

APPROVED

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Tuesday, February 15, 2005 Rockville, Md.

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland, at 9:24 A.M. on Tuesday, February 15, 2005.

PRESENT

Councilmember Thomas Perez, President	Councilmember George Leventhal, Vice President
Councilmember Phil Andrews	Councilmember Michael Knapp
Councilmember Howard Denis	Councilmember Nancy Floreen
Councilmember Marilyn J. Praisner	Councilmember Steven A. Silverman
Councilmember Michael Subin	

The President in the Chair.

Rabbi Stuart Weinblatt, B'nai Tzedek, Potomac, gave the invocation.

SUBJECT: Proclamation in Recognition of 15 Montgomery County High School Students Named as Intel Science Semi-Finalists

The proclamation was presented by Ms. Floreen to the students.

SUBJECT: Proclamation in Recognition of the Northwest High School Football Team, Winners of the Maryland State 3A High School Football Championship

The proclamation was presented by Mr. Silverman and Mr. Knapp to Mr. Trivers, Coach and Ms. Morrison, Principal.

SUBJECT: General Business

Agenda and Calendar Changes: Noted an addendum to the agenda, announcing that a public hearing on Bill 38-04 has been scheduled for March 15 at 7:30 p.m.; adding the introduction of a supplemental appropriation to the FY05 Operating Budget of Montgomery College - \$1,200,000 for the Adult Basic Education and ESL Program; confirming the County Executive appointments to the Ethics Commission, to the Cable Communications Advisory Committee, and to the

Mid-County Citizens Advisory Board; deferring the status report from the Public Safety Memorial Committee; deferring action on Expedited Bill 15-04; deferring the State Legislative Program discussion; and adding a proposed closed session for the purpose of considering acquisition of real property for a public purpose and matters related directly thereto, pursuant to Maryland Code, State Government Article, §10-508 (a)(3).

Receipt of Petitions

There were no petitions received in the Legislative Information Services last week.

Mr. Silverman stated that had he been present on February 8, 2005, at the time the vote was taken on the Comprehensive Solid Waste Management Plan, Executive Regulation 15-04, and Executive Regulation 18-04, he would have voted in the affirmative.

SUBJECT: **Consent Calendar**
Reference: Agenda items (3)A-K

Mr. Silverman requested that a Planning, Housing, and Economic Development Committee meeting be scheduled to discuss the resolution requiring the condominium transfer tax not supplant the General Fund appropriation to the Housing Initiative Fund.

The Consent Calendar was adopted:

Introduced a supplemental appropriation to the FY 05 Operating Budget of the Montgomery County Public Schools (MCPS) for the Maryland School Improvement Program, in the amount of \$300,790;

Resolution 15-897, approving the retroactive increase to the minimum and maximum salaries on the salary schedule of uniformed Fire/Rescue managers;

Resolution 15-898, confirming the County Executive's appointment of James Frazier Bey to serve as a member of the Alcohol and Other Drug Abuse Advisory Council;

Resolution 15-899, confirming the County Executive's appointment of the following persons to serve as members of the Commission on Landlord-Tenant Affairs: Jay Krampf, David J. Mason, Lyana G. Palmer, Matthew M. Moore, and Martha McClelland;

Resolution 15-900, approving Executive Regulation 11-03AM, Amendments to the Personnel Regulation – Grievance Procedures and Other Amendments;

Introduced a resolution to require that the Condominium Transfer Tax must not supplant the General Fund appropriation to the Housing Initiative Fund;

Introduced a special appropriation to the FY05 Capital Budget of the MCPS for relocatable classrooms, in the amount of \$5,000,000;

Introduced a supplemental appropriation to the FY05 Operating Budget of Montgomery College for Adult Basic Education and the ESL Program, in the amount of \$1,200,000;

Resolution 15-901, confirming the County Executive's appointment of the following persons to serve on the Ethics Commission: Jerome E. Joseph and Antar C. Johnson;

Resolution 15-902, confirming the County Executive's appointment of the following persons to serve on the Cable Communications Advisory Committee: Nathan I. Finkelstein, Grant G. Moy, Jr., Franz Hespenheide, James A. Berard, and Jay H. Boyar;

Resolution 15-903, confirming the County Executive's appointment of Cheryl A. Czekaj to serve as a member of the Mid-County Citizens Advisory Board.

Ms. Praisner made the motion.

SUBJECT: **Resolution to Establish Annual Budget Priorities and Performance Measures**
Reference: Agenda Item (5)

Resolution 15-904, was adopted establishing annual budget priorities and performance measures.

Mr. Knapp made the motion.

SUBJECT: **Legislative Session**
Reference Agenda Item (6)

See the legislative journal of this date for the minutes of the legislative session.

The Council recessed at 12:05 P.M. and reconvened at 12:30 P.M. in closed session.

SUBJECT: **Closed Session**
Reference Agenda Item (7.5)

Agreed to meet in closed session for the purpose of considering acquisition of real property for a public purpose and matters related directly thereto. The topic was the Marlboro Meadows project.

Ms. Floreen made the motion. Councilmember Subin was temporarily absent.

The County Council convened in the Council Conference Room in closed session from 12:30 P.M. until 12:45 P.M. authority of Section 10-508(a)(3) State Government Article, Annotated Code of Maryland.

The Council recessed at 12:45 P.M. and reconvened at 1:37 P.M.

SUBJECT: Resolution to Establish Council Grants Process

Reference: 2/10/05 memorandum from Legislative Analyst McGuire.

Introduced the subject resolution.

Agreed that all grant applications not previously reviewed by an Executive Branch panel should be reviewed by a Council panel.

Mr. Leventhal made the motion. Mr. Denis was temporarily absent.

Requested staff to circulate the revised resolution to Councilmembers; and to place the resolution on the consent calendar for the Council's March 1 meeting.

SUBJECT: Closed Session

Agreed to meet in closed session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(i). The topic was inspector general interviews.

Ms. Praisner made the motion. Councilmember Denis was temporarily absent.

The County Council convened in the Council Conference Room in closed session from 2:30 P.M. until 4:00 P.M. under authority of Section 10-508(a)(1)(i)(3) State Government Article, Annotated Code of Maryland.

SUBJECT: Report of Closed Session of Tuesday, February 8, 2005

In compliance with Section 10-509(c)(2), State Government Article, Annotated Code of Maryland, the following is a report of the County Council's closed session of February 8, 2005. The Council convened in closed session at 7:15 P.M. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, pursuant to State Government Article, Section 10-508 (a)(1)(i). The topic was inspector general.

The following persons were present: Councilmembers Perez, Andrews, and Leventhal; Mr. Marvin Weinman, Ms. Elizabeth Dean, Mr. Gregg Bauer, Mr. Glenn Fine, and Mr. Earl Devaney, members of the Inspector General Nominating Panel; Council Staff Director Farber, and Legislative Analyst Ferber.

The meeting adjourned at 4:00 P.M.

This is an accurate account of the meeting:

Linda M. Lauer, Clerk of the Council