

# AGENDA MINUTES

Tuesday, July 15, 2008

Legislative Day No. 22

COUNTY COUNCIL  
OF  
PRINCE GEORGE'S COUNTY, MARYLAND

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

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Proclamation presented to Wanda Kennedy recognizing her “Outstanding Contributions” in Prince George’s County. (Council Chairman Samuel H. Dean and Council Member Tony Knotts) - CANCELLED

CALL TO ORDER: - *Chairman Dean called to order at 10:08 A.M. with the following Council Members Present:*

*Marilynn M. Bland*

*Will Campos*

*Samuel H. Dean*

*Thomas E. Dernoga*

*Camille A. Exum*

*Andrea C. Harrison (Out on County Business)*

*Tony Knotts*

*Eric C. Olson*

*Ingrid M. Turner (Out on County Business)*

*Others Present:*

*Craig S. Price, Council Administrator*

*Robert J. Williams Jr., Deputy Council Administrator*

*Ralph Grutzmacher, Legislative Officer*

*Todd Turner, Legislative Officer*

*Sandra Eubanks, HEHS Committee Director*

*Frank Porter, PSFM Committee Director*

*Hawi Sanu, THE Committee Director*

*Russell King, Associate County Attorney*

*Josh Hamlin, Associate County Attorney*

*Marcus Jackson, County Council Liaison, Office of the County Executive*

**INVOCATION:** - *The Invocation was led by Reverend Ronald K. Austin, Pastor, Spirit of Peace Baptist Church, Capitol Heights, MD. Council Member Bland requested special prayers for Prince Georges County Police Officer, Mark Lightfoot, under going treatment for Blood Cancer. Contributions can be made to FOP #89, Upper Marlboro, MD. Council Member Exum for County Employee, Jim Pringle in the loss of his mother.*

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

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) Approval of County Council Minutes dated May 6, 2008, May 13, 2008, May 20, 2008, May 21, 2008 and May 27, 2008. - **APPROVED**

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

**CB-52-2008 - AN ACT CONCERNING BUSINESS INCUBATOR REAL PROPERTY TAX CREDIT** for the purpose of establishing a tax credit for real property used for publicly supported business incubator programs. - **PRESENTED**

*Council Bill 52 was presented by Council Member Knotts and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

(c) **Introduction of Resolutions**

**CR-67-2008 - A RESOLUTION CONCERNING THE LISTING OF LOCAL QUESTIONS OF THE 2008 BALLOT** for the purpose of designating the order and form in which local questions shall be placed on the 2008 Ballot and matters related thereto.  
- **DEFERRED TO 7/23/2008; REFERRED TO C.O.W.**

**CR-68-2008 – RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF NEW CARROLLTON** for the purpose of approving the enactment of Ordinance No. 07-19 amending Chapter 66 of the Code of the City of New Carrollton concerning residential storage. - **INTRODUCED**

*Council Resolution 68 concerns the Enactment of a Certain Ordinance of the City of New Carrollton for the purpose of approving the enactment of Ordinance No. 07-19, amending Chapter 66 of the Code of the City of New Carrollton concerning storage. Council Resolution was introduced by Council Member Olson.*

**CR-69-2008 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF GLENARDEN** for the purpose of approving the enactment of Ordinance O-11-2008 amending Chapter 149 of the Code of the City of Glenarden concerning residential parking. - **INTRODUCED**

*Council Resolution 69 concerns the Enactment of a Certain Ordinance of the City of Glenarden for the purpose of approving the enactment of Ordinance No. O-11-2008, amending Chapter 149 of the Code of the City of Glenarden concerning residential parking. Council Resolution 69 was introduced by Council Member Dean.*

*Council Member Olson moved adoption of the Consent Agenda; seconded by Council Member Bland. The motion carried by voice vote. (Absent: Council Members Harrison and Turner).*

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

*No items were considered*

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

*No items were considered*

4. **PUBLIC HEARINGS: - PUBLIC HEARING HELD - CONFIRMED**

*Council Member Dernoga, Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Pursuant to proper notice, the public hearing convened on the appointment of the below listed individuals to the Animal Control Commission for Prince George's County. Mr. Michael Herman, County Executive Representative, introduced Ms. Myrtsie J. Cruz, Ms. Nora C. MacQueen and Mr. Douglas E. Wych, Sr., to the Council. Each nominee was present and spoke on their own behalf. Council Member Dernoga moved confirmation of Ms. Cruz, Ms. MacQueen and Mr. Wych to the Animal Control Commission for Prince George's County with terms as listed; seconded by Council Member Campos. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

● **Appointment of the following individuals to the Animal Control Commission for Prince George's County:**

Ms. Myrtsie J. Cruz	Appointment/Citizen Representative Replacing: Frank E. Enty Term Expiration: 3/30/2009
Ms. Nora C. MacQueen	Appointment/Citizen Representative Replacing: Pamela S. Loeb Term Expiration: 3/30/2009
Mr. Douglas E. Wych, Sr.	Reappointment/Kennel Owner Term Expiration: 3/30/2010

*Council Member Campos, Chair, of the Health, Education and Human Services (HEHS) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Pursuant to proper notice, the public hearing convened on the appointment of the below listed individuals to the Human Relations Commission for Prince George's County. Mr. Michael Herman, County Executive Representative, introduced Mr. Carl Brown, Jr., Mr. Merrill Smith, Jr., and Ms. Margaret Terry to the Council. Each nominee was present and spoke on their own behalf. Council Member Knotts moved confirmation of Mr. Brown, Mr. Smith and Ms. Terry to the Human Relations Commission for Prince George's County with terms as listed; seconded by Council Member Campos. The motion carried 7-0. (Absent: Council Members Harrison and Turner.*

- **Appointment of the following individuals to the Human Relations Commission for Prince George's County:**

Mr. Carl Brown, Jr.

Appointment  
Replacing: Arthur Stroud  
Term Expiring: 6/30/2009

Mr. Merrill Smith, Jr.

Appointment  
Replacing: Martha L. Crenshaw  
Term Expiring: 6/30/2009

Ms. Margaret Terry

Appointment  
Replacing: Lila Maxwell Dasi  
Term Expiring: 6/30/2011

5. **SECOND READING OF BILLS – (INTRODUCTION)**

**CB-44-2008 – AN ACT CONCERNING ELECTRICAL CODE** for the purpose of amending the Electrical Code to remove provisions requiring the color coding of the armor or metal shell of type AC, HFC and MC electrical cables when installed in buildings of Type I and II construction.

- **INTRODUCED**

*Council Member Dernoga, Chair, of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 44 was introduced by Council Members Dean and Dernoga.*

6. **PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**

**CB-39-2008 – AN ACT CONCERNING BORROWING TO FINANCE SCHOOL PROJECTS**

for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit at any time and from time to time, in an aggregate principal amount not exceeding Seven Hundred Five Million Sixty Five Thousand Dollars (\$705,065,000) to finance the construction, including the design, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of school buildings in the County; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; and providing generally for the issuance of such bonds.

- **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 39. No persons wishing to speak, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 39; seconded by Council Member Bland. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

**CB-41-2008 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS**

for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed One Hundred Thirty-eight Million Three Hundred Thirty-two Thousand Dollars (\$138,332,000) in aggregate principal amount of general obligation bonds with serial maturities, including mandatory sinking fund installments in lieu of serial maturities, for the purpose of providing funds for financing in whole or in part costs of the planning, construction, reconstruction, establishment, extension, enlargement, demolition, improvement or acquisition of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2009, or usable portions thereof, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs and probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at public sale; declaring the County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds; pledging the full faith and credit and taxing power of the County to the payment of such bonds and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed One Hundred Thirty-eight Million Three Hundred Thirty-two Thousand Dollars (\$138,332,000) . . .

- **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 41. No persons wishing to speak, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 41; seconded by Council Member Knotts. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

**CB-42-2008 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION STORMWATER MANAGEMENT BONDS** for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Fifteen Million Six Hundred Sixty-one Thousand Dollars (\$15,661,000) in aggregate principal amount of general obligation stormwater management bonds for the purpose of providing funds for financing in whole or in part costs of the planning, acquisition, construction, reconstruction, establishment, extension, enlargement, demolition or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2009, constituting facilities (including without limitation any land, interest in land or equipment) for the control and disposition of storm and surface waters, including floodproofing, flood control or navigation programs and other stormwater programs and systems, environmental restoration and/or wetlands construction, and the protection, conservation, creation and acquisition of certain property described in the Maryland Annotated Code Environment Article consistent with federal and Maryland laws and regulations on the subject of nontidal and private wetlands, . . .

- **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 42. No persons wishing to speak, the public hearing was declared held. Council Member Knotts moved enactment of Council Bill 42; seconded by Council Member Olson. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

**CB-43-2008 (DR-2) - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS AND INTERDEPARTMENTAL TRANSFER OF APPROPRIATIONS** for the purpose of declaring additional revenue, appropriating to the General Fund Outside Sources to provide funds for costs that were not anticipated in the Approved Fiscal Year 2008 Budget, and transferring surplus appropriations reflecting savings from Non-Departmental accounts to various County Departments. - **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 43 (DR-2). No persons wishing to speak, the public hearing was declared held. Mr. William Hunt provided a hand-out to the Council Members. Council Member Exum moved enactment of Council Bill 43 (DR-2); seconded by Council Member Knotts. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

7. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**

**CR-13-2008 – A RESOLUTION CONCERNING CHAPEL WOODS APARTMENTS DEMOLITION** for the purposes of amending the Prince George's County "Annual Action Plan: FY 2008" to include a project to demolish all existing structures in the Chapel Woods Apartment complex and to describe its estimated cost of completion and funding sources.

- **ADOPTED**

*Council Member Dernoga, Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council on Council Resolution 13. Council Resolution was introduced by Council Member Dean on 03/11/2008 and was favorably reported out of the Transportation, Housing and the Environment (THE) on 07/10/2008 Council Member Exum moved adoption of Council Resolution 13; seconded by Council Member Knotts. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

8. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**CR-70-2008 - A RESOLUTION CONCERNING THE BRANCH AVENUE CORRIDOR SECTOR PLAN AND SECTIONAL MAP AMENDMENT** for the purpose of proposing amendments to the Branch Avenue Sector Plan and Sectional Map Amendment and directing that a public hearing be held to receive testimony on the proposed amendments.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

*Council Resolution 70 proposing amendments to the Branch Avenue Corridor Sector Plan and Sectional Map Amendment and directing that a public hearing be held to receive testimony on the proposed amendments . Council Resolution 70 was introduced by Council Members Exum, Knotts, Dean, Dernoga and Bland. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 70; seconded by Council Member Bland. The motion carried by voice vote. Council Member Exum moved adoption of Council Resolution 70; seconded by Council Member Knotts. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

**CR-71-2008 – A RESOLUTION CONCERNING ENOUGH IS ENOUGH CAMPAIGN** for the purpose of expressing the County Council’s support for the Enough is Enough Campaign for Corporate Responsibility in Entertainment.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

*Council Resolution 71 expressing the County Council’s support for the Enough is Enough Campaign for Corporate Responsibility in Entertainment. Council Resolution 71 was introduced by Council Members Knotts and Bland. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 71; seconded by Council Member Bland. The motion carried by voice vote. Council Member Knotts moved adoption of Council Resolution 71; seconded by Council Member Dernoga. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

**POINT OF PERSONAL PRIVILEGE:**

*Council Member Knotts acknowledged Pastor Coates, Mt. Ennon Baptist Church in Clinton, MD. Pastor Coates spoke to the “Enough is Enough” campaign. He stated that the group has recently completed a study on the content shown on various multimedia stations and provided Council with a hand-out of the study. He requested Council’s support in encouraging COMCAST and Verizon to amend their franchise agreements to allow viewers to opt-out of channels that have adult content, which may be included in a standard cable package. Council Members Knotts and Bland thanked Pastor Coates and the Mt. Ennon family for their involvement to challenge a cultural issue.*

**CR-72-2008 – A RESOLUTION CONCERNING MINORITY BUSINESS ENTERPRISE PROGRAM** for the purpose of adopting the findings, results and recommendations of the study of the County's Minority Business Enterprise program.

- **INTRODUCED; AMENDED; RULES SUSPENDED; DR-2 ADOPTED**

*Council Resolution 72 concerns the County's Minority Business Enterprise Program for the purpose of adopting the findings, results and recommendations of the study of the County's Minority Business Enterprise program. Council Resolution 72 was introduced by Council Members Dean, Exum and Bland. Todd Turner, Legislative Officer, proposed an amendment. Council Member Exum moved amendment number 1; seconded by Council Member Olson. The motion carried by voice vote. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 72 (DR-2); seconded by Council Member Bland. The motion carried by voice vote. Council Member Bland moved adoption of Council Resolution 72 (DR-2); seconded by Council Member Exum. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

**CR-73-2008 - A RESOLUTION CONCERNING MARYLAND BUY LOCAL CHALLENGE WEEK** for the purpose of expressing the County Council's support for proclaiming July 19-27, 2008 as Maryland Buy Local Challenge Week in Prince George's County.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

*Council Resolution 73 expresses the County Council's support for proclaiming July 19-27, 2008 as Maryland Buy Local Challenge Week in Prince George's County. Council Resolution 73 was introduced by Council Member Dernoga. Council Member Dernoga moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 73; seconded by Council Member Exum. The motion carried by voice vote. Council Member Dernoga moved adoption of Council Resolution 73; seconded by Council Member Exum. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

**BRIEFING – (COUNCIL HEARING ROOM) – BRIEFING HELD**

**BUY LOCAL CHALLENGE WEEK – JULY 19 - 27, 2008**

Dr. Christine L. Bergmark  
Executive Director  
Southern Maryland Agricultural Development Commission

**RECESS:** - *Chairman Dean recessed the meeting at 11:11 A.M.*

**COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM)**  
**– COMMITTEE MEETING HELD**

● **SOLID WASTE TRANSFER STATION PLANNING STUDY FOR PRINCE GEORGE’S COUNTY**

Ms. Maria Martin, M-NCPPC  
Ms. Stacy Demers, Consultant, SCS Engineers

*Council Member Knotts moved to direct Staff to prepare a resolution to select site 8; seconded by Council Member Campos. The motion carried 7-0. (Absent: Council Members Harrison and Turner).*

*Council Member Exum moved to accept additions package; seconded by Council Member Knotts. The motion carried 6-0. (Absent: Council Members Campos, Harrison and Turner).*

**ADDITION TO THE AGENDA**

*Motion to convene in Executive Session was made by Council Member Bland; seconded by Council Member Knotts. The motion carried 7-0 (Absent: Council Members Harrison and Turner)*

**EXECUTIVE SESSION – (ROOM 2027) – EXECUTIVE SESSION HELD**

- (a) Discussion of pending or potential litigation in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (8).
- (b) Discussion to consider proposal for business to remain in the State in accordance with Maryland Annotated Code, Section 10-508 (a) (7) (8).

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

*Ms. Frances Simmons of Fort Washington, MD. expressed concerns about the current audio system in the Council’s Hearing Room.*

**BRIEFING – (COUNCIL HEARING ROOM) – BRIEFING HELD**

● **CALVERT CLIFFS 3 PROJECT: OVERVIEW**

Mr. Thomas E. Roberts, Vice President  
UniStar Nuclear Energy

**ADJOURN:** - *Chairman Dean adjourned the meeting at 12:11 P.M.*

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

**BROAD CREEK SANITARY SEWER OVERFLOW (SSO)**

Teresa D. Daniel, Interim General Manager, WSSC

Rudolph S. Chow, Acting Deputy General Manager, WSSC

F. Kirwan Wineland, Esq., Intergovernmental Relations Officer, WSSC

Prepared By:

Submitted By:

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Shirley T. Blake, Administrative Aide

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Redis C. Floyd, Clerk of the Council