

AGENDA MINUTES

Tuesday, June 10, 2008

Business Meeting

(Legislative Day No. 18 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE –
(ROOM 2027) – COMMITTEE MEETING HELD**

AGENDA BRIEFING – (ROOM 2027) – BRIEFING HELD

CALL TO ORDER: - Chairman Dean called to order at 1:40 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
Eric C. Olson
Ingrid M. Turner*

Others Present:

*Craig Price, Council Administrator
Robert J. Williams Jr., Deputy Council Administrator
Ralph Grutzmacher, Legislative Officer
Steve Gilbert, Principal Counsel to District Council
Jackie Brown, PZED Committee Director
Sandra Eubanks, HEHS Committee Director
Frank Porter, PSFM 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 Reverend Jonathan L. Weaver, Greater Mt. Nebo A.M.E. Church, Bowie, Maryland. Council Member Olson requested special prayers for the family of Mayor Denny Lomax, Mayor of College Park, in his passing. Council Member

Exum for the family of Derrick Green in the passing of his father.

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

DESIGNATION OF JUNE 10, 2008 AS LEGISLATIVE DAY NO. 18

Chairman Dean designated June 10, 2008 as Legislative Day number 18.

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) **Introduction of Resolutions**

CR-57-2008 – A RESOLUTION CONCERNING WORLD ARTS FOCUS BUILDING A PERFORMANCE THEATER FY 08 for the purpose of amending the Prince George’s County “Annual Action Plan: FY 2006,” “Annual Action Plan: FY 2007,” and “Annual Action Plan: FY 2008” to allow the use of Community Development Block Grant (“CDBG”) funds to reimburse World Arts Focus, Inc. (“World Arts”) for pre-award costs associated with a project entitled, “World Arts Focus Building a Performance Theater FY 08.”

- **INTRODUCED**

Council Resolution 57 amends the Prince George’s County “Annual Action Plan: FY 2006,” “Annual Action Plan: FY 2007,” and “Annual Action Plan: FY 2008” to allow World Arts Focus, Inc. to be reimbursed for certain pre-award costs associated with a project entitled, “World Arts Focus Building a Performance Theater FY 08”. Council Resolution 57 was introduced by Council Member Campos and referred to the Transportation, Housing and the Environment (THE) Committee.

THIS RESOLUTION REQUIRES A PUBLIC HEARING

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

No items were considered

4. **SECOND READING OF BILLS – (INTRODUCTION) – CB-40-2008 ADDED**

CB-14-2008 (DR-2) – AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of permitting sign shops in the C-S-C Zone under certain circumstances.

- **INTRODUCED**

Council Member Exum, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report from the Committee to the Council. Council Bill 14 (DR-2) was introduced by Council Member Olson and was favorably reported out of the Planning, Zoning and Economic Development (PZED) on 5/27/2008 with amendments.

CB-25-2008 (DR-2) (SUBDIVISION BILL) – AN ACT CONCERNING ADEQUATE PUBLIC FACILITIES AND ROADS for the purpose of amending the findings for adequacy of public facilities and roads improvements for development on property subject to a specific public facilities financing and implementation program. - **INTRODUCED**

Council Member Exum, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report from the Committee to the Council. Council Bill 25 (DR-2) was introduced by Council Members Dean and Exum. Council Bill 25 (DR-2) was favorably reported out of the Planning, Zoning and Economic Development (PZED) on 6/4/2008 with amendments.

CB-26-2008 – AN ORDINANCE CONCERNING COMPREHENSIVE DESIGN ZONES for the purpose of amending the applicable required findings of approval for Comprehensive Design Plans for certain properties that were placed in the Comprehensive Design Zone through a master plan or sector plan approved after October 1, 2006. - **INTRODUCED**

Council Member Exum, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report from the Committee to the Council. Council Bill 26 was introduced by Council Members Dean, Exum and Bland. Council Bill 26 was favorably reported out of the Planning, Zoning and Economic Development (PZED) on 5/27/2008.

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

5. **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD - CONFIRMED**

- **Appointment of the following individual to the Prince George's Park and Recreation Advisory Board:**

Mr. Gregory N. Huckstep

Appointment/Central Area Representative
Replacing: Marvin J. Clarke
Term Expiring: 6/30/2010

Pursuant to proper notice, the public hearing convened on the Appointment of Mr. Gregory N. Huckstep to the Prince George's Park and Recreation Advisory Board. Council Member Exum, Chair of the Planning, Zoning and Economic Development (PZED) Committee provided a verbal report of the actions and recommendations from the Committee to the Council. Mr. Michael Herman, County Executive's Representative, introduced Mr. Huckstep to the Council. Mr. Huckstep was present and spoke on his own behalf. Council Member Turner moved confirmation of Mr. Gregory N. Huckstep to the Prince George's Park and Recreation Advisory Board for the term and position as listed; seconded by Council Member Knotts. The motion carried 9-0.

- **Appointment of the following individuals to the Prince George's County Agricultural Preservation Advisory Board:**

| | |
|------------------------------|--|
| Ms. Stephanie DeVille-Eugene | Appointment Owner-Operator Representative Replacing: Elijah Thorne Term Expiring: 9/20/2008 |
| Mr. David G. Bourdon | Reappointment General Public Representative Term Expiring: 9/20/2009 |
| Mr. Steven E. Darcey | Reappointment General Public Representative Term Expiring: 9/20/2008 |
| Mr. Sidney L. Tucker | Reappointment Owner-Operator Representative Term Expiring: 9/20/2012 |
| Mr. Herman A. Windsor | Reappointment Owner-Operator Representative Term Expiring: 9/20/2009 |

Pursuant to proper notice, the public hearing convened on the Appointment of the above listed individuals to the Prince George's County Agricultural Preservation Advisory Board. Council Member Exum, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Mr. Michael Herman, County Executive's Representative, introduced the nominees to the Council. Ms. Stephanie Deville-Eugene; Mr. David G. Bourdon; Mr. Steven E. Darcey; Mr. Sidney L. Tucker and Mr. Herman A. Windsor were present and spoke on their own behalf. Council Member Bland moved confirmation of all nominees with terms and positions as listed; seconded by Council Member Turner. The motion carried 9-0.

- **Appointment of the following individuals to the Prince George's County Board of Library Trustees:**

| | |
|--------------------|--|
| Ms. Sylvia Bolivar | Appointment Replacing: Mr. Kevin G. Ratliff |
|--------------------|--|

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|--|---|
| | Term Expiring: 12/31/2011 |
| Mr. Mark A. Polk | Appointment Replacing: Ms. Alhen E. Green Term Expiring: 12/31/2012 |
| Dr. Alease J. "Christy" Wright | Appointment Replacing: Ms. Linda Redmond Term Expiring: 12/31/2010 |
| The Honorable Josef B. Brown | Reappointment Term Expiring: 12/31/2009 |
| Ms. Rebecca L. Gitter (UNABLE TO ATTEND) | Reappointment Term Expiring: 12/31/2011 |

Pursuant to proper notice, the public hearing convened on the Appointment of the above listed individuals to the Prince George's County Board of Library Trustee: Council Member Campos, Chair of the Health, Education and Human Services (HEHS) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Mr. Michael Herman, County Executive's Representative, introduced the nominees to the Council. Ms. Sylvia Bolivar; Mr. Mark A. Polk; Dr. Alease J. "Christy" Wright and The Honorable Josef B. Brown were present and spoke on their own behalf. Ms. Rebecca L. Gitter was unable to attend. Council Member Exum moved confirmation of all nominees with terms and positions as listed; seconded by Council Member Campos. The motion carried 9-0.

6. **PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) – CR-40-2008 ADDED**

CB-12-2008 (DR-2) - AN ACT CONCERNING COUNTY FARMER'S MARKET SEASONAL FOOD PERMIT AND FEE for the purpose of establishing a permit and fee for seasonal food facility vendors in County based farmer's markets.
- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 12(DR-2). No persons wishing to speak, the public hearing was declared held. Council Member Olson moved enactment of Council Bill 12(DR-2); seconded by Council Member Campos. The motion carried 9-0.

7. **PUBLIC HEARING/RESOLUTION ELIGIBLE FOR FINAL READING – (ADOPTION)**

CR-41-2008 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of transferring certain appropriations and expenditures between certain programs in the FY-2007-08 Operating Budget for the Recreation Fund. - **ADOPTED**

Council Member Exum, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Pursuant to proper notice, the public hearing convened on Council Resolution 41. No persons wishing to speak, the public hearing was declared held. Council Member Exum moved adoption of Council Resolution 41; seconded by Council Member Bland. The motion carried 9-0.

8. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**

CR-38-2008 – A RESOLUTION CONCERNING THE WESTPHALIA CENTRAL PARK ADVISORY COMMITTEE for the purpose of establishing a multi-agency public/private work group to implement the vision for the Westphalia Central Park. - **ADOPTED**

Council Member Exum, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Resolution 38 was introduced by Council Member Exum on 5/6/2008 and was favorably reported out of the Planning, Zoning and Economic Development (PZED) on 5/27/2008. Council Member Exum moved adoption of Council Resolution 38; seconded by Council Member Bland. The motion carried 9-0.

CR-36-2008 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS, AND FIRE FIGHTER/MEDICS), SALARY SCHEDULE 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, and Fire Fighter/Medics). - **ADOPTED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Resolution 36 was introduced by Council Members Knotts and Campos on 5/6/2008 and was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 5/19/2008. Council Member Exum moved adoption of Council Resolution 36; seconded by Council Member Campos. The motion carried 9-0.

CR-37-2008 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – PRINCE GEORGE’S COUNTY CORRECTIONAL OFFICERS’ ASSOCIATION, INC. (CIVILIAN UNIT) – SALARY SCHEDULE Q, SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement for a unit of civilian employees of the Prince George’s County Department of Corrections by and between Prince George’s County, Maryland and Prince George’s Correctional Officers’ Association, Inc. (Civilian Unit). - **ADOPTED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Resolution 37 was introduced by Council Members Knotts and Dernoga on 5/6/2008 and was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 5/19/2008. Council Member Exum moved adoption of Council Resolution 37; seconded by Council Member Knotts. The motion carried 9-0.

CR-52-2008 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE TOWN OF LANDOVER HILLS for the purpose of approving the enactment of Ordinance O-01-08 amending Chapter 74 of the Town of Landover Hills Code, concerning fences. - **ADOPTED**

Council Member Exum, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Resolution 52 was introduced by Council Member Olson on 5/27/2008 and was favorably reported out of the Planning, Zoning and Economic Development (PZED) on 6/4/2008. Council Member Olson moved adoption of Council Resolution 52; seconded by Council Member Campos. The motion carried 9-0.

9. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-58-2008 - A RESOLUTION CONCERNING THE TAX RATES FOR FY 2008-2009 for the purpose of imposing and levying the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2008; and to set forth the State tax levy and the Stormwater Management District tax levy. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 58 imposes and levies the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2008; and to set forth the State tax levy and the Stormwater Management District tax levy. Council Resolution 58 was introduced by Council Member Dean. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 58; seconded by Council Member Olson. The motion carried by voice vote. Council Member Exum moved adoption of Council Resolution 58; seconded by Council Member Olson. The motion carried 9-0.

2:35
P.M.

DISTRICT COUNCIL ITEMS

(SEE SEPARATE ACTION AGENDA)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. Edward Ted Snell, CEO Cloverleaf Enterprises, (Rosecroft) addressed the Council regarding a fire at the racetrack, noting that it is the only horsetrack owned by the horsemen. He stated that the referendum will net 8.5 to 9 million dollars to save the thoroughbred racetrack, and thanked Council for passing legislation to send this to referendum

ADDITIONS TO THE AGENDA

4. SECOND READING OF BILLS – (INTRODUCTION) – (page 3)

CB-40-2008 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT-DEPUTY SHERIFF'S ASSOCIATION OF PRINCE GEORGE'S COUNTY, INC. for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the Deputy Sheriff's Association of Prince George's County, Inc., to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. - **INTRODUCED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 40 was introduced by Council Members Turner, Knotts and Dean. Council Bill 40 was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 6/9/2008.

8. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

CR-40-2008 – A RESOLUTION CONCERNING NON-PENSION POST EMPLOYMENT BENEFITS TRUST FUND for the purpose of authorizing the establishment of a Non-Pension Post Employment benefits Trust Fund for retiree health benefits. - **AMENDED; DR-2 ADOPTED**

Council Resolution 40 authorizes the establishment of the Prince George's County, Maryland Non-Pension Post Employment Benefits Trust Fund. Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Resolution 40 was introduced by Council Members Bland, Exum and Dean on 5/13/2008 and was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 6/9/2008. Council Member Exum moved amendment number 1; seconded by Council Member Bland. The motion carried 8-0-1. (Abstained: Council Member Dernoga.) Council Member Exum moved adoption of Council Resolution 40 (DR-2) as amended; seconded by Council Member Bland. The motion

carried 7-0-1. (Abstained: Council Member Dernoga; Absent: Council Member Harrison.)

RECESS: - *Chairman Dean recessed at 2:45 P.M.*

BRIEFING – (ROOM 2027) - **CANCELLED**

INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED FOR MONDAY, JUNE 16, 2008.

BRIEFING – (COUNCIL HEARING ROOM) - **BRIEFING HELD**

HOSPITAL AUTHORITY

Reverend Jonathan L. Weaver, Greater Mt. Nebo A.M.E. Church, Bowie
Reverend Perry A. Smith, III, Pastor, The First Baptist Church of North Brentwood
Reverend John K. Jenkins, First Baptist Church of Glenarden
Reverend Kerry Hill, Pastor, New Chapel Baptist Church, Temple Hills

COMMITTEE OF THE WHOLE – (ROOM 2027) - **COMMITTEE MEETING HELD**

THE ADOPTED BRANCH AVENUE CORRIDOR SECTOR PLAN AND ENDORSED SECTIONAL MAP AMENDMENT

(TRANSCRIPT ANALYSIS)

Chidy Umeozulu, M-NCPPC, Project Manager
Terri Bond, M-NCPPC

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

STORMWATER MANAGEMENT/LID

Mr. Andrew Fellows

Accompanied by:

Diane Cameron, Audubon Naturalist Society
Jim Connelly, Anacostia Watershed Society
Fred Tutman, Patuxent River Keeper
Jennifer Cotting, Environmental Finance Center, National Center for Smart Growth,
University of Maryland – *(Unable to Attend)*
Dan Smith, Friends of Lower Beaverdam Creek

RECONVENE: - *Chairman Dean reconvened at 7:06 P.M.*

PUBLIC HEARING: - PUBLIC HEARING HELD

**PUBLIC HEARING ON THE PROPOSED AMENDMENTS TO THE
ADOPTED CAPITOL HEIGHTS TRANSIT DISTRICT DEVELOPMENT PLAN AND
ENDORSED TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT AS
OUTLINED IN CR-17-2008 (DR-2)**

The Prince George's County Council, sitting as the District Council for the Maryland-Washington Regional District public hearing on Council Resolution CR-17-2008 (DR-2), which proposes amendments the Adopted Capitol Heights Transit District Development Plan (TDDP) and Endorsed Transit District Overlay Zoning Map Amendment (TDOZMA).

(SEE SEPARATE ACTION AGENDA)

ADJOURN: - *Chairman Dean adjourned the meeting at 7:29 P.M.*

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council