

ACTION ~~AGENDA~~ MINUTES

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Wednesday, July 21, 2004

Business Meeting

(Legislative Day No. 26 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND AND SITTING AS THE BOARD OF HEALTH

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

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CALL TO ORDER – *Chairman Knotts called to order at 10:15 a.m. with the following Council Members present:*

*Samuel H. Dean
Camille A. Exum
Tony Knotts
Douglas J. J. Peters
Thomas E. Dernoga
Council District 2 (Vacant)*

Late: David C. Harrington (arrived at 10:27)

*Absent: Marilyn M. Bland
Thomas R. Hendershot)*

*Others Present:
Barbara L. Holtz, Council Administrator
Craig S. Price, Deputy Council Administrator
Karen Zavakos, Assistant Legislative Officer
Colette Gresham, Assistant Legislative Officer
Kathy Canning, Associate County Attorney
Aisha Braveboy, County Council Liaison, Office of the County Executive
Jackie Brown, Committee Director (PZED)
Sandra Eubanks, Committee Director (HEHS & THE)*

INVOCATION: *The Invocation was led by Reverend Robert Lennon, Calvary Alliance Church, Laurel, Maryland.*

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

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DESIGNATION OF JULY 21, 2004 AS LEGISLATIVE DAY NO. 26

Chairman Knotts designated July 21, 2004 as legislative Day number twenty-six.

POINT OF PERSONAL PRIVILEGE:

Chairman Knotts recognized Daughter of Deborah 'Rites of Passage', Ms. Claudia Clemenson, Founder & Director was accompanied by a group of 10-14 year old youth who visit with the Council today.

** Council Member Dean moved to accept an additional item to the; seconded by Council Member Exum. The motion carried by voice vote.

SECOND READING OF BILLS (INTRODUCTION)

CB-36-2004 – AN ORDINANCE CONCERNING R-A ZONE for the purpose of allowing gas stations in the R-A Zone under certain circumstances. - **DEFERRED TO 07/27/2004**

Chairman announced that Introduction of this item would be deferred to July 27, 2004.

PUBLIC HEARING:

CR-41-2004 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (APRIL 2004 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 41. Mr. Thomas Haller, Mr. James Trent, Ms. Jennifer Everly, Mr. Wesley Tucker, MR. Leo Bruso, Mr. Norman Rivera, Mr. William Shipp and Mr. Sebastian Murray spoke to the legislation. All persons wishing to speak having done so, the public hearing was declared held. Chairman Knotts announced that Council Resolution 41 would be considered during the Transportation, Housing and the Environment Committee work session scheduled to be held on July 21, 2004.

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING (ENACTMENT)

CB-21-2004 (DR-2) – AN ORDINANCE CONCERNING AREA REQUIREMENTS FOR LANDSCAPING CONTRACTOR'S BUSINESS for the purpose of reducing the minimum area requirements for landscaping contractor's business under certain circumstances. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 21. Mr. Edward Gibbs spoke in support of the measure. All persons wishing to speak having done so, the public hearing was declared held. Council Member Peters moved to enact Council Bill 21; seconded by Council Member Dean. The motion carried 6-0 (Absent: Council Members, Bland, Hendershot and Council District 2 vacant)

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RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION) – *Chairman Knotts announced that the Council would now sit as the Board of Health.*

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CR-45-2004 (DR-2) – A RESOLUTION CONCERNING SCHEDULE OF FEES for the purpose of amending certain fees in the County Onsite Sewage Disposal Regulations. - **DR-2 SUBSTITUTED; ADOPTED**

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Council Member Exum, as Chair of the Health Education and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee. Council Resolution 45 was introduced by Council Member Knotts on June 22, 2004 and favorably reported out of the Health Education and Human Services Committee (HEHS) on July 7, 2004 with amendments. Council Member Peters moved to substitute Draft 2 of Council Resolution 45, in lieu of Draft 1; seconded by Council Member Dernoga. The motion carried by voice vote (Absent: Council Members Bland and Hendershot, Council District 2 – vacant). Council member Peters moved adoption of Council Resolution 45, Draft 2; seconded by Council Member Harrington. The motion carried 6-0 (Absent: Council Members Bland and Hendershot, Council District 2 – vacant).

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CR-46-2004 (DR-2) – A RESOLUTION CONCERNING SWIMMING POOL AND SWIMMING POOL OPERATOR FEES for the purpose of revising a schedule of licensing fees for public swimming pools and public swimming pool operators. - **DR-2 SUBSTITUTED; ADOPTED**

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Council Member Exum as Chair of the Health, Education and Human Services Committee provided a verbal report of the actions and recommendations of the Committee. ~~Council Resolution 46 revises a schedule of licensing fees for public swimming pools and public swimming pool operators.~~ Council Resolution 46 was introduced by Council Member Knotts on ~~06/22/2004~~ June 22, 2004 -and was favorably reported out of the Health, Education and Human Services (HEHS)-Committee (HEHS)-on July 7, 2004 ~~07/07/2004~~ with amendments. Council Member Dean moved to substitute Draft 2 in lieu of Draft 1; seconded by Council Member Dernoga. ~~The m~~ Motion carried by voice vote (Absent: Council Members Bland and Hendershot, Council District 2 – vacant). Council Member Dean moved adoption of Council Resolution 46; seconded by Council Member Dernoga. ~~The m~~ Motion carried 6-0. (Absent: Council Members Bland and Hendershot, Council District 2 – vacant).~~(Absent: Council Members Bland, Hendershot and Council District 2 vacant.~~

****** *Chairman Knotts announced that the Council would reconvene in County Council Session.*

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CR-50-2004 – A RESOLUTION CONCERNING TRANSFERS OF APPROPRIATION BETWEEN AGENCIES OF PRINCE GEORGE'S COUNTY, TRANSFERS BETWEEN AND WITHIN MAJOR CATEGORIES OF THE BOARD OF EDUCATION AND TRANSFERS OF APPROPRIATIONS BETWEEN CAPITAL IMPROVEMENT PROJECTS for the purpose of delineating the Prince George's County Council's policy that all agencies including the Board of Education must follow the Charter and State law requirements concerning adjustments to the approved budget. - **ADOPTED**

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INTRODUCED; RULES SUSPENDED; AMENDED; DR-2 ADOPTED

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~~Council Resolution 50 seeks to obtain timely information about adjustments to the complete financial plan of the County, which includes the Annual Budget and Appropriation Ordinance (CB-33-2004) as well as the Capital Budget and the Six Year Capital Improvement Program together with any adjustments necessary during the fiscal year.~~ Council Resolution 50 was introduced by Council Members Peters, Dean, Exum, Bland, Dernoga and Harrington on July 6, 07/06/2004. Council Member Peters moved to substitute Draft 2 in lieu of Draft 1;~~seconded;~~ seconded by Council Member Harrington. The m~~M~~otion carried by voice vote (Absent: Council Members Bland and Hendershot, Council District 2 – vacant). Council Member Peters moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 50; ~~seconded~~ by Council Member Exum. The m~~M~~otion carried by voice vote (Absent: Council Members Bland and Hendershot, Council District 2 – vacant). Council Member Peters moved adoption of Council Resolution 50; ~~seconded~~ by Council Member Exum. The m~~M~~otion carried 6-0 (Absent: Council Members Bland and Hendershot, Council District 2 – vacant).~~(Absent: Council Members Bland, Hendershot and Council District 2 vacant).~~

ADDITION TO THE AGENDA**INTRODUCTION AND ADOPTION OF RESOLUTIONS – (ADDED TO THE AGENDA)**

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CR-55-2004 – A RESOLUTION CONCERNING SPECIAL ELECTION TO FILL A COUNCIL VACANCY for the purpose of directing that a special election be held to fill a vacancy on the County Council and to establish the dates for conducting the special primary election, the special election, and the deadline for the certification of candidacy. ~~–~~ **INTRODUCED; RULES SUSPENDED; ADOPTED**

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Council Resolution 55, as proposed by Chairman Knotts, ~~requires~~ that a special election be held to fill a vacancy on the County Council and ~~to establish~~ the dates for conducting the special primary election, the special election, and the deadline for the certification of candidacy. Council Resolution 55 was introduced by Council Member s Knotts, Dean, Exum and Peters. Council Member Harrington moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 55; ~~seconded~~ by Council Member Exum. The m~~M~~otion carried by voice vote (Absent: Council Members Bland and Hendershot, Council District 2 – vacant). Council Member Dean moved adoption of Council Resolution 55; ~~seconded~~ by Council Member Exum. The m~~M~~otion carried 6-0 (Absent: Council Members Bland and Hendershot, Council District 2 – vacant).~~– Absent: Council Members Bland, Hendershot and Council District 2 vacant.~~

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REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

~~None~~No persons wished to address the Council.

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Prior to adjourning, Council Member Exum 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) (ii); seconded by Council Member Dean. The motion carried 6-0 (Absent: Council

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Members Bland and Hendershot, Council District 2 – vacant).

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ADJOURNED – Chairman Knotts adjourned *the meeting* at 10:58 a.m.

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

~~Discussion of personnel issues in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (1) (i) (ii).~~

COMMITTEE OF THE WHOLE – (ROOM 2027) – Chairman Knotts convened the Committee of the Whole at 11:35 a.m.

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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. ~~–~~

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FAVORABLE WITH RECOMMENDED TECHNICAL AMENDMENTS

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Council Member moved a favorable recommendation for Council Bill 46, with technical amendments; seconded by Council Member. The motion carried.

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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. ~~–~~ **FAVORABLE**

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Council Member moved a favorable recommendation for Council Bill 47; seconded by Council Member. The motion carried

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. ~~–~~ **FAVORABLE**

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Council Member moved a favorable recommendation for Council Bill 48; seconded by Council Member. The motion carried

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. **- FAVORABLE WITH RECOMMENDED TECHNICAL AMENDMENTS**

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Council Member moved a favorable recommendation for Council Bill 49, with technical amendments; seconded by Council Member. The motion carried

COMMITTEE OF THE WHOLE – (ROOM 2027) – (CONTINUED)

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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. **- FAVORABLE**

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Council Member moved a favorable recommendation for Council Bill 50; seconded by Council Member. The motion carried

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. **- FAVORABLE**

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Council Member moved a favorable recommendation for Council Bill 74; seconded by Council Member. The motion carried

CR-48-2004 - A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of funding from grants in the amount of \$4,167,549 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/EMS Department, Circuit Court and the Department of Family Services. **- FAVORABLE WITH AMENDMENTS**

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Council Member moved a favorable recommendation for Council Resolution 48, with amendments; seconded by Council Member. The motion carried

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Chairman Knotts concluded the Committee of the Whole at 12:28 p.m.

HEALTH, EDUCATION & HUMAN SERVICES COMMITTEE MEETING (ROOM 2027)
-- CANCELLED

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

BRIEFING – (ROOM 2027) -- CANCELLED

**INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED
FOR MONDAY, JULY 26, 2004**

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Prepared By: Submitted By:

Donna J. Brown, Office Manager Redis C. Floyd, Clerk of the Council

Prepared by: Submitted by:

Donna J. Brown, Deputy Clerk Redis C. Floyd, Clerk of the Council