

# ***ACTION MINUTES***

**Tuesday, September 14, 2004**

**Business Meeting**

**(Legislative Day No. 30 to be declared)**

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

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

**CALL TO ORDER** - *Chairman Knotts called to order at 10:08 a.m. with the following Council Members present:*

*Marilynn M. Bland*

*Samuel H. Dean*

*Camille A. Exum*

*Tony Knotts*

*David C. Harrington*

*Douglas J. J. Peters*

*Council District 2 (Vacant)*

*Late:*

*Thomas E. Dernoga (arrived 10:13 a.m.)*

*Thomas R. Hendershot (arrived at 10:19 a.m.)*

*Others Present:*

*Barbara L. Holtz, Council Administrator*

*Craig S. Price, Deputy Council Administrator*

*Robert Williams, Jr., Associate Council Administrator*

*Ralph Grutzmacher, Legislative Officer*

*Aisha Braveboy, County Council Liaison, Office of the County Executive*

*Kim Shearin-Cotton, Associate County Attorney*

*Carmen Jackson-Shaw, Associate County Attorney*

*Jackie Brown, Committee Director, PZED*

**INVOCATION:** *The invocation was led by Elder Victor L. Furr, Pastor of Victorious Faith of Life Church, District Heights, Maryland. Council Member Exum requested special prayer for the family of John and Sylvia Syfox in the death of their mother; Council Member Dean for the Sudan family in Washington, DC in the death of their 2 children killed in an automobile accident and Council Member Knotts for our County during these trying times.*

**PLEDGE OF ALLEGIANCE** - *The pledge of allegiance was led by Council Member Bland.*

**DESIGNATION OF SEPTEMBER 14, 2004 AS LEGISLATIVE DAY NO. 30**

*Chairman Knotts designated September 14, 2004 as Legislative Day number thirty.*

**CONSENT AGENDA -- CB-89-2004 ADDED (SEE PAGE 4); 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.

**First Reading of Bills (Presentation)**

**CB-37-2004 – AN ACT CONCERNING BUILDING CODE – GRADING DRAINAGE, AND POLLUTION CONTROL – ADMINISTRATIVE PROVISIONS** for the purpose of amending the Building Code, Grading, Drainage, and Pollution Control, and Administrative Provisions portions of the County Building Ordinance. - **PRESENTED**

*Council Bill 37 was presented by the Chairman at the request of the County Executive and referred to the Transportation, Housing and the Environment (THE) Committee.*

**CB-81-2004 – AN ORDINANCE CONCERNING CONVEYANCES OF LAND BY THE UNITED STATES OF AMERICA OR BY THE STATE OF MARYLAND** for the purpose of exempting certain land conveyed in fee simple by the University of Maryland from being immediately placed in the Reserved Open Space (R-O-S) Zone. - **PRESENTED**

*Council Bill 81 was presented by Council Member 81 and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CB-82-2004 – AN ACT CONCERNING IMPOUNDMENT OF MOTOR VEHICLES FROM PRIVATE PROPERTY** for the purpose of requiring that photographs be taken whenever a motor vehicle is impounded from private property under certain circumstances. - **PRESENTED**

*Council Bill 82 was presented by Council Member Hendershot and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CB-83-2004 – AN ACT CONCERNING COURT SYSTEM – PRINCE GEORGE’S COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL** for the purpose of establishing the Prince George’s County Criminal Justice Coordinating Council; providing for the purpose, membership, duties, quorum, and frequency if meetings of the Criminal Justice Coordinating Council; providing that the function of the Criminal Justice Coordinating Council is advisory, establishing reporting requirements; and generally relating to the Prince George’s County Criminal Justice Coordinating Council. - **PRESENTED**

*Council Bill 83 was presented by Council Member Hendershot and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CONSENT AGENDA – (CONTINUED)**

**CB-84-2004 - AN ACT CONCERNING SOLID WASTE** for the purpose of establishing a Solid Waste Advisory Committee and setting forth its duties and responsibilities. - **PRESENTED**

*Council Bill 84 was presented by Council Member Dean and referred to the Transportation, Housing and the Environment (THE) Committee.*

**CB-89-2004 – AN ACT CONCERNING ADEQUATE PUBLIC FACILITIES** for the purpose of amending the test for adequate public facilities at the time of preliminary plat of subdivision and establishing a new adequate public safety facilities test. - **PRESENTED**

*Council Bill 89 was presented by Council Members Peters, Dean, Dernoga, Exum, Harrington, Knott and Bland. Council Bill 89 was referred to Public Safety and Fiscal Management (PSFM) Committee.*

*Council Member Dean moved adoption of the Consent Agenda; seconded by Council Member Peters. The motion carried by voice vote. (Council District 2 Vacant).*

**CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

*No Items were removed.*

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

*No Items were considered.*

**BILLS ELIGIBLE FOR THIRD READING (ENACTMENT) -- CB-46, 47, 48, 49, 50, 62, & 74 ADDED (SEE PAGE 4)**

**CB-36-2004 (DR-2) – AN ORDINANCE CONCERNING R-A ZONE** for the purpose of allowing gas stations in the R-A Zone under certain circumstances.  
**ENACTED**

*Council Member Dean moved enactment of Council Bill 36 Draft 2; seconded by Council Member Peters. The motion carried 8-0. (Council District 2 Vacant).*

**CB-53-2004 – (SUBDIVISION BILL) – AN ACT CONCERNING SUBTITLE 24, SUBDIVISIONS** for the purpose of adopting and publishing Subtitle 24, of the 2003 Edition of the Prince George's County Code. - **ENACTED**

*Council Member Peters moved enactment of Council Bill 53; seconded by Council Member Harrington. The motion carried 8-0. (Council District 2 Vacant).*

**BILLS ELIGIBLE FOR THIRD READING (ENACTMENT) – (page 3)**

**CB-46-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS AND INTERDEPARTMENTAL TRANSFER OF APPROPRIATIONS** for the purpose of declaring additional revenue and transferring surplus appropriations reflecting savings from various County departments.

**AMENDED; DR-2 ENACTED**

*Council Member Harrington moved amendment number 1 to Council Bill 46; seconded by Council Member Peters. The motion carried by voice vote. Council Member Dean moved enactment of Council Bill 46 as amended; seconded by Council Member Peters. The motion carried 7-1 (Opposed: Council Member Dernoga; Council District 2 vacant).*

**CB-47-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of appropriating additional revenue to the General Fund to the Information Technology Internal Service Fund to provide funds for costs that were not anticipated in the Approved Fiscal Year 2003-2004 Budget for the Information Technology Service Fund. - **ENACTED**

*Council Member Dean moved enactment of Council Bill 47; seconded by Council Member Peters. The motion carried 8-0. (Council District 2 vacant).*

**CB-48-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of appropriating additional revenue from available and uncommitted fund balance to the Drug Enforcement and Education Special Revenue Fund, and to provide funds for costs that were not anticipated in the Approved Fiscal Year 2003-2004 Budget for the Drug Enforcement and Education Special Revenue Fund. - **ENACTED**

*Council Member Peters moved enactment of Council Bill 48; seconded by Council Member Dean. The motion carried 8-0. (Council District 2 vacant).*

**CB-49-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of appropriating additional revenue from available and uncommitted fund balance to the Collington Center Special Revenue Fund, and to provide funds for costs that were not anticipated in the Approved Fiscal Year 2003-2004 Budget for the Collington Center Special Revenue Fund. - **AMENDED; DR-2 ENACTED**

*Council Member Harrington moved amendment number 1 to Council Bill 49; seconded by Council Member Peters. The motion carried by voice vote. Council Member Peters moved enactment of Council Bill 49 as amended; seconded by Council Member Peters. The motion carried 8-0. (Council District 2 vacant).*

**BILLS ELIGIBLE FOR THIRD READING (ENACTMENT) – (CONTINUED)**

**CB-50-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of appropriating additional revenue from available and uncommitted fund balance to the Fleet Management Internal Service Fund, and to provide funds for costs that were not anticipated in the Approved Fiscal Year 2003-2004 Budget for the Fleet Management Internal Service Fund. - **ENACTED**

*Council Member Peters moved enactment of Council Bill 50; seconded by Council Member Harrington. The motion carried 8-0. (Council District 2 vacant).*

**CB-62-2004 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION STORMWATER MANAGEMENT BONDS** in an amount not to exceed \$2,418,000. - **ENACTED**

*Council Member Peters moved enactment of Council Bill 62; seconded by Council Member Harrington. The motion carried 8-0. (Council District 2 vacant).*

**CB-74-2004 – AN ACT CONCERNING AN INTERPROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2005 CAPITAL BUDGET** for the purpose of transferring appropriations between capital projects in the amount of \$1,603,000 from various projects to the County Buildings – Major Renovations Fund. - **DEFERRED TO 09/21/2004**

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

*No Persons wished to Address the Council.*

**BRIEFING – (COUNCIL HEARING ROOM) - BRIEFING HELD****ENVIRONMENTAL JUSTICE TASK FORCE REPORT**

Charles L. Renninger, Chairman

**BRIEFING HELD**

*Mr. Renninger asked members of the Task Force to introduce themselves and thanked them for their hard work. He presented the findings of the Task Force, stating that the current landfill (Brown's Station Road) will be at capacity by 2010. He also pointed out that the permitting process is a 5, 7 or 10-year process depending on the type of landfill/transfer 'station' application.*

**POINT OF PERSONAL PRIVILIDGE:** - *Council Member Dean thanked members of the Task Force for their efforts and especially thanked Mr. Freddie Dawkins, Vice Chairman. Council Member Knotts announced that Eugene Grant is now the Mayor elect for Seat Pleasant.*

**Prepared by:**

**Submitted by:**

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Donna J. Brown, Deputy Clerk

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Redis C. Floyd, Clerk of the Council