

ACTION MINUTES

Tuesday, July 1, 2003

Legislative Day No. 23

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) – BRIEFING HELD

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

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

Absent: Peter A. Shapiro

Others Present:

*Barbara Holtz, Council Administrator
Craig S. Price, Deputy Council Administrator
Robert Williams, Jr., Associate Council Administrator
Ralph Grutzmacher, Legislative Officer
Aisha N. Braveboy, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
Collette Gresham, Associate County Attorney
Cheryl Ringer, Associate County Attorney
Frank Porter, Committee Director, PSFM
Sandra Eubanks, Committee Director, THE & HEHS*

INVOCATION – *The Invocation was provided by Dr. James E. Painter, Senior Pastor of Cresthill Baptist Church in Bowie, Maryland.*

- **** *Council Member Exum moved to accept additional items to the agenda; seconded by Council Member Peters. The motion carried by voice vote (Absent: Chairman Shapiro).*

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

1. **CONSENT AGENDA - CR-37-2003 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.

(a) **First Reading of Bills (Presentation)**

CB-44-2003 (SUBDIVISION BILL) – AN ACT CONCERNING PRIVATE ROADS AND EASEMENTS for the purpose of permitting the Planning Board to approve private rights-or-way or easements in the C-S-C, M-A-C, M-X-C, and M-X-T Zones under certain circumstances. - **PRESENTED**

Council Bill 44 was presented by Council Member Peters and referred to the Planning, Zoning and Economic Development Committee.

CB-45-2003 – AN ACT CONCERNING GENERAL AVIATION AIRPORT ENVIRONMENT DISCLOSURE NOTICE for the purpose of amending the role of real estate agents in disclosing the proximity of certain airports in real estate contracts. - **PRESENTED**

Council Bill 45 was presented by Council Member Dean and referred to the Transportation, Housing and the Environment Committee.

CONSENT AGENDA – (CONTINUED)**CB-46-2003 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS**

for the purpose of authorizing and empowering Prince George's County, Maryland, to issue and sell an amount not to exceed One Hundred Two Million Four Hundred Eighty-four Thousand Dollars (\$102,484,000) in aggregate principal amount of general obligation bonds with serial maturities, including mandatory sinking fund installments in lieu of serial maturities; for the purpose of providing funds for financing in whole or in part costs of the construction, acquisition, improvement or extension of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2004, . . . - **PRESENTED**

Council Bill 46 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management Committee.

CB-47-2003 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION STORMWATER MANAGEMENT BONDS

for the purpose of authorizing and empowering Prince George's County, Maryland, pursuant to Title 3, Subtitle 2 of Article 29 of the Annotated Code of Maryland (1997 Replacement Volume and 2002 Supplement), Section 2C of Article 31, Annotated Code of Maryland (1997 Replacement Volume, 2002 Supplement), and the Maryland Water Quality Financing Administration Act, Sections 9-1601 to 9-1622, inclusive, of the Maryland Annotated Code, Environment Article (1996 Replacement Volume and 2002 Supplement) to issue and sell an amount not to exceed Four Million Four Hundred Seventy-six Thousand Dollars (\$4,476,000) in aggregate principal amount of general obligation stormwater management bonds for the purpose of providing funds for financing in whole or in part costs of the planning, construction, reconstruction, acquisition, establishment, extension, enlargement, demolition or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2004, . . . - **PRESENTED**

Council Bill 47 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management Committee.

CB-48-2003 AN ACT CONCERNING BORROWING TO FINANCE SCHOOL PROJECTS

for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit, at any time and from time to time, in an aggregate principal amount not exceeding Forty-five Million Seven Hundred Eighty-Eight Thousand Dollars (\$45,788,000), to finance the construction, including the design, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of school buildings in the County; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; and providing generally for the issuance of such bonds. - **PRESENTED**

Council Bill 48 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management Committee.

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

CR-35-2003 - 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 35, as proposed by the Chairman at the request of the County Executive, amends the General Schedule Salary Plan to reflect pay rates and other modified benefits for General Schedule employees, was introduced by Council Member Knotts and referred to the Public Safety and Fiscal Management Committee.

CR-36-2003 - A RESOLUTION CONCERNING PARKLAND VILLAGE APARTMENTS for the purpose of providing the required approval to the State of Maryland Department of Housing and Community Development, Community Development Administration (CDA) of a community development project and the use of State funds for the acquisition and rehabilitation of Parkland Village, a family project to be redeveloped by RST Development, LLC. - **REMOVED FROM AGENDA**

Council Resolution 36 was removed from the agenda.

CR-37-2003 - A RESOLUTION CONCERNING SUPPORTING THE REAPPOINTMENT OF CHAPLAIN HENRY VINTON PLUMMER for the purpose of supporting the efforts of the Committee to Clear Chaplain Plummer to seek review and reappointment by the United States Army and Congress of Chaplain Henry Vinton Plummer, a Prince George's County native and the first African-American Chaplain to be commissioned in the United States Army (post-Reconstruction), who was court-martialed and dishonorably discharged in 1894. - **INTRODUCED**

Council Resolution 37, as proposed by Council Member Peters, encourages the United States Army to review the reappointment of Chaplain Henry Vinton Plummer as related to his court-martial and dishonorable discharge, was introduced by Council Members Peters, Dean Exum, Dernoga and Harrington and referred to the Health, Education and Human Services Committee.

****** *Council Member Harrington moved adoption of the Consent Agenda; seconded by Council Member Dernoga. The motion carried by voice vote (Absent: Chairman Shapiro).*

2. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

No items were considered.

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

- (a) Confirmation of the County Executive's appointment of Council Member Camille A. Exum to the Washington Suburban Transit Commission, pursuant to Part III, Section 5(a)(3) and 5(a)(6) of the Prince George's County Code. - **CONFIRMED**

Council Member Harrington moved confirmation of Council Member Camille A. Exum to the Washington Suburban Transit Commission; seconded by Council Member Peters. The motion carried 8-0 (Absent: Chairman Shapiro).

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

CB-25-2003 (DR-3) – AN ORDINANCE CONCERNING L-A-C ZONE for the purpose of exempting certain dwelling units in proximity to the Metro Station from certain site and building design guidelines and regulations, and limitations on the number of townhouses and multifamily dwellings in the L-A-C Zone. - **PUBLIC HEARING HELD; AMENDED; DR-4 ENACTED**

(Introduced by Council Members Harrington, Dean and Peters on 5/20/2003; favorably reported out of PZED on 5/14/2003 with amendments)

Pursuant to proper notice, the public hearing convened on Council Bill 25, Draft 3. No persons wishing to speak, the public hearing was declared held. Council Member Harrington moved amendment number one; seconded by Council Member Dean. The motion carried by voice vote (Absent: Chairman Shapiro). Council Member Harrington moved enactment of Council Bill 25, Draft 4; seconded by Council Member Dean. The motion carried 8-0 (Absent: Chairman Shapiro).

5. **BILLS ELIGIBLE FOR FINAL ACTION**

CB-34-2003 – (EXECUTIVE ORDER NO. 20-2003) – REORGANIZATIONAL PROPOSAL relating to the transfer of community mediation, community forums and Leadership Prince George's functions from the Human Relations Commission to the Office of Community Relations. - **APPROVED**

Received by the Council on May 9, 2003 - Final action required by July 8, 2003.

Council Bill 34, a reorganization proposal, was submitted to the Council in accordance with Section 503 of the County Charter. Council Bill 34, which transfers certain functions from the Human Relations Commission to the Office of Community Relations, reported out of PSFM with no recommendation on 6/11/2003. Mr. Nick Beschen of the Maryland Association of Community Mediation Center spoke in opposition to aspects of the proposal. Ms. Collette Gresham, Associate County Attorney, Ms. Aisha Braveboy, Council Liaison, and Mr. Michael Herman, Chief of Staff, spoke to the concerns raised and responded to Council Member's questions.

Council Member Dernoga moved enactment of Council Bill 34 and approval of the reorganization proposal; seconded by Council Member Bland. The motion carried 8-0 (Absent: Chairman Shapiro).

ENVIRONMENTAL JUSTICE TASK FORCE REPORT - REPORT GIVEN

Mr. Charles L. Renninger, Chairman

Vice-Chairman Knotts welcomed Mr. Charles Renninger, Chairman of the Environmental Justice Task Force, to the Council session. Mr. Renninger provided Council Members with a report of the actions and recommendations of the Task Force. The members: Mr. John Baker, Mr. Don Pleasants, Mr. Marcelino Cole, Ms. Collette Gresham, Mr. Freddie Dawkins, and Ms. Terry Williams introduced themselves to the Council. Council Members applauded the efforts of the Task Force and asked questions regarding their findings on issues of air quality, tree implantation, sanitary landfills, and transfer stations and encouraged the Task Force to continue to meet and pursue their recommendations legislatively. Mr. Pleasants presented his dissenting opinion to the Council, which spoke to the issue of cluster configurations and site selection criteria as possible hindrances to finding appropriate sites for needed landfill locations.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. Abraham Lincoln addressed the Council regarding CB-25-2003 and Ms. Carol Richardson spoke on behalf of Mr. Darryl Harris, President of the Little Washington Civic Association, regarding the Environmental Justice Task Force Report.

ADJOURN – *Vice Chairman Knotts adjourned the Session at 11:35 a.m.*

**PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE MEETING –
(ROOM 2027) -- COMMITTEE MEETING HELD**

Prepared by:

Submitted by:

Donna J. Brown, Office Manager

Redis C. Floyd, Clerk of the Council