

# ***AGENDA MINUTES***

**Tuesday, September 9, 2008**

**Business Meeting**

**(Legislative Day No. 25 to be declared)**

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

*A motion to convene into Executive Session in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (7), (8) was made on 9/8/2008 during District Council Session by Council Member Exum; seconded by Council Member Knotts. The motion carried 9-0*

**11:15  
A.M.**

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

- (a) Discussion of pending litigation and to consult with counsel to obtain legal advice in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (7), (8).

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

**CALL TO ORDER:** - *Chairman Dean called to order at 1:44 P.M. with the following Council Members present:*

*Marilynn M. Bland  
Will Campos  
Samuel H. Dean  
Thomas E. Dernoga  
Camille A. Exum  
Andrea C. Harrison  
Tony Knotts (arrived at 1:50 P.M.)  
Eric C. Olson  
Ingrid M. Turner*

#### *Others Present:*

*Craig S. Price, Council Administrator  
Robert J. Williams Jr., Deputy Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Steve Gilbert, Principal Counsel to District Council  
Todd Turner, Legislative Officer  
Jackie Brown, PZED Committee Director  
Hawi Sanu, THE Committee Director  
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 Ralph E. Grutzmacher, County Employee. Council Member Bland requested special prayers for her Administrative Aide, Demetria Robinson, involved in an automobile accident; for the family of Carl Barnett in the loss of his mother; for her brothers Aaron, John and Larry and all the soldiers serving in Iraq. Council Member Olson for the family of Jim Schultz, a resident of College Park, in his passing.*

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

**DESIGNATION OF SEPTEMBER 9, 2008 AS LEGISLATIVE DAY NO. 25**  
*Chairman Dean designated September 9, 2008 as Legislative Day number 25*

**POINT OF PERSONAL PRIVILEGE:**

*Council Member Campos welcomed citizens from the Cora B. Woods Senior Center and other senior citizens in the area.*

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) Approval of County Council Minutes

- **APPROVED**

- (b) **First Reading of Bills (Presentation)**

**CB-57-2008 - AN ACT CONCERNING THE PRINCE GEORGE'S COUNTY CODE (2007 EDITION)** for the purpose of adopting and publishing the 2007 Edition of the Prince George's County Code. - **PRESENTED**

*Council Bill 57 was presented by Council Member Dean and referred to the Committee of the Whole (COW).*

**CB-58-2008 - AN ACT CONCERNING SUBTITLE 24, SUBDIVISIONS** for the purpose of adopting and publishing Subtitle 24, Subdivisions, of the 2007 Edition of the Prince George's County Code. **PRESENTED**

*Council Bill 58 was presented by Council Member Dean and referred to the Committee of the Whole (COW).*

**CB-59-2008 - AN ORDINANCE CONCERNING SUBTITLE 27 – ZONING**

**ORDINANCE** for the purpose of adopting and publishing the 2007 Edition of the Zoning Ordinance of Prince George’s County, Maryland, being also Subtitle 27 of the Prince George’s County Code. - **PRESENTED**

*Council Bill 59 was presented by Council Member Dean and referred to the Committee of the Whole (COW).*

**CB-60-2008 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY**

for the purpose of eliminating and adding certain classes of work.

- **PRESENTED**

*Council Bill 60 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CB-61-2008 - AN ACT ENABLING THE COUNTY TO PARTICIPATE IN THE STATE OF MARYLAND’S BROWNFIELDS REVITALIZATION INCENTIVE**

**PROGRAM** for providing a property tax credit for the redevelopment of certain brownfields properties; and generally providing for a brownfields property tax credit as authorized by State law. - **PRESENTED**

*Council Bill 61 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

(c) **Introduction of Resolutions**

**CR-76-2008 – A RESOLUTION CONCERNING DEBT MANAGEMENT POLICY** for the purpose of adopting a Debt Management Policy for Prince George’s County to provide guidelines for the issuance of bonds and other forms of indebtedness to finance capital improvements, equipment acquisition and other related services. - **INTRODUCED**

*Council Resolution 76 serves the purpose of adopting a Debt Management Policy for Prince George’s County to provide guidelines for the issuance of bonds and other forms of indebtedness to finance capital improvements, equipment acquisition and other related services. Council Resolution 76 was introduced by Council Member Dean and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CR-77-2008 – A RESOLUTION CONCERNING SPECIFICATIONS AND STANDARDS**

for the purpose of amending the “General Specifications and Standards for Highway and Street Construction” and the “Specifications and Standards for Highway Traffic Signals” of the Department of Public Works and Transportation. - **INTRODUCED**

*Council Resolution 77 approves amendments to the "General Specifications and Standards for*

*Highway and Street Construction" and the "Specifications and Standards for Highway Traffic Signals" of the Department of Public Works and Transportation ("DPW&T"). Council Resolution 77 was introduced by Council Member Dean, Knotts and Dernoga. Council Resolution 77 was referred to the Transportation, Housing and the Environment (THE) Committee.*

*Council Member Exum moved adoption of the Consent Agenda; seconded by Council Member Turner. 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**

- (a) Proposed correspondence to Mr. William G. Robertson, President, CEO. Adventist Health Care, in support of plans to relocate hospital and expand health care services.  
 - **REFERRED TO THE HEALTH, EDUCATION AND HUMAN SERVICES (HEHS) COMMITTEE**

*Council Member Dean referred this correspondence to the Health, Education and Human Services (HEHS) Committee for consideration.*

- (b) Proposed correspondence to the Honorable Samuel J. Parker, Chairman, Maryland-National Capital Park and Planning Commission, supporting an extension of the plan preparation schedule for the Marlboro Pike Sector Plan and Sectional Map Amendment (SMA).  
 - **CHAIRMAN AUTHORIZED TO SIGN**

*A letter was proposed for sending to the Honorable Samuel J. Parker, Chairman, Maryland-National Capital Park and Planning Commission, supporting an extension of the plan preparation schedule for the Marlboro Pike Sector Plan and Sectional Map Amendment (SMA). Council Member Exum moved to authorize the Chairman's signature; seconded by Council Member Knotts. The motion carried 9-0.*

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

**CB-32-2008 (DR-3) – AN ORDINANCE CONCERNING RESIDENTIAL ZONES** for the purpose of defining a Conservation Subdivision, a Public Benefit Conservation Subdivision, permitting a Public Benefit Conservation Subdivision in the R-R Zone and establishing bulk regulations for this use. - **PUBLIC HEARING HELD; AMENDED; DR-4 ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 32 (DR-3). Council Bill 32 was introduced by Council Member Dernoga on 7/23/2008 and was favorably reported out of the Planning, Zoning and Economic Development (PZED) on 6/18/2008 with amendments. Leo Brusco, Land & Commercial, Inc., spoke to the language on page 2 line 31.*

*All persons wishing to speak having done so, the public hearing was declared held. Council Member Dernoga moved amendment number 1; seconded by Council Member Exum. The motion carried by voice vote. Council Member Dernoga moved enactment of Council Bill 32 (DR-4) as amended; seconded by Council Member Exum. The motion carried 9-0.*

**CB-33-2008 (DR-3) – AN ACT CONCERNING SUBDIVISIONS** for the purpose of establishing requirements, procedures and standards for Public Benefit Conservation Subdivisions and amending certain provisions for conservation subdivisions.

- **PUBLIC HEARING HELD; AMENDED; DR-4 ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 33 (DR-3). Council Bill 33 was introduced by Council Members Dernoga and Dean on 7/23/2008 and was favorably reported out of the Planning, Zoning and Economic Development (PZED) on 6/18/2008 with amendments. Michael S. Nagy, Esq., spoke on behalf of numerous rural tier property owners. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dernoga moved amendment number 1; seconded by Council Member Exum. The motion carried by voice vote. Council Member Dernoga moved enactment of Council Bill 33 (DR-4) as amended; seconded by Council Member Olson. The motion carried 9-0.*

**CB-44-2008 – AN ACT CONCERNING ELECTRICAL CODE** for the purpose of amending the Electrical Code to remove provisions requiring the color coding of the armor or metal shell of type AC, HFC and MC electrical cables when installed in buildings of Type I and II construction. - **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 44. Council Bill 44 was introduced by Council Members Dean and Dernoga on 7/15/2008 and was favorably reported out of Transportation, Housing and the Environment (THE) Committee on 7/10/2008. Ken Moore, Bill Murphy, David Huska, Bruce Johnston and Barry Blumberg spoke in support of Council Bill 44. Council Member Bland moved enactment of Council Bill 44; seconded by Council Member Olson. The motion carried 9-0.*

**CB-48-2008 (DR-2) – 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, 2009.

- **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 48 (DR-2). No persons wishing to speak, the public hearing was declared held. Council Bill 48 was introduced by Council Member Dean on 7/23/2008 and was favorably reported out of the Public Safety and Fiscal Management (PSFM) Committee on 7/14/2008. Council Member Exum moved enactment of Council Bill 48; seconded by Council Member Bland. The motion carried 9-0.*

5. **PUBLIC HEARING:**

**CR-74-2008 - A RESOLUTION CONCERNING FY 2002 – 2011 TEN YEAR SOLID WASTE MANAGEMENT PLAN** for the purpose of amending the Prince George's County FY 2002 – 2011 Ten Year Solid Waste Management Plan by adding the Prince George's County Western Branch Transfer Station located at 6550 SE Crain Highway, Upper Marlboro.  
- **PUBLIC HEARING HELD**

*Pursuant to proper notice, the public hearing convened on Council Resolution 74. Council Resolution 74 was introduced by Council Members Dean and Exum on 7/23/2008. Due to acknowledged citizen concerns, Chairman Dean requested an overview of the Plans by Ms. Maria Martin, Project Staff Coordinator for Maryland-National Capital Park and Planning. Ms. Martin facilitated a power point presentation detailing the plans and citizen outreach efforts. Twenty-two citizens spoke on Council Resolution 74. Chairman Dean announced that Council Resolution 74 will be discussed in the Transportation, Housing and the Environment (THE) Committee meeting scheduled for Thursday, September 11, 2008 at 10:00 A.M.*

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**CR-78-2008 - A RESOLUTION CONCERNING PREPARATION OF A NEW SECTOR PLAN AND SECTIONAL MAP AMENDMENT (SMA) AND APPROVAL OF GOALS, CONCEPTS, GUIDELINES, AND PUBLIC PARTICIPATION PROGRAM FOR THE BOWIE STATE MARC STATION AREA (PORTIONS OF PLANNING AREAS 71A AND 71B)** for the purpose of initiating an amendment to the 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment (Planning Areas 71A, 71B, 74A, and 74B), and the 2002 Prince George's County Approved General Plan, and approving Goals, Concepts, Guidelines, and Public Participation Program in order to develop a comprehensive approach to implement the recommendations of the 2002 General Plan to ensure that future development is consistent with county policies.  
- **INTRODUCED; RULES SUSPENDED; ADOPTED**

*Council Resolution 78 concerns the preparation of a new Sector Plan and Sectional Map Amendment (SMA) and approval of Goals, Concepts, Guidelines, and Public Participation Program for the Bowie State MARC Station area (Portions of Planning Areas 71A and 71B). For the purpose of initiating an amendment to the 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment (Planning Areas 71A, 71B, 74A, and 74B), and the 2002 Prince George's County Approved General Plan, and approving Goals, Concepts, Guidelines, and Public Participation Program in order to develop a comprehensive approach to implement the recommendations of the 2002 General Plan to ensure that future development is consistent with county policies. Council Resolution 78 was introduced by Council Member Turner. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 78; seconded by Council Member Turner. The motion carried by voice vote. Council Member Turner moved adoption of Council Resolution 78; seconded by Council Member Harrison. The motion carried 9-0.*

*Council Member Exum moved to accept additional items to the Agenda; seconded by Council Member Olson. The motion carried by voice vote.*

**ADDITION TO THE AGENDA**

**DISTRICT COUNCIL ITEMS**

**(SEE SEPARATE ACTION AGENDA)**

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

*Ms. D.J. Campbell addressed the Council regarding the tax code and the complexities of complying with current laws as a senior citizen.*

**RECESS:** - *Chairman Dean recessed the meeting at 4:00 P.M.*

**4:03  
P.M.**

**GENERAL ASSEMBLY/COMMITTEE OF THE WHOLE COMMITTEE MEETING –  
(ROOM 2027) – COMMITTEE MEETING HELD**

**RECONVENE:** - *Chairman Dean reconvened the meeting at 7:11 P.M.*

**7:11  
P.M.**

**JOINT PUBLIC HEARING:**

**PROPOSED AMENDMENTS TO THE ADOPTED BRANCH AVENUE CORRIDOR  
SECTOR PLAN AND ENDORSED SECTIONAL (ZONING) MAP AMENDMENT AS  
OUTLINED IN CR-70-2008**

- **PUBLIC HEARING HELD**

Pursuant to the provisions of Article 28 of the Annotated Code of Maryland and the Zoning Ordinance of Prince George’s County, being also Subtitle 27 of the Prince George’s County Code, the Prince George’s County Council, sitting as the District Council for that part of the Maryland-Washington Regional District Council in Prince George’s County, and the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission public hearing to receive testimony regarding the proposed amendments to the Adopted Branch Avenue Corridor Sector Plan and Endorsed Sectional (Zoning) Map Amendment (SMA) as outlined in CR-70-2008.

**(SEE SEPARATE AGENDA)**

**ADJOURN:** - *Chairman Dean adjourned the meeting at 7:21 P.M.*

Prepared by:

Submitted By:

\_\_\_\_\_  
Shirley T. Blake, Administrative Aide

\_\_\_\_\_  
Redis C. Floyd, Clerk of the Council