

AGENDA MINUTES

Tuesday, March 25, 2008

Business Meeting

(Legislative Day No. 8 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

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

*Marilynn M. Bland
Will Campos
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
Tony Knotts
Eric C. Olson
Ingrid M. Turner
District 5 Vacant*

Others Present:

*Craig Price, Council Administrator
Robert J. Williams Jr., Deputy Council Administrator
Ralph Grutzmacher, Legislative Officer
Hawi Sanu, Committee Director (THE)
Sandra Eubanks, Committee Director (HEHS)
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 Robert Trice, Pastor, Abyssinia Baptist Church, Capitol Heights, Maryland. Council Member Exum requested special prayers for the Holmes family in the passing of Billy Crawford. Council Member Campos for the Argeta family for the passing of their 4 year old daughter and for the mother suffering from burns and Council Member Turner for the mother of Lochelle Ferguson undergoing breast cancer challenges.*

PLEDGE OF ALLEGIANCE – *The pledge of allegiance was led by Council Member Dernoga.*

DESIGNATION OF MARCH 25, 2008 AS LEGISLATIVE DAY NO. 8

Chairman Dean designated March 25, 2008 as Legislative day number 8

BRIEFING – (COUNCIL HEARING ROOM) – *BRIEFING HELD***VICTORIA FALLS SPECIAL TAXING DISTRICT REPORT**

William M. Hunt, Office of Audits & Investigations

William M. Hunt and Ian Roberts-Clarke, Office of Audits & Investigations provided a hand-out and maps to the Council Members for the Victoria Falls Special Taxing District Report. A power point presentation was provided detailing the finding from the office of Audits and Investigations on the taxing district. Joseph A. Fanone, Bond Counsel, from the law firm of Ballard, Spahr, Andrews & Ingersell LLP., spoke to the legal options related to the issues. Elizabeth McKinney spoke to the efforts of DPW & T and Thomas Matzen spoke to the efforts of DER.

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-19-2008 – 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 Whitson Rogers And Joseph Sheppard Rogers To Establish An Agricultural District. - **INTRODUCED**

Council Resolution 19 recommends that the Maryland Agricultural Land Preservation Foundation approve the petition of John Whitson Rogers and Joseph Sheppard Rogers to establish an agricultural district, reference Tax Map 85/Grid F1/Parcel 77/Tax Account 03-3023470, Tax Map 85/Grid F1/Parcel 78/Tax Account 07-3023918 and Tax Map 77/Grid E4/Parcel 79/Tax Account 03-3130325. Council Resolution 19 was introduced by Council Members Bland, Dernoga, and Dean. Council Resolution 19 was referred to the Transportation, Housing and Environment (THE) Committee.

THIS RESOLUTION REQUIRES A PUBLIC HEARING

CR-20-2008 - 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 approve the petition of Arthur and Roswitha Leitch to establish an agricultural district. - **INTRODUCED**

Council Resolution 20 recommends that the Maryland Agricultural Land Preservation Foundation approve the petition of Arthur and Roswitha Leitch to establish an agricultural district, reference Tax Map 174/Grid F1/Parcel 35/Tax Account 08-0832147 and 08-0832154. Council Resolution 20 was introduced by Council Members Bland, Dean, Turner and Dernoga. Council Resolution 20 was referred to the Transportation, Housing and the Environment (THE) Committee.

THIS RESOLUTION REQUIRES A PUBLIC HEARING

Council Member Exum moved adoption of the Consent Agenda; seconded by Council Member Olson. The motion carried by voice vote.

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

No items were considered

Council Member Dernoga moved to accept additional items to the Agenda; seconded by Council Member Knotts. The motion carried by voice vote.

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

CB-7-2008 – AN ACT CONCERNING YOUTH COMMISSION for the purpose of amending provisions of the Code relating to the Youth Commission established by CB-19-2006, transferring certain administrative and staff support responsibilities.

- **INTRODUCED**

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 on Council Bill 7. Council Bill 7 was introduced by Council Members Bland, Dernoga and Olson. Council Bill 7 was favorably reported out of Health, Education and Human Services (HEHS) Committee on 03/13/2008.

4. **PUBLIC HEARING:**

CR-4-2008 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (DECEMBER 2007 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**

Pursuant to proper notice, the public hearing convened on Council Resolution 4. Margaret Schmid, Irene Fischer, Marva Jo Camp and Michael C. Nagy, Esq., spoke on Council Resolution 4. All person wishing to speak having done so, the public hearing was declared held.

TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE MEETING SCHEDULED FOR THURSDAY, APRIL 10, 2008 AT 10:00 A.M.

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

CR-9-2008 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the project submitted by Housing Options and Planning Enterprises, Inc. (“HOPE”), to the Maryland Department of Housing and Community Development for participation in the Department’s Community Investment Tax Credit Program. - **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 9. Council Resolution 9 was favorably reported out of the Transportation, Housing and the Environment (THE) Committee on 03/10/2008. Council Member Bland moved adoption of Council Resolution 9; seconded by Council Member Campos. The motion carried 8-0. (Council District 5 Vacant).

CR-10-2008 – A RESOLUTION CONCERNING JERICHO SENIOR LIVING CENTER for the purpose of approving \$1,000,000 HOME loan, the awarding of Low Income Housing Tax Credits (“LIHTCs”) by the State of Maryland Community Development Administration (“CDA”), and the amendment of the Prince George’s County “Annual Action Plan: FY 2007” (FY 2007 Annual Action Plan) to include the Jericho Senior Center (the “Jericho Project”). - **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 10. Council Resolution 10 was favorably reported out of the Transportation, Housing and the Environment (THE) Committee on 03/10/2008. Council Member Bland moved adoption of Council Resolution 10; seconded by Council Member Olson. The motion carried 8-0. (Council District 5 Vacant).

RECESS: - *Chairman Dean recessed the meeting at 11:05 A. M.*

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

- **SUBREGION I ADOPTED MASTER PLAN AND THE ENDORSED SECTIONAL (ZONING) MAP AMENDMENT - FAVORABLE RECOMMENDATION**

TRANSCRIPT ANALYSIS
(Continued from March 11, 2008)

- **CAPITOL HEIGHTS TRANSIT DISTRICT DEVELOPMENT PLAN AND TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT - NO ACTION**

TRANSCRIPT ANALYSIS

- **PRINCE GEORGE'S COUNTY PUBLIC SAFETY FACILITIES MASTER PLAN**
- **FAVORABLE RECOMMENDATION**

RECONVENE: - *Chairman Dean reconvened the meeting at 12:02 P.M.*

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-16-2008 – A RESOLUTION CONCERNING THE MASTER PLAN AND SECTIONAL MAP AMENDMENT FOR SUBREGION I (PLANNING AREAS, 60, 61, 62, AND 64 for the purpose of disapproving the adopted plan and sectional map amendment and returning it to the Planning Board for further consideration to the *Adopted Master Plan and Endorsed SMA for Subregion I (Planning Areas, 60, 61, 62, and 64)*, which defines long-range land use and development policies for guiding future development and sets forth the zoning to implement the land use policies within the Subregion I area bounded by the border of Montgomery County on the west; Howard County and City of Laurel on the north; Anne Arundel County, the Baltimore-Washington Parkway and MD 201 on the east; and Powder Mill Road and the Capital Beltway on the south.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 16 concerns the Master Plan and Sectional Map Amendment for Subregion I (Planning Areas, 60, 61, 62, and 64) for the purpose of disapproving the adopted plan and sectional map amendment and returning it to the Planning Board for further consideration. Council Resolution 16 was introduced by Council Members Dernoga and Dean. Council Member Dernoga moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 16; seconded by Council Member Knotts. The motion carried by voice vote. Council Member Dernoga moved adoption of Council Resolution 16; seconded by Council Member Knotts. The motion carried 8-0. (Council District 5 Vacant).

CR-17-2008 – A RESOLUTION CONCERNING THE CAPITOL HEIGHTS TRANSIT DISTRICT DEVELOPMENT PLAN (TDDP) AND TRANSIT DISTRICT OVERLAY ZONING (TDOZ) MAP AMENDMENT for the purpose of proposing amendments to the Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment and directing that a public hearing be held to receive testimony on the proposed amendments - **DEFERRED TO 04/08/2008**

CR-18-2008 - A RESOLUTION CONCERNING THE PRINCE GEORGE'S COUNTY PUBLIC SAFETY FACILITIES MASTER PLAN for the purpose of approving with amendments the Prince George's County Public Safety Facilities Master Plan.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 18 approves with amendments the Prince George's County Public Safety Facilities Master Plan. Council Resolution 18 was introduced by Council Members Exum, Knotts, and Dean. Council Member Knotts moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 18; seconded by Council Member Dernoga. The motion carried by voice vote. Council Member Knotts moved adoption of Council Resolution 18; seconded by Council Member Campos. The motion carried 8-0. (District 5 Vacant).

ADDITIONS TO THE AGENDA

1. **CONSENT AGENDA – (page 2) – 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-21-2008 - 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 Teresa Antonioli, Paul Antonioli and Vincent Antonioli to establish an agricultural district.

- **INTRODUCED**

Council Resolution 21 recommends that the Maryland Agricultural Land Preservation Foundation approve the petition of Teresa Antonioli, Paul Antonioli and Vincent Antonioli to establish an agricultural district, reference Tax Map 182/Grid F3/Parcel 35/Tax Account 08-0829101 and 08-08290. Council Resolution 21 was introduced by Council Members Bland, Turner, Dernoga, and Dean. Council Resolution 21 was referred to the Transportation, Housing and the Environment (THE) Committee.

THIS RESOLUTION REQUIRES A PUBLIC HEARING

DISTRICT COUNCIL ITEMS

(SEE SEPARATE ACTION AGENDA)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council

ADJOURN: - *Chairman Dean adjourned the meeting at 12:17 P.M.*

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

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council