



Howard County Council

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COUNCILMEMBERS

Mary Kay Sigaty, Chairperson
District 4
Jennifer Terrasa, Vice Chairperson
District 3
Calvin Ball
District 2
Greg Fox
District 5
Courtney Watson
District 1

Minutes (Approved 4/6/09)
Legislative Work Session
March 23, 2009

The meeting was called to order at 4:33 pm in the Board Room, Board of Education, 10910 Route 108, Ellicott City.

Members present: Calvin Ball, Greg Fox, Mary Kay Sigaty, Jennifer Terrasa, and Courtney Watson

Discussion: The members discussed the following items related to the following bills:

Council Bill No. 11-2009 (ZRA-108) – Introduced by The Chair at the request of Brantly Development Group - Amending the Howard County Zoning Regulation's definition of Age-restricted Adult Housing to allow an exception of up to 20 percent of the units within age-restricted adult housing developments to be unrestricted in terms of age occupancy requirements except for the existing restriction applicable to children under 18 years of age; to delete an existing exception relating to surviving household members 50 years or older; and generally relating to age-restricted adult housing.

The members reviewed the proposal with Marsha McLaughlin, Director of Planning and Zoning, Paul Johnson, Assistant County Solicitor and Sang Oh, the petitioner's attorney. Discussion points included the contents of the technical staff report and the recommendation of the Planning Board, the legislative history of the bonus density provisions, the supply of and demand for Age-restricted Adult Housing, a comparison to federal law, and enforcement issues. Dr. Ball summarized five potential amendments. The members indicated that the survivorship exception in existing law should be revisited and suggested the need for a comprehensive review of Age-restricted Adult Housing by the Commission on Aging.

Council Bill No. 14-2009 – Adding certain definitions; describing the accrued benefit of certain reemployed employees in job classes represented by the American Federation of State, County and Municipal Employees ("AFSCME") Local 3085; requiring certain contributions from AFSCME Local 3085 employees after a certain date; setting forth the retirement income for certain AFSCME Local 3085 employees; reordering certain provisions; making certain technical corrections; and generally related to the County's retirement plans for employees of AFSCME Local 3085.

The members reviewed the proposal with Todd Allen, Human Relations Administrator, Sean Malone, Chief Labor Negotiator, Christopher Parr, Pension Oversight Commission Chair and Theresa Long, Actuary. Matters discussed included the funding ratio of the plan, the impact of the failure to enact the bill, a comparison of the pay and pension for equivalent work in other jurisdictions, the number of non-union County employees in the same pay range, and the status of current contract negotiations. The Administration will take an amendment delaying implementation of the bill until 2011 to the full Pension Oversight Commission for review and comment.

Council Bill No. 12-2009 (ZRA-109) – Introduced by The Chair at the request of SK King George, LLC - Amending the Howard County Zoning Regulations to establish a new provision whereby approved

Conditional Uses would be completely exempt from the potential to become void and would not have to obtain extensions for projects for which plans are being processed with Howard County; and generally relating to Conditional Uses

The members reviewed the proposal, including a proposed amendment, with Ms. McLaughlin, Mr. Johnson and Richard Talkin, the petitioner's attorney. The amendment is acceptable to the Department of Planning. The legislation is intended to allow the Department of Planning and Zoning to extend the life of conditional uses where the development plans have been diligently pursued. This codification of the diligence standard is in lieu of filing an extension request with the Hearing Examiner.

The work session adjourned at 7:06 pm.