

# ***AGENDA MINUTES***

**Tuesday, March 13, 2007**

**Business Meeting**

**(Legislative Day No. 8 to be declared)**

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

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

### **PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)**

*Council Chair Camille A. Exum commenced presentation of Proclamations/Commendations at 9:56 a.m.*

**Proclamation presented to Mr. Sylvester Conyers, Principal, recognizing the academic achievements of “Eleanor Roosevelt High School” in Prince George’s County. Council Member Turner also presented a certificate to the Eleanor Roosevelt Girls Basketball Team recognizing them as Maryland 4A State Champions three years in a row.** (Council Chair Camille A. Exum and Council Members Ingrid M. Turner, Tony Knotts, Marilynn M. Bland, Will Campos, Samuel H. Dean, David C. Harrington, Thomas E. Dernoga and Eric C. Olson) - **PRESENTED**

*Council Chair Camille A. Exum and Council Members Ingrid M. Turner, Tony Knotts, Marilynn M. Bland, Will Campos, Samuel H. Dean, David C. Harrington, Thomas E. Dernoga and Eric C. Olson presented a proclamation to Mr. Sylvester Conyers, Principal, recognizing the academic achievements of “Eleanor Roosevelt High School” in Prince George’s County. Council Member Turner also presented a certificate to the Eleanor Roosevelt Girls Basketball Team recognizing them as Maryland 4A State Champions three years in a row.*

**Proclamation recognizing Judge Gerard F. Devlin, Retired, Maryland District Court, as “Maryland’s Veteran of the Year” in Prince George’s County.** (Council Chair Camille A. Exum and Council Members Ingrid M. Turner, Marilynn M. Bland, Will Campos, Samuel H. Dean, Thomas E. Dernoga, David C. Harrington, Tony Knotts and Eric C. Olson) - **PRESENTED**

*Council Chair Camille A. Exum and Council Members Ingrid M. Turner, Marilynn M. Bland, Will Campos, Samuel H. Dean, Thomas E. Dernoga, David C. Harrington, Tony Knotts and Eric C. Olson presented a proclamation recognizing Judge Gerard F. Devlin, Retired, Maryland District Court, as “Maryland’s Veteran of the Year” in Prince George’s County.*

Proclamation **presented to Mr. Richard Jones, Founder, recognizing the “Let’s Go Up to the 21<sup>st</sup> Century” Foundation in Prince George’s County.** (Council Chair Camille A. Exum and Council Members Tony Knotts, Marilyn M. Bland, Will Campos, Samuel H. Dean, Thomas E. Dernoga, David C. Harrington, Eric C. Olson and Ingrid M. Turner)

- **PRESENTED**

*Council Chair Camille A. Exum and Council Members Tony Knotts, Marilyn M. Bland, Will Campos, Samuel H. Dean, Thomas E. Dernoga, David C. Harrington, Eric C. Olson and Ingrid M. Turner presented a proclamation to Mr. Richard Jones, Founder, recognizing the “Let’s Go Up to the 21<sup>st</sup> Century” Foundation in Prince George’s County.*

Proclamation **recognizing Van and Christy Durr as “Outstanding Servants of the People” in Prince George’s County.** (Council Chair Camille A. Exum and Council Member Samuel H. Dean) - **RESCHEDULED TO 03/20/2007**

Proclamations **presented to the Blue Ribbon Committee on High Stakes Testing recognizing the “Outstanding Contributions to the Youth” in Prince George’s County.** (Council Chair Camille A. Exum and Council Member Samuel H. Dean)

- **RESCHEDULED TO 03/20/2007**

**CALL TO ORDER:** - *Chair Exum called to order at 10:15 a.m. with the following Council Members present:*

*Marilynn M. Bland  
Will Campos  
Samuel H. Dean  
Thomas E. Dernoga  
Camille A. Exum  
David C. Harrington  
Tony Knotts  
Eric C. Olson  
Ingrid M. Turner*

*Others Present:*

*Robert J. Williams, Jr., Deputy Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Kathy Canning, Associate County Attorney  
Russell King, Associate County Attorney  
Marcus Jackson, County Council Liaison, Office of the County Executive  
Frank Porter, PSFM Committee Director  
David Van Dyke, Audit and Investigations  
Steve McGibbon, Audit and Investigations*

**INVOCATION:** - *The Invocation was led by Mrs. Donna Dean, County Employee. Council Member Bland requested special prayers for Steve Proctor on the passing of his grandfather Mr. Thomas Velet Proctor, 98 years old. Council Member Turner for Mr. Conyers niece in Richmond, Virginia on the passing of her mother 4 months ago.*

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

**DESIGNATION OF MARCH 13, 2007 AS LEGISLATIVE DAY NO. 8**

*Chair Exum designated March 13, 2007 as Legislative Day No. 8*

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-5-2007 – AN ORDINANCE CONCERNING DEVELOPMENT DISTRICT**

**OVERLAY ZONE** for the purpose of amending the Development District Standards for the D-D-O Zone under certain circumstances. - **PRESENTED**

*Council Bill 5 was presented by Council Member Campos and referred to Planning, Zoning and Economic Development (PZED) Committee.*

**CB-6-2007 AN ORDINANCE CONCERNING M-X-T ZONE** for the purpose of permitting limited industrial uses in the M-X-T Zone under certain circumstances. - **PRESENTED**

*Council Bill 6 was presented by Council Member Dean and referred to Planning, Zoning and Economic Development (PZED) Committee.*

(b) **Introduction of Resolutions**

**CR-14-2007 – A RESOLUTION CONCERNING MARLTON PLAZA SENIOR**

**HOUSING** for the purpose of providing the required approval to the Department of Housing and Community Development of the State of Maryland (“DHCD”) for the financing of the acquisition and development of the Marlton Plaza Senior Housing, a senior rental project to be owned and operated by Marlton Plaza Senior Housing, LP, a Maryland limited partnership and developed by SUR Developers & Builders, Inc. (collectively referred to as the “Owner”).

- **INTRODUCED**

*Council Resolution 14 was introduced at the request of the County Executive and referred to the Transportation, Housing and the Environment (THE) Committee. Council Resolution 14 approves the proposed financing for the acquisition and development of the Marlton Plaza Senior Housing. Council Resolution 14 was introduced by Council Member Exum.*

**CR-15-2007 – A RESOLUTION CONCERNING NEWTON GREEN APARTMENTS** for the purpose of amending the Prince George’s County “Annual Action Plan: FY 2007” (the “FY 2007 Annual Action Plan”) to include the project known as the Newton Green Apartments, a senior rental project to be owned and operated by Newton Green, LLC a joint venture of Ingerman Affordable Housing, Inc. and Housing Initiative Partnership, Inc. (collectively referred to as the “Owner”), and provide an estimate of the cost to complete this project and identify the project financing. - **INTRODUCED**

*Council Resolution 15 was introduced at the request of the County Executive and referred to the Transportation, Housing and the Environment (THE) Committee. Council Resolution 15 approves an amendment to the Prince George’s County “Annual Action Plan: FY 2007” to include the Newton Green Apartment Project, to provide an estimate of the cost to complete this project and identify the project financing. Council Resolution 15 was introduced by Council Members Harrington and Campos.*

**CR-16-2007 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (DECEMBER 2006 CYCLE OF AMENDMENTS)** for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan.

- **INTRODUCED**

*Council Resolution 16 was introduced at the request of the County Executive and referred to the Transportation, Housing and Environment (THE) Committee. Council Resolution 16 concerns the 2001 Water and Sewer Plan (December 2006 Amendment Cycle) to change the water and sewer category designations within the 2001 Water and Sewer Plan. Council Resolution 16 was introduced by Council Member Exum.*

**PUBLIC HEARING SCHEDULED FOR TUESDAY, APRIL 17, 2007 AT 10:00 A.M.**

**CR-17-2007 – A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM** for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approves the petition of John and Carmen Buchheister to establish an agricultural district. - **INTRODUCED**

*Council Resolution 17 was introduced at the request of the Planning Board and referred to the Transportation, Housing and the Environment (THE) Committee. Council Resolution 17 concerns the formation of an Agricultural District pursuant to the Maryland Agricultural Land Preservation Foundation program for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the petition of John and Carmen Buchheister to establish an agricultural district, reference map (148) and Parcel reference (48). Council Resolution 17 was introduced by Council Members Exum and Dernoga.*

**THIS RESOLUTION REQUIRES A PUBLIC HEARING**

**CR-18-2007 – A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM** for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approves the petition of Peter Buchheister to establish an agricultural district. - **INTRODUCED**

*Council Resolution 18 was introduced at the request of the Planning Board and referred to the Transportation, Housing and the Environment (THE) Committee. Council Resolution 18 concerns the formation of an Agricultural District pursuant to the Maryland Agricultural Land Preservation Foundation program for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the petition of Peter Buchheister to establish an agricultural district, reference map (148) and Parcel reference (65). Council Resolution 18 was introduced by Council Members Exum and Dernoga.*

**THIS RESOLUTION REQUIRES A PUBLIC HEARING**

**CR-19-2007 – A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM** for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approves the petition of Thomas Maslin and Cheryl Swing to establish an agricultural district. - **INTRODUCED**

*Council Resolution 19 was introduced at the requested of the Planning Board and referred to the Transportation, Housing and the Environment (THE) Committee. Council Resolution 19 concerns the formation of an Agricultural District pursuant to the Maryland Agricultural Land Preservation Foundation program for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the petition of Thomas Maslin and Cheryl Swing to establish an agricultural district, reference map (148) and Parcel reference (22). Council Resolution 19 was introduced by Council Members Dernoga and Exum.*

**THIS RESOLUTION REQUIRES A PUBLIC HEARING**

*Council Member Dean moved adoption of the Consent Agenda; seconded by Council Member Dernoga. 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**

*No items were considered*

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

**CB-1-2007 - AN ACT CONCERNING OBSOLETE COUNTY CODE PROVISIONS** for the purpose of repealing various obsolete provisions of the County Code that are no longer appropriate subject matter for the County Code. - **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice the public hearing convened on Council Bill 1. No person wishing to speak, the public hearing was declared held. Council Member Dernoga moved enactment of Council Bill 1; seconded by Council Member Turner. The motion carried 9-0.*

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

**CR-9-2007 – A RESOLUTION CONCERNING MILITARY LEAVE** for the purpose of amending the Salary Plan of the County to reflect the continuation of certain military leave benefits and the eligibility requirements for certain military leave benefits. - **ADOPTED**

*Council Member Knotts, Chair, Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Olson moved adoption of Council Resolution 9; seconded by Council Member Harrington. The motion carried 8-1. (Opposed: Council Member Dean).*

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

• **M-NCPPC SPENDING AFFORDABILITY REPORT**

David Van Dyke, County Auditor  
 Stephen McGibbon, Deputy County Auditor  
 Jonathan R. Seeman, Director, Office of Management and Budget  
 William Robinson, Citizen Committee Member

• **CHARTER AMENDMENT IMPLEMENTATION PROCESS**  
 - **DEFERRED TO A LATER DATE**

Barbara L. Holtz, Consultant  
 Karen T. Zavakos, Legislative Officer

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

*No person wished to address the Council*

**ADJOURN:** - *Chair Exum adjourned the meeting at 11:06 a.m.*

**GENERAL ASSEMBLY/COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM) - COMMITTEE MEETING HELD**

**BRIEFING – (ROOM 2027) - CANCELLED**

**INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED FOR MONDAY, MARCH 19, 2007**

Prepared By:

Submitted By:

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Shirley T. Blake, Administrative Aide

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Redis C. Floyd, Clerk of the Council