

ACTION MINUTES

Tuesday, November 4, 2003

Legislative Day No. 37

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027)

CALL TO ORDER – *Chairman Peter A. Shapiro called to order at 10:16 a.m. with the following Council Members present:*

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

Others Present:

*Barbara L. Holtz, 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*

INVOCATION - *Pastor Ben Slye, Christian Life Center Church, Riverdale, Maryland. Special prayer was requested for members of the armed services and their families and to the family of Walter Washington, former Mayor of Washington DC.*

PLEDGE OF ALLEGIANCE – *The pledge was led by Vice-Chairman Knotts.*

- **** *Council Member Knotts moved to accept additional items to the agenda; seconded by Council Member Harrington. The motion carried by voice vote.*

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

- (a) Proposed correspondence to Elizabeth M. Hewlett, Chairman, Prince George's County Planning Board, concurring with the Planning Board's request for a one month extension for preparing the preliminary sector plan for the Prince George's County Gateway Arts District. - **CHAIRMAN AUTHORIZED TO SIGN**

The Chairman, by request of the County Executive, proposed that a letter be sent to Elizabeth M. Hewlett concurring with the Planning Board's request for a one-month extension for preparing the Preliminary Sector Plan for the Gateway Arts District. Council Member Hendershot moved to authorize the Chairman's signature; seconded by Council Member Peters. The motion carried 9-0.

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

CB-63-2003 (DR-3) – AN ACT CONCERNING PROPERTY TAX CREDIT – SURVIVING SPOUSE OF A FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER for the purpose of providing for a tax credit for a dwelling owned by the surviving spouse of a fallen law enforcement officer or rescue worker. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Hendershot, Dean, Exum, Knotts, Dernoga, Harrington, Peters and Shapiro on 10/7/2003; favorably reported out of PSFM on 9/24/2003 with amendments)

Pursuant to proper notice, the public hearing convened on Council Bill 63, Draft 3. Mr. Purcell Austin spoke in support of the measure. All persons wishing to speak having done so, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 63, Draft 3; seconded by Council Member Dernoga. The motion carried 9-0.

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

CB-68-2003 – AN ACT CONCERNING THE CREATION OF A SCHOOL CAPITAL

PROJECT for the purpose of adding a school capital project to the Approved Fiscal Year 2004 Capital Budget by transferring appropriations in the amount of \$5,000,000 from the Contingency Fund and amending the Approved Fiscal Year 2004-2009 Capital Improvement Program with regard to expenditures and financing beyond the budget year.

(Introduced by Council Members Shapiro, Bland, Hendershot and Knotts on 10/14/2003; favorably reported out of PSFM on 10/8/2003) - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 68. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 68; seconded by Council Member Knotts. The motion carried 9-0.

CB-69-2003 (DR-2) – AN ACT CONCERNING AN INTERPROJECT TRANSFER OF

APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2004 CAPITAL BUDGET for the purpose of transferring appropriations between capital projects in the amount of \$1,050,000 from the Contingency Fund to the Samuel P. Massie Elementary School capital project. -

PUBLIC HEARING HELD; ENACTED

(Introduced by Council Members Bland, Exum, Dean, Harrington and Peters on 10/14/2003; favorably reported out of PSFM on 10/8/2003 with amendments)

Pursuant to proper notice, the public hearing convened on Council Bill 69, Draft 2. No persons wishing to speak, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 69, Draft 2; seconded by Council Member Knotts. The motion carried 9-0.

CB-74-2003 – AN ACT CONCERNING BOARD OF APPEALS

for the purpose of amending the schedule of filing fees to be paid to the Board of Appeals when submitting appeals or variance applications. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Dean, Exum and Peters on 10/14/2003; favorably reported out of PSFM on 10/8/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 74. No persons wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 74; seconded by Council Member Peters. The motion carried 9-0.

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

**CB-88-2003 – AN ACT CONCERNING MARYLAND-NATIONAL CAPITAL PARK
AND PLANNING COMMISSION CAPITAL BUDGET FOR FISCAL YEAR 2003-2004
AND CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2004-2009** for the purpose of amending the Prince George's County portion of the Maryland-National Capital Park and Planning Commission Capital Budget for Fiscal Year 2003-2004 and Capital Improvement Program for Fiscal Years 2004-2009 to add one project in the Commission's Capital Improvement Program. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Peters, Dernoga and Dean on 10/7/2003; favorably reported out of PZED on 10/14/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 88. No persons wishing to speak, the public hearing was declared held. Council Member Knotts moved enactment of Council Bill 88; seconded by Council Member Dean. The motion carried 9-0.

3 **PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING
(ADOPTION)**

**CR-61-2003 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION** for the purpose of transferring certain appropriations and expenditures between two development projects in the Approved Maryland-National Capital Park and Planning Commission's FY2003-2004 Capital Budget and Fiscal Years 2004-2009 Capital Improvement Program. - **PUBLIC HEARING HELD; ADOPTED**

(Introduced by Council Members Peters, Dean and Dernoga on 10/7/2003; favorably reported out of PZED on 10/14/2003)

Pursuant to proper notice, the public hearing convened on Council Resolution 61. No persons wishing to speak, the public hearing was declared held. Council Member Harrington moved enactment of Council Resolution 61; seconded by Council Member Dean. The motion carried 9-0.

4 **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD; ALL APPOINTEES CONFIRMED**
(NOMINATION OF LARRY A. GAMBLE WITHDRAWN BY THE COUNTY EXECUTIVE)

Appointment of the following individuals to the Advisory Committee on Aging for Prince George's County:

Mr. Michael Herman, Chief of Staff, introduced the nominees to the Council and spoke regarding the credentials of each. He expressed the County Executive's support for their confirmations and stated that the Executive was attending the funeral of Ms. Sue Mona and long time organizer of the Christmas in April Program for Prince George's County.

Due to the number of appointees, Chairman Shapiro announced that one public hearing would be held for all of the nominees. Pursuant to proper notice, the public hearing convened on all members of the Advisory Committee on Aging. Each candidate, with the exception of Ms. Judith G. Cato and Mr. Larry A. Gamble, addressed the Council, briefly speaking to their intentions as a member of the advisory committee. The Honorable Gwendolyn Britt, State Senator, spoke in support of confirmation of Ms. Amber P. Waller and Ms. Karen J. Pope-Onwukwe and Ms. Melanie Garret spoke in support of confirmation of Ms. Shirley D. Tyner-Pratt. All persons wishing to speak having done so, the public hearing was declared held.

Ms. Mary H. Budd	Appointment/Senior Citizen Replacing: William Staggs Term Expiring: 2/1/2006
Mr. Albert R. Byrd	Appointment/Senior Citizen Replacing: Melvin Chalet Term Expiring: 2/1/2006
Ms. Ela E. Holmes	Appointment/Senior Citizen Replacing: Delores King Term Expiring: 2/1/2005
Mr. James R. Lyles, Sr.	Appointment/Senior Citizen Replacing: Wilbert Williams Term Expiring: 2/1/2005
Mr. James Marsh	Appointment/Senior Citizen Replacing: Rufus Childs Term Expiring: 2/1/2005
Ms. Shirley D. Tyner-Pratt	Appointment/Senior Citizen Replacing: Janet Eberhardt Term Expiring: 2/1/2004
Mr. Herman F. Roebuck	Appointment/Senior Citizen Replacing: Zella Lighter Term Expiring: 2/1/2004

4 **PUBLIC HEARINGS - Appointment of the following individuals to the Advisory Committee on Aging for Prince George's County: (CONTINUED)**

Mr. Claudius D. Walker	Appointment/Senior Citizen Replacing: Mary Reese Term Expiring: 2/1/2006
Ms. Esther E. Christian	Appointment/General Public Replacing: Helen Cordero Term Expiring: 2/1/2005
Mr. Abu B. Conteh	Appointment/General Public Replacing: Louise Blauvelt Term Expiring: 2/1/2006
Ms. Jeanette E. Higginbotham	Appointment/General Public Replacing: Diane Guinyard Term Expiring: 2/1/2006
Ms. Lydia G. McDaniel	Appointment/General Public Replacing: Linda Keperling Term Expiring: 2/1/2004
Ms. Ethel L. Mitchell	Appointment/General Public Replacing: Carol Bergmann Term Expiring: 2/1/2005
Ms. Karen J Pope-Onwukwe	Appointment/General Public Replacing: Patricia House Term Expiring: 2/1/2004
Ms. Denise J. Stackhouse	Appointment/General Public Replacing: Deborah McBroom Term Expiring: 2/1/2004
Ms. Amber P. Waller	Appointment/General Public Replacing: Gail Bagaria Term Expiring: 2/1/2005
Ms. Shuron Baldwin	Appointment/Public-NonProfit Replacing: Patricia Johns Term Expiring: 2/1/2006
Ms. Christal Parker Batey	Reappointment/Public-Nonprofit Term Expiring: 2/1/2006
Ms. Judith G. Cato (unable to attend)	Reappointment/Public-Nonprofit Term Expiring: 2/1/2006

4 **PUBLIC HEARINGS - Appointment of the following individuals to the Advisory Committee on Aging for Prince George's County: (CONTINUED)**

Ms. Tamitha M. Christian	Appointment/Public-Nonprofit Replacing: Susan Worthington Term Expiring: 2/1/2005
Ms. Camille M. Crawford	Reappointment/Public-Nonprofit Term Expiring: 2/1/2006
Ms. Patricia C. Fletcher	Appointment/Public-Nonprofit Replacing: Carmen Marceau Term Expiring: 2/1/2004
Mr. Larry A. Gamble (withdrawn)	Appointment/Public-Nonprofit Replacing: Angela Heavens Term Expiring: 2/1/2005
Ms. Angelina U. Okoli	Appointment/Public-Nonprofit Replacing: Dr. Paul DeVore Term Expiring: 2/1/2004

****** *Council Member Knotts moved confirmation of the above named individuals to the Advisory Committee on Aging for Prince George's County (excluding Mr. Larry A. Gamble, who's nomination was withdrawn by the County Executive), terms as listed; seconded by Council Member Harrington. The motion carried 8-0 (Absent: Council Member Dernoga).*

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN – *Chairman Shapiro adjourned the meeting at 11:30 a.m.*

COMMITTEE OF THE WHOLE – (ROOM 2027) – CB-99 ADDED – Chairman Shapiro convened the Committee of the Whole at 11:35 a.m. and concluded at 12:00 p.m. (See Administrative Day File dated November 4, 2003 for details).

CB-96-2003 – AN ACT CONCERNING GLENN DALE HOSPITAL TRANSFER for the purpose of approving a transfer of the title and control of property known as the Glenn Dale Hospital property from the Maryland-National Capital Park and Planning Commission to the Revenue Authority of Prince George's County. - **HELD**

(Introduced by Council Members Hendershot and Peters on 10/21/2003)

Council Member Peters requested that Council Bill 96 be held in committee and rescheduled for consideration. The request was granted by consensus. Chairman Shapiro announced that the Public Hearing for Council Bill 96 would occur November 18, 2003 at 10:00 a.m.

CB-97-2003 – AN ACT CONCERNING LAND ACQUISITION FOR MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of authorizing the Maryland-National Capital Park and Planning Commission to acquire three parcels of land consisting of approximately 99.8786 acres more or less of unimproved land from MIE Acquisitions, LLC for public use purposes. - **FAVORABLE RECOMMENDATION**

(Introduced by Council Members Peters, Shapiro, Dean, Exum, Dernoga, Harrington and Knotts on 10/28/2003)

Council Member Peters moved a favorable recommendation for Council Bill 97; seconded by Council Member Knotts. The motion carried 8-1 (Opposed: Council Member Bland). Chairman Shapiro announced that the public hearing for Council Bill 99 would occur November 25, 2003 at 10:00 a.m.

CB-99-2003 – AN EMERGENCY ACT CONCERNING LAND ACQUISITION FOR MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of authorizing the Maryland-National Capital Park and Planning Commission to acquire three parcels of land consisting of approximately 99.8786 acres more or less of unimproved land from Maryland Science and Technology Center II, LLC for public use purposes. - **ADDED TO C.O.W. AGENDA; FAVORABLE RECOMMENDATION**

Council Member Peters moved a favorable recommendation for Council Bill 99; seconded by Council Member Knotts. The motion carried 8-1 (Opposed: Council Member Bland). Chairman Shapiro announced that the public hearing for Council Bill 99 would occur November 25, 2003 at 10:00 a.m.

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

**TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE – (ROOM
2027) -- COMMITTEE MEETING HELD**

Prepared by:

Donna J. Brown, Office Manager

Submitted by:

Redis C. Floyd, Clerk of the Council