

# ***ACTION MINUTES***

**Tuesday, July 22, 2003**

**Business Meeting**

**(Legislative Day No. 26 to be declared)**

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

### **AGENDA BRIEFING – (ROOM 2027)**

**CALL TO ORDER** – *Chairman Peter A. Shapiro called to order at 10:12 a.m. with the following Council Members present:*

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

*Absent at roll call: Thomas E. Dernoga (arrived at 10:30 a.m.)  
Thomas R. Hendershot (arrived at 10:20 a.m.)*

#### *Others Present:*

*Barbara Holtz, Council Administrator  
Craig S. 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  
Kathy Canning, Associate County Attorney  
Jacqueline Brown, Committee Director, PZED  
Sandra Eubanks, Committee Director, THE & HEHS*

**INVOCATION** – *The Invocation was provided by Reverend Willie Carter of Kent Baptist Church in Landover, Maryland. Special prayer was requested for the continued health of Ms. Savoy Brown on her 109th birthday.*

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

**DESIGNATION OF JULY 22, 2003 AS LEGISLATIVE DAY NO. 26** – *Chairman Shapiro designated Tuesday, July 22, 2003 as Legislative Day number twenty-six.*

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) **Introduction of Resolutions**

**CR-45-2003 – A RESOLUTION CONCERNING HEALTH CARE INSURANCE** for the purpose of endorsing a comprehensive health care system for all Marylanders. - **INTRODUCED**

*Council Resolution 45, as proposed by Chairman Shapiro, endorses a comprehensive health care system for all Marylanders. Council Resolution 45 was introduced by Council Members Shapiro, Dean, Exum, Knotts, Harrington and Peters and referred to the Health, Education and Human Services Committee.*

**CR-46-2003 – A RESOLUTION CONCERNING APPROVAL OF SCHOOL FACILITIES AGREEMENTS (THIRD SUBDIVISION GROUP)** for the purpose of approving certain school facilities agreements for residential subdivisions with preliminary plan approval from the Planning Board, and school facilities applications with all information as required by State law. - **INTRODUCED**

*Council Resolution 46, as proposed by Chairman Shapiro, approves the school facilities agreements for the Seabrook, Nazarene Cluster, Buckler, Saddle Creek Cluster and Collington Subdivisions, the third group approved in 2003. Council Resolution 46 was introduced by Council Members Shapiro, Dean and Knotts and referred to the Planning, Zoning and Economic Development Committee.*

**CONSENT AGENDA – (CONTINUED)****CR-47-2003 - A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS**

for the purpose of funding grants to the Department of Family Services, Health Department, Police Department, Fire Department, Office of the State's Attorney, Department of Social Services, Circuit Court and Office of the Sheriff. - **INTRODUCED**

*Council Resolution 47, as proposed by the Chairman by request of the County Executive, provides for supplementary appropriations totaling \$70,704 for grant programs to support new or expanded efforts of the Department of Family Services, the Health, Police and Fire/EMS Departments, the Offices of the State's Attorney and Sheriff, the Department of Social Services, and the Circuit Court. Council Resolution 47 was introduced by Council Members Shapiro, Dean, Exum, Knotts, Harrington and Peters.*

**\*\*** *Council Member Harrington moved adoption of the Consent agenda; seconded by Council Member Knotts. The motion carried by voice vote.*

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

*No items were considered.*

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

- (a) Proposed letter to Beatrice P. Tignor, EdD, Chair, Board of Education, regarding the Board of Education's request to transfer appropriations between major categories of the Board of Education's FY 2004 Operating Budget Reconciliation. - **CHAIRMAN AUTHORIZED TO SIGN**

*A letter was proposed to be sent to Ms. Beatrice Tignor approving the Board of Education's request to transfer appropriations between major categories in their Fiscal Year 2004 Operating Budget Reconciliation. Council Member Hendershot, as Chairman of the Health, Education and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee. The proposed letter was favorably reported out of HEHS on 7/17/2003. Council Member Harrington moved to authorize the Chairman's signature; seconded by Council Member Exum. The motion carried 8-0 (Absent: Council Member Dernoga).*

4. **PUBLIC HEARING:**

**CR-34-2003 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWERAGE PLAN (APRIL 2003 CYCLE OF AMENDMENTS)** for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan. - **PUBLIC HEARING HELD**

(Introduced by Council Members Shapiro, Dean and Exum on 6/17/2003)

*Pursuant to proper notice, the public hearing convened on Council Resolution 34. No persons wishing to speak, the public hearing was declared held. Chairman Shapiro announced that Council Resolution 34 would be considered during the Transportation, Housing and the Environment Committee meeting scheduled for Thursday, July 24, 2003 at 9:30 a.m.*

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

**Prior to final action on Emergency Bills, the Chairman shall read the bill by short title and shall read the claimed emergency as contained in the bill. Emergency Bills require six votes to enact.**

**CB-43-2003 (EMERGENCY BILL) - AN EMERGENCY ACT CONCERNING BUILDING PERMITS** for the purpose of limiting the number of building permits that may be issued in the Rural Tier, and of providing for certain exceptions. - **PUBLIC HEARING HELD; RECOMMITTED TO PZED**

(Introduced by Council Members Harrington, Dernoga, Shapiro, Dean and Peterson 6/17/2003)

*Chairman Shapiro read the above title of Council Bill 43 and stated that a public emergency exists affecting the public health, safety, and welfare; said emergency being the need to protect the natural and built environment of the Rural Tier by limiting the construction of dwellings in the Rural Tier in accordance with the Approved General Plan of Prince George's County. Pursuant to proper notice, the public hearing convened on Council Bill 43. No persons wishing to speak, the public hearing was declared held. Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 43 reported out of PZED on 7/21/2003 with no action taken. Council Member Hendershot moved to recommit Council Bill 43 to the PZED Committee; seconded by Council Member Harrington. The motion carried 9-0. Chairman Shapiro announced that the record for this public hearing would remain open until Tuesday, July 29, 2003.*

6. **VICIOUS ANIMAL LEGISLATION TASK FORCE REPORT – (COUNCIL HEARING ROOM)**

Robert Williams, Jr., Associate Council Administrator  
Task Force Chairman

*Mr. Robert Williams, Jr., Associate Council Administrator, provided a verbal report of the findings of the Vicious Animal Legislation Task Force. He also presented Council with copies of the resulting report. Mr. Williams introduced the members of the Task Force, Ms. Pam Loeb, Lieutenant Rex Barrett, Mr. Rodney Taylor, Ms. Judy McClain, and Ms. Adrienne Lefkowitz to the Council and recognized task force members Ms. Angela Crankfield and the Honorable Frederick Smalls who were unable to attend. Chairman Shapiro and Council Members applauded the task force for their efforts and thanked Ms. Sandra Eubanks and Ms. Gloria Harrison for serving as staff.*

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

*Mr. David Herrell, addressed the Council in support of a sewer category change from S5 to S4 (with an envelope realignment) for sewershed application 03/W-13 Cobblestone Ridge.*

- \*\*** *Council Member Knotts moved to convene in Executive Session for discussion of personnel issues in accordance with Maryland Annotated Code, State Government, Section 10-508 (a)(1)(i); seconded by Council Member Exum. The motion carried 9-0.*

*Council Member Exum moved to convene in Executive Session for consultation with counsel to obtain legal advice in accordance with Maryland Annotated Code, State Government, Section 10-508 (a)(7); seconded by Council Member Harrington. The motion carried 9-0.*

*Council Member Exum moved to convene in Executive Session for discussion of a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State in accordance with Maryland Annotated Code, State Government, Section 10-508(a)(4); seconded by Council Member Knotts. The motion carried 9-0.*

**ADJOURN** – *Chairman Shapiro adjourned the session at 12:15 p.m.*

**EXECUTIVE SESSION – (ROOM 2027)**

- ◆ Discussion of personnel issues in accordance with Maryland Annotated Code, State Government, Section 10-508 (a)(1)(i). - **EXECUTIVE SESSION HELD**

**EXECUTIVE SESSION – (ROOM 2027)**

- ◆ Consultation with counsel to obtain legal advice in accordance with Maryland Annotated Code, State Government, Section 10-508 (a)(7). - **EXECUTIVE SESSION HELD**

**COMMITTEE OF THE WHOLE – (ROOM 2027) -- C.O.W. HELD****NEWSPAPERS OF RECORD****Prepared by:****Submitted by:**

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Donna J. Brown, Office Manager

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Redis C. Floyd, Clerk of the Council