

# ***AGENDA MINUTES***

**Tuesday, September 13, 2011**

**Business Meeting**

**COUNTY COUNCIL  
OF  
PRINCE GEORGE'S COUNTY, MARYLAND**

**PRINCE GEORGE'S PARKS AND RECREATION AUDITORIUM (PRA)  
6600 KENILWORTH AVENUE, FIRST FLOOR  
RIVERDALE, MARYLAND 20737**

**AGENDA BRIEFING (ROOM 2027) – BRIEFING HELD**

**CALL TO ORDER** - *Council Chair Turner called to order at 1:45 p.m. with the following Council Members present:*

*Ingrid Turner  
Will Campos  
Mel Franklin  
Andrea Harrison  
Mary Lehman  
Eric Olson  
Obie Patterson  
Karen Toles*

*District 6 Vacant*

*Others present:*

*Robert Williams, Jr., Council Administrator  
William Hunt, Deputy Council Administrator  
Redis Floyd, Clerk of the Council  
Donna Brown, Deputy Clerk of the Council  
Rajesh Kumar, Deputy Counsel to District Council  
Todd Turner, Legislative Officer  
Karen Zavakos, Legislative Officer  
Carmen Jackson-Brown, Legislative Officer  
Colette Gresham, Legislative Officer  
Brad Frome, Deputy Chief of Staff, Council Liaison  
Hawi Sanu, Director of the Transportation, Housing and the Environment Committee  
Jackie Brown, Director of the Planning, Zoning and Economic Development  
Frank Porter, Director of the Public Safety and Fiscal Management Committee*

*Sandra Eubanks, Director of the Health, Education and Human Services Committee*  
*Kathy Canning, Legislative Officer*  
*Joseph Hamlin, Attorney, Office of Law*  
*Larry Cain, Auditor*  
*Mike Royer, Multi-Media Specialist*  
*Howard Stone Audits and Investigations*  
*Kendal Gray, Audits and Investigations*  
*Bridget Warren, Chief of Staff District 1*  
*Alonzo Washington, Legislative Aide District 2*  
*Dannielle Glaros, Legislative Aide District 3*  
*Tomeka Bumbry, Chief of Staff District 4*  
*Rodney Streeter, Chief of Staff District 5*  
*Nell Johnson, Chief of Staff District 6*  
*Mary Budd, Administrative Aide, District 7*  
*Karen Campbell, Director of Office of Communications*  
*Gillie Haynes, Public Affairs Specialist*  
*Angela Rouson, Communications Specialist*  
*Shelby Mc Rae, Design Specialist*

**INVOCATION** – *Invocation was provided by Edwin H. Brown, County Employee.*

- *Council Member Harrison requested prayer for Bernard Brooks, brother of Howard Stone who is hospitalized and awaiting surgery and for Lula Jenkins' family in her passing.*
- *Council Member Campos requested prayer for Hispanic Heritage Month beginning on September 15, 2011 and for Salude Solocino's family in his passing.*
- *Council Member Olson requested prayer for Thomas Mayah, who was hospitalized, and for Wanda Brooks another member of his staff.*
- *Council Member Toles requested prayer for Alice Holton in the loss of her son.*
- *Council Chair Turner requested prayer for MacKenzie Lewis.*

**POINT OF PERSONAL PRIVILEGE**-*Council Chair Turner recognized The Honorable Melony Griffith, Maryland State delegate, present in the audience today.*

**PLEDGE OF ALLEGIANCE** -*The Pledge of Allegiance was led by Council Member Patterson.*

**COUNTY COUNCIL SITTING AS THE BOARD OF HEALTH**  
**-BRIEFING HELD**

• **COUNTY HEALTH IMPROVEMENT PLAN**

Bradford L. Seamon, DCAO for Budget, Finance and Administration  
 Betty Hager Francis, DCAO for Health, Human Services and Education  
 Pamela Brown Creekmur, Acting Health Officer  
 Fran Pernetta, Consultant for County Health Improvement Plan  
 Dr. Joseph Wright, Consultant to Board of Health

*Council Chair Turner convened the meeting and turned to Mr. Bradford Seamon for introductory remarks, Ms Fran Pernetta, Consultant for County Health Improvement Plan, provided a brief Power Point Presentation, Ms Pernetta and members of the panel responded to questions raised by the Council Members.*

1. **CONSENT AGENDA – ADOPTED AND ALL ACTIONS APPROVED**

All items listed under the consent agenda have been distributed to each member of the Council for review, are considered to be routine and will be acted upon by motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

(a) **First Reading of Bills (Presentation)**

**CB-36-2011 – AN ACT CONCERNING ADMINISTRATION** for the purpose of requiring an audit of the accounts maintained by the County Executive and County Council Members upon the death, resignation, removal or expiration of the term of the County Executive or County Council Member. **PRESENTED**

*Council Bill 36, by request of the Planning Board, was presented by Council Chair Turner and referred to the Committee of the Whole.*

**CB-37-2011 – AN ORDINANCE CONCERNING MULTIFAMILY DWELLINGS** for the purpose of removing the non-conforming use certification for an existing multifamily dwelling constructed under prior zoning ordinance regulations. **PRESENTED**

*Council Bill 37, by request of the Planning Board, was presented by Council Chair Turner and referred to the Planning, Zoning and Economic Development Committee*

**CB-38-2011 – AN ACT CONCERNING TOWING REGULATIONS** for the purpose of making amendments to certain towing operations in the County; and generally relating to towing regulations. **PRESENTED**

*Council Bill 38 was presented by Council Member Campos and referred to the Transportation, Housing and Environment Committee.*

**CB-39-2011 – AN ACT CONCERNING PARKING RESTRICTIONS AND VIOLATIONS** for the purpose of making amendments to certain parking restrictions, violations and fines in the County; and generally relating to parking violations. **PRESENTED**

*Council Bill 39 was presented by Council Member Campos and referred to the Transportation, Housing and the Environment Committee.*

**CB-40-2011 - AN ACT CONCERNING PARKING PERMIT AREAS DESIGNATION BY PETITION** for the purpose of providing for the provision of parking permit areas designated by petition of the residents; providing for ineligibility within a designated parking permit area; providing for exemptions within a designated parking permit area; providing for the issuance of permits requiring the Prince George's Revenue Authority to promulgate regulations for the administration of parking permit areas by petition; and generally relating to parking permit areas designated by petition. **PRESENTED**

*Council Bill 40 was presented by Council Member Campos and referred to the Transportation, Housing and Environment Committee.*

(b) **Introduction of Resolutions**

**CR-60-2011 - A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF BOWIE** for the purpose of approving the enactment of Ordinance O-12-11 amending Chapter 26 of the Code of the City of Bowie, concerning municipal zoning authority. **INTRODUCED**

*Council Resolution 60, which approves the enactment of Ordinance O-12-11 amending Chapter 26 of the Code of the City of Bowie concerning municipal zoning authority, was introduced by Council Chair Turner and referred to the Planning, Zoning and Fiscal Management Committee.*

*\*\* Council Member Toles moved to adopt the Consent Agenda; seconded by Council Member Harrison. The motion carried by voice vote (Absent: Council Member Patterson, District 6 vacant).*

2. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

*No items were considered.*

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT**

- (a) Proposed correspondence to Beverly K. Swaim-Staley, Secretary, Maryland Department of Transportation (MDOT), expressing the Council's objection to the proposed Beltsville site location for the Baltimore Washington Rail CSX Intermodal Facility. **CHAIR AUTHORIZED TO SIGN**

*Correspondence was proposed to be sent to Beverly K. Swaim-Staley, Secretary, Maryland Department of Transportation (MDOT), expressing the Council's objection to the proposed Beltsville site location for the Baltimore Washington Rail CSX Intermodal Facility. Council Member Lehman moved to authorize the Chair's signature; seconded by Council Member Campos, under discussion Todd Turner, Legislative Officer clarified that there is only one Prince George's County site under consideration. The motion carried 8-0 (District 6 vacant).*

4. **PUBLIC HEARINGS – RESOLUTION ELIGIBLE FOR FINAL READING (ADOPTION)**

**CR-54-2011 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF COLLEGE PARK** for the purpose of approving the enactment of Ordinance 11-O-03 amending Chapter 190 of the Code of the City of College Park, concerning municipal zoning authority. **PUBLIC HEARING HELD; ADOPTED**

*Pursuant to proper notice, the public hearing convened on Council Resolution 54. No persons wishing to speak, the public hearing was declared held. Council Member Olson moved adoption of Council Resolution 54; seconded by Council Member Patterson. The motion carried 8-0 (District 6 vacant).*

5. **RECONSIDERATION OF RESOLUTION – (CONSIDERATION OF EXECUTIVE’S COMMENTS)**

**CR-21-2011 (DR-2) - A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (REACHING HEARTS INTERNATIONAL, INC. 2010 CYCLE OF AMENDMENTS)**

for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan.

(Introduced by Council Member Turner on 3/15/2011; favorably reported out of THE on 6/23/2011 with amendments)

**CR-21-2011 (DR-2) WAS ADOPTED BY THE COUNTY COUNCIL ON 7/12/2011. VOTE (9-0)**

**COUNTY EXECUTIVE TRANSMITTED COMMENTS ON 8/2/2011 REQUESTING RECONSIDERATION BY THE COUNTY COUNCIL.**

*Council Member Lehman moved reconsideration of the Council’s previous action on Council Resolution 21 (DR-2); seconded by Council Member Olson. The motion carried 8-0 (Council District 6 vacant). Council Member Lehman moved adoption of Council Resolution 21 (DR-2) with an amendment to approve the application in part; seconded by Council Member Olson. The motion carried 8-0 (Council District 6 vacant).*

6. **BRIEFING – BRIEFING HELD**

**THE PRINCE GEORGE’S COUNTY REDISTRICTING COMMISSION**

**2011 REDISTRICTING PLAN**

Sharon R. Taylor, Chair  
Tamara Davis Brown, Commissioner (unable to attend)  
David C. Harrington, Commissioner (unable to attend)  
Dr. Nathaniel Persily, Legal Consultant  
Brian P. Larkin, Esq., Legal Associate  
Dale Hutchison, M-NCPPC, Technical Support

*Council Chair Turner convened the meeting and turned to Sharon Taylor, Chair of the Commission, who spoke to the findings of the Commission and provided an overview of the “September 2011 Plan and Report” and responded to questions posed by the Council.*

**REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL**

*Freddie Dawkins, Daisy C. Maggett, Margaret White and Reverend Douglas Edwards addressed the Council regarding Redistricting concerns.*

*The Chair thanked the community for participating in the session today and announced that Sunday September 18, 2011 will be recognized as “National Neighborhood Day.”*

**RECESSED** - *The Council session recessed at 5:30 p.m.*

7. **COMMITTEE OF THE WHOLE -- COMMITTEE MEETING HELD**

**BRIEFING:**

**COMPLIANCE WITH STATE ETHICS LAW**

Anne C. Magner, Attorney, Board of Ethics, Prince George’s County  
Joseph Hamlin, Attorney, Office of Law  
Brad Frome, Office of the County Executive

*Anne C. Magner, Attorney, Board of Ethics and Mr. Joseph Hamlin of the Office of Law provided an overview of the key changes on County Code of Ethics as required by Senate Bill 315.*

*Brad Frome, Office of the County Executive responded to questions raised by Council Members. (See Administrative Day File for detailed Clerk’s notes).*

**CONCLUDED** -*The Council Session concluded at 6:47 p.m.*

8. **JOINT PUBLIC HEARING: -- JOINT PUBLIC HEARING HELD**

**THE PRINCE GEORGE’S COUNTY COUNCIL SITTING AS THE DISTRICT  
COUNCIL AND THE MARYLAND-NATIONAL CAPITAL PARK AND  
PLANNING COMMISSION**

**THE PRELIMINARY PRIORITY PRESERVATION AREA  
FUNCTIONAL MASTER PLAN**

This preliminary plan was developed for Prince George's County in accordance with HB 2 (2006), Agricultural Stewardship Act of 2006.

The Priority Preservation Area Functional Master Plan lays the groundwork for protecting the Priority Preservation Area (PPA) by continuing to use existing tools and programs, and implementing new tools that serve to accomplish the preservation goal set for the PPA. The Plan provides guidance expressed through the vision, goal and objective, as well as policies and strategies to address the preservation of farm and forest land uses in areas best suited for these uses in the County.

The purpose of the public hearing is to give stakeholders and interested persons the opportunity to express their views concerning the Preliminary Priority Preservation Area Functional Master Plan.

**ADJOURNED** -*Council Chair Turner Adjourned the meeting at 9:14 p.m.*

Prepared by:

Submitted by:

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Sherry Bias, Administrative Aide

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Redis C. Floyd, Clerk of the Council