

AGENDA MINUTES

Tuesday, June 13, 2006

Business Meeting

(Legislative Day No. 18 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) - BRIEFING HELD

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Council Vice Chair Camille A. Exum commenced Presentation of Proclamations Commendations at 10:30 a.m.

Proclamation recognizing June 19, 2006 as “Juneteenth Independence Day” in Prince George’s County. (Council Vice Chair Camille A. Exum and Council Members Samuel H. Dean, David C. Harrington, Douglas J.J. Peters, Will Campos and Marilynn M. Bland)
- **PRESENTED**

Council Vice Chair Camille A. Exum, Council Members Samuel H. Dean, David C. Harrington, Douglas J.J. Peters, Will Campos and Marilynn M. Bland presented a Proclamation recognizing June 19, 2006 as “Juneteenth Independence Day” in Prince George’s County.

Proclamation presented to Prince George’s County History Consortium recognizing “History Day at Home” in Prince George’s County. (Council Vice Chair Camille A. Exum and Council Members Samuel H. Dean, David C. Harrington, Douglas J.J. Peters, Will Campos and Marilynn M. Bland) - **PRESENTED**

Council Vice Chair Camille A. Exum, Council Members Samuel H. Dean, David C. Harrington, Douglas J.J. Peters, Will Campos and Marilynn M. Bland presented a Proclamation to the Prince George’s County History Consortium recognizing “History Day at Home” in Prince George’s County.

Proclamation **recognizing the outstanding contributions of the “Capitol Heights Fire Station #5” in Prince George’s County.** (Council Vice Chair Camille A. Exum, Council Chairman Thomas E. Dernoga and Council Members Tony Knotts, Samuel H. Dean, David C. Harrington, Thomas R. Hendershot, Douglas J.J. Peters, Will Campos and Marilyn M. Bland)
- **PRESENTED**

Council Vice Chair Camille A. Exum, Council Members Samuel H. Dean, Tony Knotts, Thomas E. Dernoga, Thomas R. Hendershot, David C. Harrington, Douglas J.J. Peters, Will Campos and Marilyn M. Bland presented a Proclamation recognizing the outstanding contribution of “Capitol Heights Fire Station #5” in Prince George’s County.

CALL TO ORDER: - - *Chairman Dernoga called to order at 10:40 a.m. with the following Council Members present:*

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

Others Present:

*Craig S. Price, Council Administrator
Colette Gresham, Legislative Officer
Adrian J. Howell, County Council Liaison, Office of the County Executive
Margaret Addis, Associate County Attorney
Frank Porter, Committee Director (PSFM)
Kathy Canning, Associate County attorney
Sandra Eubanks, Committee Director (HEHS)*

INVOCATION: - - *The Invocation was led by Ms. Bonnie Humphreys, County Employee.*

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

POINT OF PERSONAL PRIVILEGE:

Council Member Exum recognized and welcomed her Sorority Sisters from Delta Sigma Theta, Inc.; Council Member Knotts recognized and welcomed Masons from Prince Hall.

DESIGNATION OF JUNE 13, 2006 AS LEGISLATIVE DAY NO. 18

Chairman Dernoga designated June 13, 2006 as Legislative Day No. 18

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-43-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of adding certain classes of work to the Deputy Sheriff’s Association of Prince George’s County, Inc. (DSA) (Civilian Units) Salary Schedule “Z”. - **PRESENTED**

Council Bill 43 was presented by the Chairman at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee.

CB-44-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of eliminating and adding certain classes of work and establishing a new Y Salary Schedule to the bargaining unit represented by the International Association of Fire Fighters, AFL-CIO, Local 1619. - **PRESENTED**

Council Bill 44 was presented by the Chairman at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee.

CB-45-2006 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS, AND EMERGENCY RESPONSE TECHNICIANS)

for the purpose of amending the labor agreement by and between Prince George’s County, Maryland and the International Association of Fire Fighters, AFL-CIO, Local 1619 (Fire Fighters, Paramedics, and Emergency Response Technicians) to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George’s County Public Employee Relations Board. - **PRESENTED**

Council Bill 45 was presented by the Chairman at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee.

Introduction of Resolutions

CR-46-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1619, AFL-CIO (CIVILIANS) SALARY SCHEDULE “H” for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George’s County and the International Association of Fire Fighters, Local 1619, AFL-CIO (Civilians).

- **INTRODUCED**

Council Resolution 46 introduced at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee. Council Resolution 46 amends Salary Schedule H for the International Association of Fire Fighters, Local 1619, AFL-CIO (Civilians), effective July 1, 2005 through June 30, 2007. Council Resolution 46 was introduced by Council Members Dernoga, Dean, Exum, Peters, Knotts, Harrington, Campos and Bland.

CR-49-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS GENERAL SCHEDULE EMPLOYEES – SALARY SCHEDULE G for the purpose of amending the Salary Plan of the County to reflect pay rates and other modified benefits for General Schedule employees. - **INTRODUCED**

Council Resolution 49 was introduced at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee. Council Resolution 49 amends Salary Schedule G to reflect an adjustment of the minimum wage rate in accordance with a State mandate effective February 16, 2006, a cost of living increase and other modified benefits for General Schedule employees. Council Resolution 49 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CR-50-2006 – A RESOLUTION CONCERNING ECONOMIC DEVELOPMENT REVENUE BONDS for the purpose of issuing, pursuant to and in accordance with the Maryland Economic Development Revenue Bond Act, of economic development revenue bonds in an aggregate principal amount not to exceed Sixty-five Million Dollars (\$65,000,000), and to loan the proceeds from the sale of such bonds to Collington Episcopal Life Care Community, Inc., a not-for-profit corporation organized under the laws of the State of Maryland, to be used for the purpose of financing or refinancing the costs of certain facilities, within the meaning of such Act, located in Prince George’s County, Maryland to be used by such corporation for its tax-exempt purposes of providing a continuing care retirement community for senior citizens, authorizing the County Executive to specify, prescribe, determine, provide for, approve, execute and deliver any and all matters, details, forms, documents or procedures necessary or appropriate to effectuate the authorization, sale security, issuance, delivery and payment of and for such bonds and lending the proceeds thereof; reserving certain rights in the County; providing for the effective date of this Resolution; providing for the termination of this Resolution; and generally providing for and determining various matters in connection with such bonds and the lending of the proceeds thereof.

- **INTRODUCED**

Council Resolution 50 was introduced at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee. Council Resolution 50 concerns Economic Development Revenue Bonds for the purpose of authorizing the issuance of revenue

bonds pursuant to the Maryland Economic Development Revenue Bond Act in an aggregate amount not to exceed Sixty-five Million Dollars (\$65,000,000) and to loan the bond proceeds to Collington Episcopal Life Care Community, Inc., a not-for-profit Maryland corporation for the purpose of refinancing the costs of providing a continuing care retirement community for senior citizens. Council Resolution 50 was introduced by Council Members Peters and Campos.

CR-51-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS, EMERGENCY RESPONSE TECHNICIANS AND FIRE FIGHTER/MEDICS) SALARY SCHEDULES S, M, R, AND Y SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George’s County, Maryland and the International Association of Fire Fighters, AFL-CIO, Local 1619 (Fire Fighters, Paramedics, Emergency Response Technicians and Fire Fighter/Medics) - **INTRODUCED**

Council Resolution 51 was introduced at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee. Council Resolution 51 amends the Salary Plan for the International Association of Fire Fighters, AFL-CIO, Local 1619 (Fire Fighters, Paramedics, Emergency Response Technicians and Fire Fighter/Medics), Salary Schedules S, M, R, and Y effective July 1, 2005 through June 30, 2007. Council Resolution 51 was introduced by Council Members Dernoga, Peters, Dean, Exum, Knotts, Harrington, Campos and Bland.

Council Member Exum moved adoption of the Consent Agenda; seconded by Council Member Dean. The motion carried by voice vote.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No items were considered

PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER’S REPORT

No items were considered

SECOND READING OF BILLS – (INTRODUCTION)

CB-22-2006 – AN ACT CONCERNING NOTICE TO PURCHASERS OF REAL ESTATE for the purpose of amending the wording required in the notice that sellers must give to purchasers of residential real property, to correct an inadvertent error in the legislation that imposed the notice requirement. - **INTRODUCED**

Council Member Harrington, Chair, Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 22 was introduced by Council Members Knotts, Peters, Dean, Exum, Harrington, Bland and Dernoga.

CB-31-2006 – AN ORDINANCE CONCERNING USE AND OCCUPANCY PERMITS

for the purpose of authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when a use and occupancy permit has not been issued; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when a use and occupancy permit has been issued and is not in compliance with the provisions of the Zoning Ordinance; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when the activity is found to present an imminent danger and threat to the health, safety, and welfare of the public by not doing so, that there are no other mitigating circumstances to be taken to resolve the imminent danger and threat to the health, safety, and welfare of the public, and that there are no other reasonable means of preventing further danger and threat to the health, safety, and welfare of the public resulting from the continuation of the activity; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when a temporary use and occupancy permit has not been issued; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when a temporary use and occupancy permit has been issued and is not in compliance with the provisions of the Zoning Ordinance; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when the activity is found to present an imminent danger and threat to the health, safety, and welfare of the public by not doing so, that there are no other mitigating circumstances to be taken to resolve the imminent danger and threat to the health, safety, and welfare of the public, and that there are no other reasonable means of preventing further danger and threat to the health, safety, and welfare of the public resulting from the continuation of the activity; authorizing all immediate reasonable and necessary action to implement this Act for the health, safety and welfare of the public; providing for the designation of certain public officials to enforce this Act; providing for enforcement procedures to implement this Act; providing for establishing policies, rules, and procedures to implement this Act; providing for a hearing before the Zoning Hearing Examiner from a violation of this Act; providing for an appeal from the decision of the Zoning Hearing Examiner to the Circuit Court of Maryland; providing for the computation of time pursuant to this Act; and generally relating to use and occupancy permits.

- **INTRODUCED; EXPEDITED**

Craig Price, Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Council Bill 31 was introduced by Council Members Dernoga, Hendershot, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland. The Clerk was directed to expedite scheduling of CB 31-2006.

PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**CR-32-2006 (DR-2) – A RESOLUTION CONCERNING COUNTY REAL PROPERTY**

for the purpose of declaring certain parcels of County-Owned Real Property as surplus, and approving the County Executive's plan for disposal of such parcels.

PUBLIC HEARING HELD; DR-2 SUBSTITUTED; AMENDED;

PUBLIC HEARING FOR DR-3 SCHEDULED FOR 07/18/2006 @10:00 A.M.

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Resolution 32 was favorably reported out of Public Safety and Fiscal Management with amendments on 05/24/2006. Pursuant to proper notice, the public hearing convened on Council Resolution 32(DR-2). Ms. Patricia Dowten, Ms. Sinthea Myrick Kelly, Mr. Douglas A. Taylor, Mr. Randy Flowers and Mr. Darrell Gaskins spoke on Council Resolution 32. All persons wishing to speak having done so, the public hearing was declared held. Council Member Exum moved to substitute Draft 2 in lieu of Draft 1 of Council Resolution 32(DR-2); seconded by Council Member Knotts. The motion carried by voice vote. Council Member Exum moved adoption including two amendments and one correction that was discussed; seconded by Council Member Knotts. The motion carried 9-0.

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**CR-31-2006 (DR-2) - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2007**

for the purpose of approving and adopting the Prince George's "Annual Action Plan: FY 2007" consisting of federal programs, including their federal funding applications which, along with other resources, serve to implement housing and community development strategies set forth in the County's FY 2006-2010 Consolidated Plan, adopted by CR-41-2005, which Plan was required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications. - **NO ACTION TAKEN; DEFERRED TO 06/20/2006**

Council Member Harrington, Chair, of Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Resolution 31(DR-2) was favorably reported out of Transportation, Housing and the Environment Committee on 06/08/2006 with amendments. No action taken.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No person wished to address the Council

ADJOURN: - - *Chairman Dernoga adjourned the meeting at 11:18 a.m.*

BRIEFING – (ROOM 2027) - CANCELLED

INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED

FOR MONDAY, JUNE 19, 2006.

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

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council