

# ***ACTION MINUTES***

**Tuesday, September 7, 2004**

**Legislative Day No. 29**

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

### **AGENDA BRIEFING – (ROOM 2027)**

**CALL TO ORDER** - *Chairman Tony Knotts called to order at 10:10 a.m. with the following Council Members present:*

*Marilynn M. Bland  
Thomas E. Dernoga  
Camille A. Exum  
Tony Knotts  
Thomas R. Hendershot  
Douglas J. J. Peters  
Council District 2 (Vacant)  
Absent:  
Samuel H. Dean (out-on County Business)  
David C. Harrington (out with ill wife)*

*Others Present:*

*Barbara L. Holtz, Council Administrator  
Robert Williams, Jr., Associate Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Aisha Braveboy, County Council Liaison, Office of the County Executive  
Kim Shearin-Cotton, Associate County Attorney  
Jackie Brown, Committee Director, PZED*

**INVOCATION:** *The Invocation was led by Edwin H. Brown, Jr., Council Staff. Council Member Exum requested special prayers for Clarence and Lesley Dozier newly weds wishing them a successful marriage and for Cheryl Harrington recovery from surgery; Council Member Knotts for the victims of recent crime waves, our young people and our service men and women on distant shores; Council Member Bland for the family of Carol White on the death of her son-in-law killed in an accident.*

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

### **POINT OF PERSONAL PRIVILEGE:**

*Council Member Hendershot thanked the Legislative Branch for their generosity in the death of Carol White's son in law Brian.*

- \*\* *Council Member Peters moved to accept additional items to the Agenda; seconded by Council Member Exum. Motion carried by voice vote.*

**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.

**First Reading of Bills (Presentation)**

**CB-79-2004 – AN ACT CONCERNING HIGH TECHNOLOGY FACILITIES – TAX CREDIT** for the purpose of repealing Section 2 of Chapter 28, 2001 Laws of Prince George's County, Maryland, concerning the sunset provision relating to a property tax credit for certain manufacturing, fabrication, assembling, or research and development facilities. - **PRESENTED**

*Council Bill 79 was presented by the Chairman at the request of the County Executive and referred to Public Safety and Fiscal Management Committee (PSFM).*

**Introduction of Resolutions**

**CR-58-2004 – A RESOLUTION CONCERNING PRINCE GEORGE'S INTERGOVERNMENTAL NETWORK COMMUNITY COORDINATING COMMITTEE** for the purpose of designating the Prince George's Intergovernmental Network Community Coordinating Committee as the entity to manage the institutional network and to approve the Committee's Bylaws. **INTRODUCED**

*Council Resolution 58 designates the Prince George's Intergovernmental Network Community Coordinating Committee as the entity to manage the institutional network and approved the Committee's Bylaws. Council Resolution 58 was introduced by Council Members Dernoga and Peters and referred to Public Safety and Fiscal Management Committee (PSFM).*

**CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

*No Items were removed.*

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

*No Items were considered.*

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

**CB-36-2004 (DR-2) – AN ORDINANCE CONCERNING R-A ZONE** for the purpose of allowing gas stations in the R-A Zone under certain circumstances. -

**PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 36. Mr. Dan Lynch spoke in support of the measure. All persons wishing to speak having done so, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

**CB-46-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS AND INTERDEPARTMENTAL TRANSFER OF APPROPRIATIONS** for the purpose of declaring additional revenue and transferring surplus appropriations reflecting savings from various County departments. -

**PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 46. No persons wishing to speak, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

**CB-47-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of appropriating additional revenue to the General Fund to the Information Technology Internal Service Fund to provide funds for costs that were not anticipated in the Approved Fiscal Year 2003-2004 Budget for the Information Technology Service Fund. - **PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 47. No persons wishing to speak, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

**CB-48-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of appropriating additional revenue from available and uncommitted fund balance to the Drug Enforcement and Education Special Revenue Fund, and to provide funds for costs that were not anticipated in the Approved Fiscal Year 2003-2004 Budget for the Drug Enforcement and Education Special Revenue Fund. - **PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 48. No persons wishing to speak, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

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

**CB-49-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of appropriating additional revenue from available and uncommitted fund balance to the Collington Center Special Revenue Fund, and to provide funds for costs that were not anticipated in the Approved Fiscal Year 2003-2004 Budget for the Collington Center Special Revenue Fund. - **PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 49. No persons wishing to speak, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

**CB-50-2004 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of appropriating additional revenue from available and uncommitted fund balance to the Fleet Management Internal Service Fund, and to provide funds for costs that were not anticipated in the Approved Fiscal Year 2003-2004 Budget for the Fleet Management Internal Service Fund. - **PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 50. No persons wishing to speak, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

**CB-53-2004 – (SUBDIVISION BILL) – AN ACT CONCERNING SUBTITLE 24, SUBDIVISIONS** for the purpose of adopting and publishing Subtitle 24, of the 2003 Edition of the Prince George's County Code. - **PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 53. No persons wishing to speak, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

**CB-62-2004 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION STORMWATER MANAGEMENT BONDS** in an amount not to exceed \$2,418,000. - **PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 62. No persons wishing to speak, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

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

**CB-74-2004 – AN ACT CONCERNING AN INTERPROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2005 CAPITAL BUDGET** for the purpose of transferring appropriations between capital projects in the amount of \$1,603,000 from various projects to the County Buildings – Major Renovations Fund. - **PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

*Pursuant to public notice, the public hearing convened on Council Bill 74. No persons wishing to speak, the public hearing was declared held. Chairman Knotts announced that final action would be deferred for this item.*

**RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)**

**CR-48-2004 (DR-2) – A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS** for the purpose of funding from grants in the amount of \$4,104,549 to the Health Department, Office of the Sheriff, Department of Environmental Resources, Department of Housing and Community Development, Police Department, Office of Human Resources Management, Office of Homeland Security, Non-Departmental, Department of Corrections, Fire Department/EMS, Circuit Court and the Department of Family Services. - **DR-2 SUBSTITUTED; ADOPTED**

*Council Resolution 48 was introduced by Council Member Knotts on June 22, 2004 and was favorably reported out of the Committee of the Whole on July 21, 2004 with amendments. Council Member Peters moved to substitute Draft 2 in lieu of Draft 1; seconded by Council Member Hendershot. The motion carried by voice vote. Council Member Hendershot moved adoption of Council Resolution 48; seconded by Council Member Dernoga. The motion carried 5-1 (Opposed: Council Member Exum; Absent: Council Member Dean and Harrington; Council District 2 vacant.)*

**COMMITTEE OF THE WHOLE – C.O.W. HELD**

**CB-80-2004 – AN ACT CONCERNING HOMESTEAD PROPERTY TAX CREDIT** for the purpose of establishing the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2005, as required by State law. - **FAVORABLE RECOMMENDATION**

*Council Member Hendershot moved a favorable recommendation for Council Bill 80; seconded by Council Member Bland. The motion carried 5-1 (Opposed: Council Member Dernoga; Absent: Council Members Dean and Harrington; Council District 2 vacant.)*

**SECOND READING OF BILLS (INTRODUCTION)**

**CB-80-2004 – AN ACT CONCERNING HOMESTEAD PROPERTY TAX CREDIT** for the purpose of establishing the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2005, as required by State law. - **INTRODUCED**

*Council Bill 80 as proposed by the Chairman at the request of the County Executive, establishes the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2005, as required by State law. Council Bill 80 was favorably reported out of the Committee of the Whole earlier on this date.*

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

*No Persons wished to Address the Council*

**ADJOURNED:** - *Chairman Knotts adjourned the meeting at 10:35 a.m.*

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

Discussion of pending litigation in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (8)

**GENERAL ASSEMBLY COMMITTEE MEETING – (ROOM 2027) - CANCELLED****BRIEFING – (ROOM 2027) - CANCELLED**

**INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED FOR MONDAY, SEPTEMBER 13, 2004**

**Prepared by:**

**Submitted by:**

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Donna J. Brown, Deputy Clerk

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Redis C. Floyd, Clerk of the Council