

# ***ACTION MINUTES***

Tuesday, January 28, 2003

Business Meeting

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

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

**CALL TO ORDER** – *Chairman Peter A. Shapiro called to order at 10:05 a.m. with the following Council Members present:*

*Peter A. Shapiro  
Marilynn Bland  
Samuel H. Dean  
Thomas E. Dernoga  
Camille A. Exum  
David C. Harrington  
Tony Knotts  
Douglas J. J. Peters*

*Absent: Thomas R. Hendershot, on county business*

*Others Present:*

*Barbara Holtz, Council Administrator  
Craig Price, Deputy Council Administrator  
Robert Williams, Jr., Associate Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Aisha N. Braveboy, County Council Liaison, Office of the County Executive*

**INVOCATION** – *The Invocation was provided by Ms. Sylvia Taylor, Member, International Church of Christ, Landover, Maryland.*

**PLEDGE OF ALLEGIANCE** – *The pledge was led by Council Member Peters.*

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-3-2003 – AN ACT CONCERNING MILITARY LEAVE** for the purpose of repealing the termination provisions of Section 4, Chapter 9, Laws of Prince George's County Maryland 2002 (CB-1-2002) concerning military leave. - **PRESENTED**

*Council Bill 3 was presented by Council Member Hendershot and referred to the Public Safety and Fiscal Management Committee.*

**CB-4-2003 – AN ORDINANCE CONCERNING R-10 ZONE** for the purpose of permitting retail, general offices, and parking lots and amending lot coverage requirements in the R-10 Zone under certain circumstances. - **PRESENTED**

*Council Bill 4 was presented by Chairman Shapiro and referred to the Planning, Zoning and Economic Development Committee.*

**CB-5-2003 – AN ACT CONCERNING CONFORMING AMENDMENTS TO THE COUNTY CODE** for the purpose of making certain amendments to the County Code to conform to amendments to the County Charter approved at the 2002 General Election. - **PRESENTED**

*Council Bill 5 was presented by Chairman Shapiro and referred to the Public Safety and Fiscal Management Committee.*

**CB-6-2003 – AN ACT CONCERNING TECHNICAL AMENDMENTS TO THE COUNTY CODE** for the purpose of making technical amendments to the County Code to conform to amendments to the County Charter approved at the 2002 General Election. - **PRESENTED**

*Council Bill 6 was presented by Chairman Shapiro and referred to the Public Safety and Fiscal Management Committee.*

**CB-7-2003 – AN ACT CONCERNING PRINCE GEORGE'S COUNTY COUNCIL AND COUNTY EXECUTIVE** for the purpose of making amendments to the provisions of the County Code regarding special elections to fill a vacancy on the County Council and compensation of the County Council and County Executive to conform to amendments to the County Charter approved at the 2002 General Election. - **PRESENTED**

*Council Bill 7 was presented by Chairman Shapiro and referred to the Public Safety and Fiscal Management Committee.*

**CONSENT AGENDA – (CONTINUED)****CB-8-2003 – AN ORDINANCE CONCERNING SANITARY LANDFILLS, RUBBLE FILLS AND CLASS 3 FILLS**

for the purpose of amending the requirements for sanitary landfills and rubble fills, defining class 3 fills and requiring a special exception for class 3 fills in all zones where they are permitted. - **PRESENTED**

*Council Bill 8 was presented by Council Member Dean and referred to the Planning, Zoning and Economic Development Committee.*

**(b) Introduction of Resolutions**

**CR-3-2003 – A RESOLUTION CONCERNING MILITARY LEAVE** for the purpose of repealing the termination provisions of Section 4, Chapter 9, Laws of Prince George's County, Maryland 2002 (CB-1-2002) concerning military leave. - **INTRODUCED**

*Council Resolution 3 was proposed by Council Member Hendershot and referred to the Public Safety and Fiscal Management Committee. Council Resolution 3, a companion to Council Bill 3, is a measure to temporarily extend existing law regarding military leave until the permanent amendments contained in Council Bill 3 become effective. Council Resolution 3 was introduced by Council Members Shapiro, Knotts, Harrington, Exum, Dean, Peters and Dernoga.*

**\*\*** *Council Member Harrington moved to adopt the Consent Agenda; seconded by Council Member Knotts; carried by voice vote.*

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

*No items were removed.*

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

*No items were considered.*

**4. PUBLIC HEARING:**

**Appointment of the following individual as County Attorney for Prince George's County: -  
PUBLIC HEARING HELD; APPOINTMENT CONFIRMED**

**David S. Whitacre, Esquire**

*Pursuant to proper notice, the public hearing convened on the appointment of David S. Whitacre, Esquire as the County Attorney for Prince George's County. County Executive Jack Johnson introduced Mr. Whitacre, spoke of his credentials and character, and explained the circumstances of Mr. Whitacre residency in Montgomery County. Mr. Whitacre was present and spoke on his own behalf. The Honorable Steven I. Platt, Circuit Court Judge, The Honorable Larnzell Martin, Jr., Circuit Court Judge, and the following staff of the State's Attorney's Office: Yvonne Cunningham, Esquire, Ms. Wanda J. Dixon, Karen Mason, Esquire, and Mr. Roland Patterson, Esquire, spoke in support of confirmation. All persons wishing to speak having done so, the public hearing was declared held. Council Member Knotts moved confirmation of David S. Whitacre, Esquire as the County Attorney for Prince George's County; seconded by Council Member Dernoga; carried by roll call vote 8-0. (Absent: Council Member Hendershot)*

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

*No persons wished to address the Council.*

**ADJOURN** – Chairman Shapiro adjourned the meeting at 10:55 a.m.

**GENERAL ASSEMBLY COMMITTEE MEETING – (ROOM 2027) -- GENERAL ASSEMBLY COMMITTEE MEETING HELD**

**Prepared by:**

**Submitted by:**

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Donna J. Brown, Office Manager

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Redis C. Floyd, Clerk of the Council