeley County.
- **Letterkenny Army Depot** — Franklin County.
- **Naval Facilities Engineering Command**— Washington Navy Yard
- **National Geospatial Agency** — Montgomery County. [Moving to Fort Belvoir in 2011 building will close and may require remodeling.]
- **National Maritime Intelligence Center** — Prince George's County.
- **Naval Research Laboratory** — Chesapeake Bay, Dorchester County, St. Mary's County, Somerset County, Anne Arundel County.
- **Naval Support Facility** — Indian Head. Charles County.
- **Naval Surface Warfare Center Carderock Division** — Montgomery County.
- **Martinsburg Veterans Affairs Medical Center**— Berkeley County.
- **Maryland National Guard** — Located in many Maryland counties.

- **Naval Air Station Patuxent River** — St. Mary's County.
- **U.S. Naval Academy** — Anne Arundel County.
- **Curtis Bay Coast Guard Yard** — Anne Arundel County.
- **Walter Reed National Military Medical Center**— Montgomery County.
- **Walter Reed Forest Glen Annex** — Montgomery County.

County Government/Business Roundtable: Great Start

Step One: Focus on expediting permits for commercial, office and industrial real estate projects.

Macro Blog, November 24, 2010

Monday was a big day for local business in Frederick County. **Laurie Boyer**, Director, Economic Development Division and **Gary Hessong**, Director, Division of Permitting & Development Review co-chaired a discussion group to talk about "*Issues & Opportunities to Enhance Frederick County's Business Friendly Environment.*"

The meeting room in the basement conference room at 30 North Market Street, the home of the Division of Permitting and Development Review, was standing room only.

Filled with commercial real estate brokers, builders, engineers, planners and real estate attorneys from the private sector, there were also members of the county planning staff as well as planning commission members. The private sector attendees were chomping at the bit to share their horror stories with the hosts and offer up suggestion on how the development review and permitting processes can be improved.

Gary Hessong opened with very refreshing remarks stating his desire to make his department much more business friendly. He quickly acknowledged that there are so many areas that need improvement, that he and Laurie will reach out to **Denise Jacoby** at the Frederick County Builders Association, **Ric Adams** at the Frederick County Chamber of Commerce and other business groups to use them as resources and conduits to begin the process of improving the environment. They proposed identifying "*smaller target groups*" that could meet on a "*quarterly basis*" to prioritize and focus on the various issues.

When he opened the floor for comments the hands flew up. **Charlie Seymour**, a local commercial real estate broker, stated that he has had many experiences where he has brought in new businesses to relocate in Frederick County, but when told that getting there is a two year process to gain site plan approval, they often say "*No, thanks.*"

Local engineer **Bill Brennan** stated that while he knows that it is mandatory that county staff members attend the Technical Advisory Committee (TAC) meetings to review plans and proposals with applicants, more often than not many departments are not represented. Hessong acknowledged the problem is real and stated that going forward staff needs to be held accountable.

Mark Friis, President of Rogers Consulting a Germantown based engineering and planning firm stated that now with many application fees being “very high compared to other jurisdictions,” applicants expect service, and they are often outraged that staff does not show up for these meetings.

Doug McMaster with Thompson Gas explained his frustration over the last 5 years on the process he has to go through in order “to be able to apply for a permit” to install a 100 gallon propane tank in a commercial property. For something that Hessong acknowledged should be a one day walk through, McMaster has had to endure a Phase V Environmental site review, produce Forest Resource Ordinance exemptions, and engineered drawings ... just to be able to “apply for” a permit.

Hessong called McMaster’s experience “pretty ridiculous.” He added that “this is a good example where we have tried to create a process in order to be predictable ... and to a large extent we have eliminated the flexibility that we really need to have.” McMaster was pleased to say that staff is now working with him to streamline the process, as they now agree that this process has gotten out of hand.

Gary Sanbower of Sanbower Builders who specializes in tenant improvements in commercial real estate buildings — retail and office space — complained about how long it takes to get a permit to fit out a unit in such properties.

Hessong stated that “it will be a priority to allow business to expand quicker ... the way it is now ... It’s not good. I’ve dealt with a number of businesses who need to move quick and in some cases [staff and I] have had to look for ‘loop-holes’ within [our] regs to be able to expedite [the permit for the applicant].”

“Our code requirements now are not sensitive to busi-

nesses that want to expand or move in.” He said, “You know why that is? ... Because you have 14 different review agencies. That’s another ridiculous thing. It’s crazy that we have so many people looking at a simple plan ... [Along with State Highway and SCD], I can probably name eight other agencies that don’t need to look at every permit.”

Hessong continued, “The more agencies you have the less efficient you become ... the more information you submit, the more costly it is ... you look back on some of this stuff and you kind of wonder how we got to where we are ... it’s hard to understand!”

The message was clear to all in attendance that Hessong and his staff are ready to change the way things are done in his division. Several applauded him for his frankness and his track record in the past for bringing streamlined processes to fruition.

Both he and Boyer acknowledged that the campaign rhetoric of the incoming board has brought a lot of this to light, and while they have known it is a problem, it is now a priority. “We recognize that problems need to be solved at the lowest possible level ... and there are a number of things that need to be put into place in order to do that ... it starts with a philosophy ... I can tell you that there is clearly ... a commitment, a re-engagement that things are going to be different” said Hessong.

We are excited that county staff has taken the giant leap toward addressing these long needed reforms for the business community, but while we know that at least 4 out of the 5 new county commissioners are committed to this attitude, we also hope that the upper levels of the county government, namely the county manager and county attorney’s office will find their way to recognizing their responsibility in this reform.

Frederick County #1 & #2 in Fees

New fees — \$28,162 (Townhome) to \$30,258 (Single Family Home)

Residential Fees 2010

Rank	County	Total Fees
1	Frederick	\$25,106
2	Charles	\$21,508
3	Montgomery	\$20,465
4	Calvert	\$12,950
5	Queen Anne's	\$8,500
6	Harford	\$8,269
7	Carroll	\$6,836
8	St. Mary's	\$4,500
9	Anne Arundel	\$2,880
10	Howard	\$1,825

Payment to	Item	Fee
City	Building Permit	\$ 660.60
City	Water Meter	\$ 402.80
City	Parkland	\$ 568.00
City	Guarantee Fund	\$ 50.00
City	Water Impact	\$ 5,981.00
	Subtotal	\$ 7,662.40
County	School Impact Fee	\$ 14,426.00
County	Library Impact Fee	\$ 759.00
County	Excise Tax	\$ 1,025.50
County	Sewer Impact Fee	\$ 6,385.00
	Subtotal	\$ 22,595.50
	Total	\$ 30,257.90

Legend

Commercial Fees
rate @ 1,000 sf of building unit.

Residential Fees
rate/unit Single Family Detached.

Commercial Fees 2010

Rank	County	Total Fees
1	Montgomery	\$3,662
2	Frederick	\$1,732
3	Charles	\$1,421
4	Queen Anne's	\$1,008
5	Anne Arundel	\$807
6	Howard	\$480
7	Calvert	\$110
8	Carroll	None
9	Harford	None
10	St. Mary's	None

Sources

[http://www.impact-fees.com/NATIONAL IMPACT FEE SURVEY: 2010](http://www.impact-fees.com/NATIONAL_IMPACT_FEE_SURVEY_2010) & analyses in SMG Newsletters (2010)

Sources. Two FCBA builders. Fees based on building a Townhome in the City of Frederick — 2,768 sf finished and 2,454 sf unfinished space. Estimated SFH cost includes Impact Taxes for Schools and Library, other fees are assumed to be the same.

Increased fees (taxes) passed by Board of County Commissioners on June 3, 2010.



FCBA SPIKE CLUB ROSTER

Robert Hilton	158.00
Larry Schaffert	130.00
Bev Shelton	126.50
James Rudy	119.00
Gary Smith	105.00
Hugh Gordon	99.00
Dolores Wilson	98.00
Marvin Ausherman	83.00
Mark Lancaster	80.25
David C. Smith	74.00
Gary Sanbower	71.00
Stuart Terl	67.00
Kent Briddell	63.00
Ken Abrecht	61.50
Steve Oder	61.00
Bo Carlisle	60.50
Billy Shreve	56.50
Howard Payne	51.00
John Clarke	47.75
Bob Marsh	44.00
Doug Maddox	43.00
Scott Gove	43.00
Mark Pelletier	41.75
Lynn Shanton	39.75
Bob Dalrymple	39.00
Mike Bodnar	37.50
David Lingg	36.00
Dick Johnson	35.00
Jim MacGillivray	34.00
Don Owens	32.00
Jack Marshall	31.00
Greg Seldon	28.00
Ed Smariga	26.50
Frank Dertzbaugh	26.50
Gail Sexton	24.00
Barry Weller	14.25
Andy Mackintosh	10.00
Mark Friis	9.00
Doug MacMaster	6.00

These are the members who make the FCBA stronger by recruiting new members. Thank you!

Would you like to become a Spike Club member? For each new member you sign up, you earn one point. Contact the FCBA office for details.

WELCOME NEW MEMBERS!

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“Over 25 years of local land development history, knowledge, & experience”



Outgoing Land Use Council President Jeremy Fris (left) presents Mark Friis with a plaque recognizing him as a Life Director of the Land Use Council for his tireless efforts on behalf of the council and the industry as a whole.



The Land Use Council also honored Mike Marschner for his many years of service supporting the building industry, his tireless leadership and the invaluable contributions he has made to Frederick County's future.

HOW TO STAY UP, EVEN IN DOWN TIMES

BY MELINDA BRODY, MIRM

“The market is terrible right now...”
“No one buys a house on the first visit...”
“The competition is giving it away and stealing all our prospects...”
“Traffic is really slow...”

The above statements all have a common denominator: they are all negative and if dwelled upon by the on-site salesperson, will only produce negative results.

When times are slow, the outstanding salespeople still write contracts and create “be-backs”. It is always attributed to their positive attitudes. They have found a way to maintain their enthusiasm when everyone else is down and discouraged.

It is not impossible. Here are some tips to remain up in the down times:

- Don’t call negative, whining, complaining friends or co-workers while at work. Associate yourself with top producers.
- On a slow day. Bring in a motivational tape or book full of inspirational success stories to recharge your batteries.
- Make a list of all your accomplishments (personal and professional) over the past five years. Give yourself that necessary pat on the back!
- Get back on track with your sales goals and challenge yourself to write one more contract than last month.
- Create more qualified traffic yourself through real estate friends, corporate contacts, and chamber of commerce networking. Tap into your present homeowners for qualified referrals.
- Shop your competitors and find their weak areas that you can sell against.
- Repeat this each morning when a prospect drives up to your sales office: “Here comes my next buyer.”
- Sign up for the next HBA educational program.

It is impossible to be down and active at the same time. Doing something, anything, to turn the down time around will instantly inspire and encourage you. Somebody is out there today, looking for a home. They should buy it at your community!

Melinda has been inspiring and evaluating salespeople for over 2 decades. Her firm offers sales seminars, keynotes, sales coaching and video mystery shopping for builders nationwide. Visit her at MelindaBrody.com and sign up for FREE ezine.



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Contact Ralph Abelow at 301-791-7130 or abbeycarpet76@aol.com

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purchases \$1500 or more.
Contact Chris Walker at 301-695-5335 or cwalker@kohlbp.com

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Contact Rose Grabowski at 301-490-5620 or rose@remodelersadvantage.com

Vintage Security

\$100 off a Vintage Security system, or if you already have a system, switch for free to Vintage Security monitoring. Reduced monitoring fee of \$240 for a year.
Contact Jennifer Franey at 410-977-5971 or jfraney@vintagesecurity.com

Visit the Member Discounts page on www.frederickbuilders.org for updates on these offers and more ways to save.

Additional Discounts

available through:

www.NAHB.org/MA

www.mynpp.com

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- Better claim management**, to control claim costs and return injured employees to work faster
- Better results**, impacting your bottom line and productivity

For more information or a quote, contact one of these FCBA member agents:

Bob Hammond
 BB&T Frederick Underwriters
 Phone: 301-644-6544
 Email: rhammond@bbandt.com





Brooks Yetter
 Insurance Brokers of Maryland
 Phone: 301-668-2233
 Email: brooks.yetter@ibmfmd.com

Frederick County Builders Association

186 Thomas Johnson Drive, Suite 204
Frederick, Maryland 21702

Phone: 301.663.3599

Fax: 301.663.1966

Web Site: www.frederickbuilders.org

Denise Jacoby

Executive Officer

dbradyjacoby@frederickbuilders.org

Donna Kraft

Executive Administrator

donna@frederickbuilders.org

Clasina Van Velzen-Stup

Membership Coordinator

clasina@frederickbuilders.org

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