

**ACTION ~~AGENDA~~ MINUTES**

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**Tuesday, June 22, 2004**

**Business Meeting**

**(Legislative Day No. 22 to be declared)**

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

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

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**CALL TO ORDER:** *Chairman Knotts called*  
*to order at 10:06 a.m. with the following*

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*Council Members present:*

*Marilynn M. Bland*

*Samuel H. Dean*

*Camille A. Exum*

*Tony Knotts*

*David C. Harrington*

*Thomas R. Hendershot*

*Douglas J. J. Peters*

*Thomas E. Dernoga*

*Peter A. Shapiro*

*Others Present:*

*Barbara L. Holtz, Council Administrator*

*Craig S. Price, Deputy Council Administrator*

*Robert Williams, Jr., Associate Council  
Administrator*

*Ralph Grutzmacher, Legislative Officer*

*Kathy Canning, Associate County Attorney*

*Carmen Jackson-Brown, Associate County  
Attorney*

*Aisha Braveboy, County Council Liaison,  
Office of the County Executive*

**INVOCATION:** *The Invocation was ~~led~~  
~~provided~~ by Reverend William Clark, Associate  
Pastor, Tabernacle Baptist Church, Ft.  
Washington, Maryland. ~~Council Member~~  
~~Bland requested~~ ~~Special intentions prayer was~~  
~~requested~~ for the ~~family~~ ~~families~~ of Ms.*

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*Barbara Enabanak, ~~Mr.~~*

*~~Conan Burrell, Mr. James~~*

Randolph (Civic Activist), Mr. John Falcum,  
Ms. Fogg in her  
passing  
Mr. & Mrs. Bright  
on the birth of their son, the  
family of Mr. Conan Burrell in his passing; to  
the family of Mr. James Randolph,  
Civic Activist, in his passing and to the family  
of Mr. John Falcum in his passing;  
Council Member Exum for the family of Ms.  
Fogg in her passing and to Ms. Adrian  
Bennett for in the loss of her mother;  
and Council Member Knotts for all our young  
people  
on summer vacation. need our  
prayers.

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

**DESIGNATION OF JUNE 22, 2004 AS**  
**LEGISLATIVE DAY NO. 22**

Chairman Knotts designated June 22, 2004 as  
Legislative Day No. 22 number twenty-two.

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\* Council Member Dean moved to accept  
\* additional items to the agenda; seconded by  
\* Council Member Exum. The motion carried by  
\* voice vote.

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**CONSENT AGENDA -- CB-45, 46, 47, 48,**  
**49, 50-2004 & CR-48, 2004 ADDED;**  
**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-43-2004 – AN ORDINANCE  
CONCERNING CONVEYANCE OF LAND  
TO THE MARYLAND-NATIONAL  
CAPITAL PARK AND PLANNING  
COMMISSION** for the purpose of providing  
that property conveyed to the Maryland-  
National Capital Park and Planning  
Commission shall be placed in the R-O-S  
Zone. - ~~PRESENTED~~

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*Council Bill 43 was presented by Council  
Member Peters and referred to the Planning,  
Zoning and Economic Development Committee  
(PZED).*

**CB-44-2004 – AN ACT CONCERNING  
FEES** for the purpose of increasing certain fees  
for services, permits and licenses rendered by  
the Health Department's Division of  
Environmental Health. - ~~PRESENTED~~

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*Council Bill 44 was presented by the  
Chairman, at the request of the County  
Executive, and referred to the Health,  
Education and Human Services Committee  
(HEHS).*

**Introduction of Resolutions**

**CR-45-2004 – A RESOLUTION**

**CONCERNING SCHEDULE OF FEES** for the purpose of amending certain fees in the County Onsite Sewage Disposal Regulations. **INTRODUCED**

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Council Resolution 45 increases certain fees for services, permits, and licenses rendered by the Health Department's Division of Environmental Health. ~~The Committee considered a Draft 2, which reflected fee increases and not any new fees.~~ Council Resolution 45 was introduced by ~~the~~ Chairman ~~Knotts at the request of the County Executive~~ and referred to ~~the~~ Health, Education and Human Services Committee (HEHS).

**CONSENT AGENDA (Introduction of Resolutions) – (CONTINUED)**

**CR-46-2004 – 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. **INTRODUCED**

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Council Resolution 46 increases the fee for a 12-month public swimming pool license from \$400 to \$600. ~~The Committee considered a Draft 2, which deleted all reference to new fees.~~ Council Resolution 46 was introduced by ~~the~~ Chairman ~~Knotts at the request of the County Executive~~ and referred to ~~the~~ Health, Education and Human Services Committee (HEHS).

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**CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

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~~None~~No items  
were removed.

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

*~~None~~No items  
were considered.*

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

**CB-31-2004 – AN ORDINANCE  
CONCERNING MARYLAND-  
WASHINGTON REGIONAL DISTRICT  
BOUNDARIES** for the purpose of providing  
procedures for statutory review of proposed  
zoning relating to annexations by a  
municipality with zoning authority. - **PUBLIC  
HEARING HELD; POSTPONED  
INDEFINITELY**

*Pursuant to proper notice, the public hearing  
convened on Council Bill 31. There were no  
speakers. The public hearing was declared  
held. Council Member Dernoga moved to  
postpone Council Bill 31 indefinitely; seconded  
by Council Member Harrington. The motion  
carried 9-0*

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convened on Council Bill 31. There were no  
speakers, the public hearing was declared held.  
Council Member Dernoga moved to postpone  
indefinitely; seconded by Council Member*

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~~Harrington. Motion carried 9-0~~

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

Prior to final action on Emergency Bills, the Chairman shall read the bill by short title and shall read the claimed emergency as contained in the bill. Emergency Bills require six votes to enact.

**CB-34-2004 – AN EMERGENCY ACT  
CONCERNING NON-DEPARTMENTAL  
GRANTS AND TRANSFER PAYMENTS**

for the purpose of providing conditions upon the use of certain funds appropriated for Dimensions Healthcare Systems, Inc. –

**PUBLIC HEARING HELD; ENACTED**

*Chairman Knotts announced that An emergency hereby exists affecting the public health, safety and welfare; said emergency being the need to provide funding to Dimensions Healthcare in order to support the continuation of essential health services for the citizens and residents of Prince George's County. As the largest provider of inpatient and emergency services, Dimensions Healthcare is a cornerstone in the health care system in the County. Access to quality health care for citizens and residents of the County depends on the continuation of Dimensions Healthcare services. For the past several years, Dimensions Healthcare has been facing serious financial difficulties resulting in significant operating losses. County funding in Fiscal Year 2005, in the amount of \$5,000,000 is necessary to assist Dimensions Healthcare in funding vital short-term operating needs that could affect access to care.*

Pursuant to proper notice, the public hearing convened on Council Bill 34. There were no speakers. *The public hearing was declared held. Council Member Dean moved enactment of Council Bill 34; seconded by Council Member Harrington. Under discussion, Council Member Hendershot questioned previous action to approve this allocation by other legislation, stating that the emergency*

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clause does not accurately state the emergency. Craig Price, Deputy Council Administrator and Ralph Grutzmacher, Legislative Officer provided clarification and responded to additional questions regarding the timeline for transmittal of the funds to Dimensions Healthcare. Council Member Hendershot explained his reasons for voting against Council Bill 34 for in the committee work session and his intention to now vote in favor of the measure. The motion carried 8-1 (Opposed: Council Member Bland).

~~An emergency hereby exists affecting the public health, safety and welfare; said emergency being the need to provide funding to Dimensions Healthcare in order to support the continuation of essential health services for the citizens and residents of Prince George's County. As the largest provider of inpatient and emergency services, Dimensions Healthcare is a cornerstone in the health care system in the County. Access to quality health care for citizens and residents of the County depends on the continuation of Dimensions Healthcare services. For the past several years, Dimensions Healthcare has been facing serious financial difficulties resulting in significant operating losses. County funding in Fiscal Year 2005, in the amount of \$5,000,000 is necessary to assist Dimensions Healthcare in funding vital short-term operating needs that could affect access to care.~~



## **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

### **CR-44-2004 – A RESOLUTION CONCERNING PRIVATE SCHOOLS IN THE R-R ZONE** for the purpose of extending the temporary suspension of certain requirements for the operation of a private school in the R-R Zone under certain circumstances. ~~–~~ **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 44 ~~was~~ proposed by Council Member Dernoga. ~~Council Resolution 44~~ extends the temporary suspension of certain requirements for the operation of a private school in the R-R Zone under certain circumstances. Council Resolution 44 was introduced by Council Members Dernoga, Dean, Exum, Peters, Knotts, Harrington, Shapiro and Hendershot. Council Member Dernoga moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 44; seconded by Council Member Dean. The motion carried by voice vote. Council Member Dernoga moved adoption of Council Resolution 44; seconded by Council Member Dean. The motion carried 9-0.

\* Chairman Knotts recessed the meeting at 10:42  
\* a.m. to all Council Members to review items  
\* added to the agenda. The meeting reconvened  
\* at 11:08 a.m.

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

### **CR-35-2004 (DR-2) – A RESOLUTION CONCERNING LOANS TO FREEMAN DECORATING SERVICES, INC. (“FREEMAN”) FROM THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND (“MEDAF”) AND PRINCE GEORGE’S COUNTY,**

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**MARYLAND (THE "COUNTY")** for the purpose of endorsing a loan not to exceed \$100,000 to Freeman from MEDAF and authorizing a loan by the County to Freeman not to exceed \$10,000 to acquire land and construct a building in Lanham, Maryland. -

**REMOVED FROM THE AGENDA**

*Chairman Knotts announce that this item had been removed from the agenda.*

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**ADDITIONS TO THE AGENDA:** *Council Member Dean moved to accept additional item to the agenda; seconded by Council Member Exum. Motion carried by voice vote. - Items accepted to the approved Consent Agenda*

#### **CONSENT AGENDA**

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-45-2004 – AN ORDINANCE CONCERNING MOBILE FOOD**

**VENDING** for the purpose of enhancing livable communities in the more densely populated portions of the County by establishing requirements and conditions of operation of mobile food vending on private property as a temporary use. - **PRESENTED**

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*Council Bill 45 was presented by Council Member Shapiro and referred to the Planning, Zoning and Economic Development Committee (PZED).*

**ADDITIONS TO THE AGENDA -  
CONSENT AGENDA (First Reading of Bills  
-Presentation) – (CONTINUED)**

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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. -  
**PRESENTED**

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*Council Bill 46 was presented by the  
Chairman, at the request of the County  
Executive, and referred to the Committee of the  
Whole. Chairman Knotts announced that  
Council Bill 46 would be considered during the  
Committee of the Whole scheduled to occur on  
July 6, 2004.*

**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. -  
**PRESENTED**

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*Council Bill 47 was presented by the  
Chairman, at the request of the County  
Executive, and referred to the Committee of the  
Whole. Chairman Knotts announced that  
Council Bill 47 would be considered during the  
Committee of the Whole scheduled to occur on  
July 6, 2004.*

**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. -

**PRESENTED**

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Council Bill 48 was presented by the Chairman, at the request of the County Executive, and referred to the Committee of the Whole. Chairman Knotts announced that Council Bill 48 would be considered during the Committee of the Whole scheduled to occur on July 6, 2004.

**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.

**- PRESENTED**

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Council Bill 49 was presented by the Chairman, at the request of the County Executive, and referred to the Committee of the Whole. Chairman Knotts announced that Council Bill 49 would be considered during the Committee of the Whole scheduled to occur on July 6, 2004.

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**ADDITIONS TO THE AGENDA - CONSENT AGENDA (First Reading of Bills -Presentation) – (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.

**- PRESENTED**

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*Council Bill 50 was presented by the Chairman, at the request of the County Executive, and referred to the Committee of the Whole. Chairman Knotts announced that Council Bill 50 would be considered during the Committee of the Whole scheduled to occur on July 6, 2004.*

**Introduction of Resolutions**

**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. -

**INTRODUCED**

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*Council Resolution 48, ~~was~~ proposed by the Chairman at the request of the County Executive, ~~and referred to Committee of the Whole.~~ ~~Council Resolution 48~~ provides for Fiscal Year 2004 supplemental appropriations for grant programs in the amount of \$4,104,549. ~~The additional appropriations to~~ ~~will~~ support new or expanded efforts of twelve agencies. Council Resolution 48 was introduced by Chairman Knotts and referred to Committee of the Whole. Chairman Knotts announced that Council Resolution 48 would be considered during the Committee of the Whole scheduled to occur on July 6, 2004.*

**INTRODUCTION AND ADOPTION OF  
RESOLUTIONS****CR-47-2004 - A RESOLUTION  
CONCERNING SCHOOL FACILITIES**

**SURCHARGE** for the purpose of adjusting the school facilities surcharge for inflation for Fiscal Year 2005, beginning July 1, 2004, as required by State law. **-**

**INTRODUCED; RULES SUSPENDED;  
ADOPTED**

~~Council Member Knotts~~

Council Resolution ~~48~~, ~~was proposed by Chairman Knotts, introduced by Council Members Knotts, Harrington, Dernoga, Shapiro, Dean, Exum, and Peters.~~ Council Resolution 47 will adjust the school facilities surcharge for inflation for Fiscal Year 2005, beginning July 1, 2004, as required by State Law. ~~Council Resolution 47 was introduced by Council Members Knotts, Harrington, Dernoga, Shapiro, Dean, Exum, and Peters.~~ Council Member Harrington moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 47. ~~The m~~Motion carried by voice vote. Council Member Dernoga moved adoption of Council Resolution 47; seconded by Council Member Harrington. ~~The m~~Motion carried 9-0.

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

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

**ADJOURN:** ~~—Chairman Knotts adjourned the meeting~~ at 11:15 a.m.

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**EXECUTIVE SESSION – (FIRST FLOOR  
CONFERENCE ROOM)**

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

**COMMITTEE OF THE WHOLE – (FIRST  
FLOOR CONFERENCE ROOM) --  
C.O.W. HELD**

**BRIEFING – CHARTER  
AMENDMENTS**

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**Prepared by:**

**Submitted by:**

Donna J. Brown, Deputy Clerk

Redis C. Floyd, Clerk of the Council

Prepared By:

Submitted By:

Donna J. Brown, Office Manager

Redis C. Floyd, Clerk of the Council