

Testimony in Opposition to Council Bill 7-2026

Good evening Councilmembers,

My name is Amir Naviwala, and I'm a resident of Howard County and a candidate for County Council.

I am here to speak **in opposition to Council Bill 7.**

This bill is being framed as a neutral ethics or governance reform, but in reality it is a **solution in search of a problem**—and worse, it risks creating new problems that undermine both democratic accountability and the proper functioning of County government.

The premise of this bill is that the County Council poses a threat of “interference” with boards and commissions, particularly quasi-judicial bodies like the Board of Appeals. But the real and well-documented risk to these bodies is **not Council oversight**—it is **improper corporate influence**, unequal access, and off-the-record pressure exerted by well-resourced private interests. That is where legislative attention should be focused.

Instead, CB7 shifts scrutiny away from those power imbalances and toward the elected legislative branch itself.

Howard County already has clear and established rules governing **ex parte communications**, **quasi-judicial conduct**, and **ethical boundaries** for both Councilmembers and board members. Those standards exist precisely to prevent improper influence while still allowing Councilmembers to do their jobs: raising concerns, responding to constituents, and acting when they detect potential misconduct or procedural irregularities.

CB7 does not clarify those rules—it **overlaps them with vague and undefined language**, such as “hinder,” “obstruct,” or “disrupt.” These terms are not meaningfully defined in the bill and invite subjective interpretation. As written, this legislation risks chilling lawful speech, discouraging legitimate oversight, and creating confusion about what Councilmembers are permitted—or afraid—to say or do.

That is a **dangerous slippery slope**.

The County Council is not a ceremonial body. It is a co-equal branch of County government with a duty to investigate, question, and respond when something appears improper. Attempting to regulate how Councilmembers speak, inquire, or act—outside of clear ethical violations—sets a troubling precedent and could itself become a form of interference with representative government.

Finally, the timing and framing of this bill raises legitimate concerns. Rather than addressing systemic vulnerabilities to corporate influence, CB7 appears designed to **score political points** by constraining minority voices on the Council under the guise of neutrality. That is not good governance.

If the Council believes reform is needed, then the correct approach is to **scrap this bill entirely** and begin anew with legislation that:

- strengthens transparency,
- limits improper private influence,
- reinforces public trust in quasi-judicial bodies,
- and preserves the Council's constitutional and democratic role.

CB7 does none of those things.

For these reasons, I urge the Council to **reject Council Bill 7**.

Thank you.

Howard County, Maryland CB 7—Board of Appeals

The legislation prohibits the County Council, its members, and council staff from obstructing or interfering with the deliberations and decisions of any Council Board or Commission.

However, CB 7 does not define critical terms such as "hindering," "obstructing," or "disrupting," nor does it delineate the permissible boundaries for council members or their staff to engage in constituent communications. As a result, this measure may have implications for citizens' ability to communicate concerns to their elected representatives, potentially restricting opportunities for public input on county affairs.

Furthermore, the absence of clear procedural safeguards raises concerns regarding how individuals accused under these provisions would be assured of fair and impartial hearing, which may contribute to an atmosphere of uncertainty and diminished trust.

In conclusion many of us, especially those communities, your constituents, who have experienced the Board of Appeals chaos such as my community, Highland regarding the GoKart case are depending on this County Council to take the necessary action to once and for all make a wrong a right! It is our right to speak out. This Bill is absolute nonsense, and we encourage you to just say "NO." However, reality says this will not occur especially since Council-members Jones, Rigby and Yungmann have their names on this Bill. You are the same ones who

unfortunately voted against having the most qualified nominee, Andrea LeWinter as a Board of Appeals member. This was inexcusable. We thank Deb Jung for nominating Ms. LeWinter and Liz Walsh for her nominee, both nominees being lawyers. We simply believe that qualified individuals should be sitting on the Board of Appeals. Stop attempting to put a band-aid when the Board of Appeals wounds are too deep. This Bill and CR24 do nothing to once and for all attempt to correct the problems.

Therefore, I am against CB 7.

Angela Bruce



Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 20 January 2026

Subject: HCCA Testimony for CB7-2026

My name is Stu Kohn from Scaggsville representing the Howard County Citizens Association, HCCA as is President.

We appreciated you, Dr. Jones, stating your appreciation for our organization in October during public testimony. Yes - We are fortunate to live in a country where freedom of speech is a blessing and "Choose Civility" should be a priority. Keeping this in mind we have concerns about this proposed Bill as it is currently written.

Please refer to page 1, line 14. The words, "Hinder", "Obstruct", and or "Disrupt" needs to be clearly defined. Without such an amendment the Bill is too generic and will no doubt lead to interpretation on the part of anyone filing a complaint and the accused victim. It would be extremely helpful, Dr. Jones, to provide specific examples of what type of circumstances will constitute your colleagues or staff to be accused of such violations. For example, will any Council-member be forbidden to speak at a press-conference or testify at Board of Appeals hearings in support of their constituents' concerns?

Please refer to page 1, line 15 and 19 – reference the referral to Subsection (D) as we don't see it appearing in the Charter but has been corrected by an amendment.

Please refer to page 1, lines 23 thru 27, how were these specific Boards and Commissions determined?

Before approval we recommend the following questions be addressed and included as amendments to the Bill.

1. What is the rationale for excluding entities which are not defined in Lines 23 thru 27?
2. Is the Council to determine specific violations?
3. What are the penalties as it is not defined in the Bill?
4. Will Council-members be sanctioned and if so, what would this mean?
5. Will the Council by majority vote determine the outcome?
6. How will any accused violator receive Due Process?
7. How does the accused violator appeal their case?

8. Will there be a public hearing for the accused individual?
9. Will it be permissible for Council-members to testify on behalf of their constituents at BOA hearings and would this be considered undue pressure on the members of the board?
10. Will Council-members be permitted to speak for example at a Press-conference regarding a given case on behalf of their constituents?

Harry Truman in a speech to Congress in August 1950 stated, "Once a government is committed to the principle silencing the voice of the opposition, it has only one way to go, and that is down the path of increasingly repressive measures, until it becomes a source of terror to all its citizens and creates a country where everyone lives in fear."

In our opinion this Bill needs to be withdrawn or severely amended by adopting amendments regarding our suggested questions to make it relevant for all concerned parties.



Stu Kohn
HCCA President

Testimony Regarding CB 7

Greetings County Council Members,

My name is Lisa Krausz, and I am one of the Co-Facilitators of the Stop Grace Coalition. We are working to keep Howard County free from the impacts of plastic incineration pollution and processes that heat plastics up to extreme temperatures - like the process soon to be operating at W.R. Grace off of Grace Drive in Columbia. I am speaking as myself tonight.

I am testifying to register my opposition to County Bill 7. In discussions with other community residents in Howard County, it is clear that CB 7 is a performative bill that does nothing to address serious concerns with the way the Board of Appeals has operated. Instead the bill appears to be a distraction from the real reforms that are needed by shifting focus on to Council Members who have been working to reform the BOA. It appears that the County Council is not taking seriously the many concerns raised by residents and community groups who have either experienced a perceived miscarriage of justice under Howard County's quasi-judicial review process or who have been putting forth solid reform suggestions for years.

There are, in fact, many reforms that need to be undertaken with Howard County's quasi-judicial process which includes an appeals process to a Hearing Examiner, then on to the BOA. The system seems fundamentally flawed based on primarily two factors: (1) the de novo process from the Hearing Examiner hearings to the BOA hearings, which ignore the findings of the Hearing Examiner and which are expensive and often pose an impediment for community members to get a fair shake, and (2) the low qualifications required for Board of Appeals members, which continuously dogs the BOA's credibility and ability to better serve Howard County.

Both of these issues can be addressed substantively and successfully by the County Council.

Yet CB7 instead attempts to muzzle valid criticism and concerns by our County Council members with very little specificity to guide its implementation. This bill seems to fit in neatly to the current zeitgeist which attempts to stifle free speech and critiques of government overreach through punitive actions.

For those of us who feel justice was not served under the BOA Hearing process, this bill feels like a slap in the face, and we are disappointed that Council Member Opel Jones has proposed this bill rather than tackling the serious reforms that are needed.

The County Council must understand that you have a deeper problem on your hands when it comes to Howard County's quasi-judicial processes and the way BOA operates. Other County Council Members are not the problem here.

CB 7 2026 Alleva Testimony

From Christopher J. Alleva <jens151@yahoo.com>

Date Wed 1/21/2026 10:49 PM

To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Chair Jones:

I was advised that my sign up for CB7 was omitted. I believe I signed up. While I'm sure the chair would probably be willing to allow me to testify, I don't want to appeal for this accommodation because it would break the flow of the hearing.

I lieu of oral testimony please allow me to offer this written testimony.

1. For the record, no board member has filed a formal complaint.
2. To my knowledge, the first time a complaint was mentioned was a story in the Baltimore Banner.
3. In my opinion, the story in the Banner seemed like a publicity stunt by the Chair that appeared to be in furtherance of his then planned run for County Council that is now apparently suspended. (pro tip: when the photograph of the subject of the story is supplied by the subject it's a dead giveaway.)
4. On November 17, 2025, in what was convened as a "joint meeting" of the Council and the Board of Appeals, board members were given a platform to level unsubstantiated accusations against certain council members. Additionally, it appeared that some Council members were participants (perhaps unwittingly) in the publicity stunt.
5. The Board Chair made a sensational accusation that a stranger showed up at his house and made threatening references to Board cases and then blamed it on certain council members without a shred of evidence. Did he report this to the police? Did he report this to Office of Law? Did he or the police seek to obtain surveillance video from any nearby cameras to identify the suspect? Is there any contemporaneous corroborating evidence of this alleged incident whatsoever?
6. If Board members were so concerned, why would they seek out this publicity and expose themselves further? It was unethical for the Board to go to the media with these accusations.
If Board members felt that Council members were engaging in mis-conduct they have a duty to refer this to their legal counsel for a proper investigation.

7. The only person who has been credibly accused of misconduct was the accusation of ex parte communication against the Chair made by the interested party's legal counsel in the W.R. Grace case. The chair denied this accusation and unilaterally refused to recuse himself despite a strong appearance of impropriety. Is this matter being referred for investigation?

8. There are credible allegations that the Board usurped the exclusive legislative powers of the County Council in BA 24-022C Charles Siperko. What recourse does the Council have to reclaim these powers. How could the Office of Law write a D&O with this blatant violation of the charter?

9. The statutory design of the Board of Appeals is to insulate it from politics, hence the staggered fixed terms and the already strong protections the members enjoy.

Instead, the Board through their outrageous conduct with a huge assist from the Council have placed themselves right in the middle of the upcoming election in June. Way to go!

Some Council members suggested this was just sour grapes by the aggrieved citizens that lost these cases. In my opinion, any intellectually honest appraisal of the Board's conduct would find otherwise. I have a long list of years of serious transgressions by the Board of Appeals. I call on the County Council to exercise their investigatory powers and hire an investigator so we restore the public trust to this body. There is no other alternative and it needs to be done without delay.

On Wednesday, January 21, 2026 at 07:58:04 PM EST, Harrod, Michelle <mrharrod@howardcountymd.gov> wrote:

We did not see you on the list for CB7 We have you for CR11, CR19, and CB3

Thank you,

Michelle R. Harrod

Howard County Government

Administrator to the County Council

410-313-3111 (office)

443-398-6013 (cell)

mrharrod@howardcountymd.gov

From: Christopher J. Alleva <jens151@yahoo.com>
Sent: Wednesday, January 21, 2026 7:53 PM
To: Harrod, Michelle <mrharrod@howardcountymd.gov>
Subject: I signed up

CR 7-2026

From JAMES MAZZULLO <mazzullo@verizon.net>
Date Sun 1/25/2026 12:18 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Chair Jones:

My name is James Mazzullo, I am a retired Howard County business owner. Today I am writing in opposition to CB 7-2026.

The following is some background on my interest in this subject. More than 6 years ago on April 7 2019 I filed an appeal with the Hearing Examiner objecting to the erroneous approval of a site development plan. There were numerous errors of fact and law and violations of basic due process rights. The decision on my appeal was delayed for nearly 2 years until it was denied on December 3, 2020. Again, there were numerous errors of fact and law and violations of basic due process rights in the Hearing Examiner's decision.

Accordingly, I made a timely appeal to the Board of Appeals on January 1, 2021. After fighting numerous attempts to illegally dismiss the case, the Board finally set it in for a hearing 18 months later on June 6, 2023 where they illegally dismissed my case for lack of standing. I am an adjoining property with presumptive standing and they ruled I did not have standing because they claimed I didn't show a decline in property value. Besides the fact that this is an evidentiary impossibility, it is not the criteria for having standing. To show standing an appellant must demonstrate that they are aggrieved differently than the general public. In my case my adjoining proximity was sufficient to have standing. This was a flagrant violation of my rights. Please note the actual Decision was not released until October 2, 2023.

My appeal was not heard more than 4 years after the original case was decided. The subject building was already completed, inspected and open for business in June of 2021. Again, the Board finally scheduled my appeal on June 6, 2023. Was this intentional? It sure seems like it. My case was prejudiced not only by the factless and lawless decisions it was doomed by the indefensible multi-year delays.

From my experience with the Board of Appeals, the inescapable conclusion is that they are a rogue lawless Howard County agency untethered from the facts and the law. I urge the Council to cut out this malignancy and reform the Hearing Authority including the Board of Appeals.

Cordially,

James Mazzullo



Lubna Khan Testimony Opposing CB-7-2026

From Lubna Khan <Inkhans167@gmail.com>

Date Thu 1/22/2026 8:19 PM

To CouncilMail <CouncilMail@howardcountymd.gov>; Inkhan1@gmail.com <Inkhan1@gmail.com>; Walsh, Elizabeth <ewalsh@howardcountymd.gov>

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Members of the Council,

I am here today to oppose CB-7-2026 because this bill opens the door to further corruption and lack of accountability within the Howard County Board of Appeals.

I have personally appeared before Board members Gene Ryan, Lynn Foehrkolb, and Felita Phillips in multiple cases. Based on my direct experience, I believe these members have engaged in serious misconduct that undermines public trust. In fact, I have been forced to take legal action against them and their counsel, Barry Sanders, because of their unlawful and egregious conduct. They are now seeking absolute immunity to shield themselves from accountability. Please take note of C-13-CV-25-000106, ACM-REG-0968-2025.

In **BA-790-D**, the Board:

- Allowed petitions to bypass the Hearing Examiner in violation of Section 16-302.
- Improperly incorporated non-parties into the case.
- Reopened an administratively closed matter where third parties were not permitted.
- Disregarded an active District Court citation.
- Threatened me with expulsion for questioning their jurisdiction.
- Characterized me as "insane" for raising lawful procedural concerns.
- Falsely accused me of perjury by referencing a police report that was never produced.
- Misrepresented site conditions after visiting the property.

- Changed my evidence
- Altered and mislabeled meeting minutes and evidence to conceal altering my evidence exhibit list.

In **BA-789**, the Board approved a falsified Site Development Plan, SDP **99-125**, which contained a county signature dated 2020 and a fabricated seal. A SDP dated 2020 cannot legitimately be identified as SDP 99-125 which reflects a 1999 year of filing as coded by DPZ. This raises serious concerns about record integrity when Board of Appeals is suppose to resolve conflicting evidence

They violated the open meeting act. They stated "now you can hear the board deliberating" then opened the husher because they were approving fabricated record and knew what they were doing

In both cases, when I attempted to impeach Department of Planning and Zoning witnesses, I was unlawfully silenced and denied the right to meaningful cross-examination.

Additionally:

- Gene Ryan has a documented history of litigation against the federal government that he lost. He is for a special interest group. He aspires to be politician
- Felita Phillips has been involved in multiple financial and real estate-related legal matters.
- Lynn Foehrkolb consistently supported these improper actions.

Together, their conduct reflects a pattern of bias, procedural violations, and disregard for due process and troubled background and are not fit to adjudicate in quasi-judicial proceeding

The Board of Appeals, as it currently operates, has become a platform for abuse of authority rather than a forum for fair adjudication. Without meaningful oversight, this bill will only strengthen an already broken system.

Instead of expanding the Board's power, this Council should be establishing independent oversight, accountability mechanisms, and removal procedures for misconduct and corruption

For these reasons, I strongly oppose CB-7-2026.

Passing this bill will not serve the public interest. It will serve special interests and protect institutional corruption.

I urge you to vote against it because you are fanning corruption and I have no attention to give up they dont deserve absolute immunity which they are seeking in C-13-CV-25-000106

I respect Council member Liz Walsh and Deb Jung for standing up for integrity in quasi-judicial proceedings. Board of appeals demands oversight by the county council

Thank you

Lubna Khan

Wanted to be sure that you have this for the bill file.

Cindy Skalny
Chief of Staff
Councilman David Yungmann, District 5
Howard County Council
3430 Court House Drive
Ellicott City, Maryland 21043

410-313-3123



From: Cindy LaFollette <cindy72577@gmail.com>
Sent: Wednesday, January 21, 2026 8:56 PM
To: Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Debra <djung@howardcountymd.gov>; Yungmann, David <dyungmann@howardcountymd.gov>
Subject: Vote Against CB7

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Good evening, council,

After attending this evening's meeting and hearing testimony on CB7, I agree with the majority that this bill is ridiculous, unnecessary, and a violation of democratic values. When a county board or the executive doesn't respond to concern, who else can we call if not our legislators? You rest in the middle, making sure that our voices are heard when others in power do not listen.

I have contacted several of you over the years with various concerns of my own, those brought to my attention by council members, and those brought to me by my community or as part of a coalition. You have each stepped in to ask questions, raise concerns, and fight on behalf of your constituents. And you've even taken the time to send me information on legislation to help me better understand and advocate for holistic progress.

The people of Howard County deserve to have legislation that serves its people and not special or political interest, and I you heard that in the will of the people tonight.

Vote against CB7-2026. Thank you.

Yours in advocacy,
Cindy LaFollette

Testimony on CB7

Testimony of Ted Giovanis in Opposition to CB 7

Ted Giovanis Highland MD
Testifying Against CB7
January 20, 2026

Howard County has an “independent” Board of Appeals that has become rogue.

The proposed CB7 preserves and protects the existing Board membership from Council criticism. It doesn’t just maintain the status quo — it entrenches a body that has steadily expanded its own power.

By cloaking policy-making in the guise of “interpretation,” the Board effectively legislates without ever being held accountable to the public.

Its reliance on de novo review only amplifies this problem: the Board can discard prior findings, manufacture its own record, and dictate outcomes from a position of unchecked authority.

Citizens are then told their only recourse is an expensive, time-consuming, and deferential appellate process that most people cannot realistically pursue.

The Council has insulated the Board from meaningful oversight and left the public with a system designed to exhaust them rather than offer a genuine remedy.

The Board has become all three branches of Howard County government without ever standing for election – something’s not right.

Now the Council through CB7 seeks to enshrine the anointed Board despite its quirky decisions and operations in many recent cases.

Such cases have been brought to the attention of the Council which it does not seem to be able to address as a collective.

And now CB7 prevents any interventions with members of the Board.

They are all powerful!

Some have expressed concern about potential conflicts of interest for prospective members of the Board as that might influence their Board decisions.

Yet, watching the Board hearings, it is clear that there are “very collegial” relationships between the certain Board members and the representatives of the non-citizen parties which has led to much subjectivity in its determinations – But this is not conflictual?

Attempting to address this situation via CR24 is a smoke screen - if it passes referendum, it would be ineffective.

This Board needs Charter and rules revamps.

You have a choice - do you want the Board’s “ineptitudes” and its own “solution” to be your legacy, or do you want to meaningfully address the actions of an unaccountable, but powerful Board?

Now is your time to stand up and correct this Board and its processes for the future.

We, the citizens, will assist you in creating a solution.

You can do this!



FW: CB7-2026--PLEASE READ--Aidan Morrell

From Jung, Debra <djung@howardcountymd.gov>
Date Thu 1/22/2026 5:08 PM
To Anderson, Isaiah <ianderson@howardcountymd.gov>

From: Aidan Morrell <amorrell77@gmail.com>
Sent: Thursday, January 22, 2026 8:48 AM
To: Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Jung, Debra <djung@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Harrod, Michelle <mrharrod@howardcountymd.gov>; Yungmann, David <dyungmann@howardcountymd.gov>
Subject: CB7-2026--PLEASE READ--Aidan Morrell

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Thank you for hearing testimony last night on CB-7. I am sharing my written testimony at the bottom of this email in *italics* for the record. While you heard most of that last night and need not re-read, I wanted to speak to you directly and personally.

I am not writing to proselytize, lecture, or question anyone's character. I recognize that public service is difficult and that reasonable people often disagree, and while I don't agree with each of you on all the issues, I genuinely believe that each of you likely came into this role with sincere intentions to serve Howard County. Even in the face of the current introduction of this bill, I still believe that to be true.

That said, I cannot avoid the conclusion that CB-7 represents a fundamental misreading of what actually went wrong here, and an even more troubling choice about how to respond to it.

Councilmembers Jones, Rigby, and Yungmann have advanced or supported (or appear likely to support) this bill, and while I do not presume to know your motivations, I struggle to reconcile this legislation with the values I believe you hold. I sincerely believe that none of you would have to search your conscience very deeply to recognize that this bill does not advance the integrity of our institutions, nor does it protect the public interest it claims to serve.

What we are confronting is not a healthy system under attack. It is a system already exhibiting signs of serious institutional failure. And instead of treating that failure, this bill enables it.

To put it plainly: when faced with a cancerous element within a quasi-judicial body (one with an increasingly tenuous relationship to transparency, the rule of law, and procedural fairness), the response should be to isolate it, constrain it, and restore institutional health. CB-7 does the opposite. ***It treats accountability as the***

disease, condemns those attempting to intervene, and gives the affected body more unfettered discretion to dispense its particular brand of justice with even less oversight.

That is not course correction. ***That is metastasis.***

I want to be careful here, because I am not writing to rehash the merits of my W.R. Grace matter or to relitigate it through this bill debate. But because the events of that proceeding appear to be part of what gave rise to CB-7, a brief description of that context is necessary to understand why this legislation is so fundamentally misguided.

And in offering that context, I want to be explicit about one point that will otherwise be too easy to dismiss: my opposition to CB-7 is not sour grapes. I have been a practicing attorney for more than a decade. I have won cases and I have lost cases. I understand how these things go, and I do not take adverse outcomes personally. Losing is part of the profession.

What shook me about that proceeding was not the outcome; it was the process.

In my professional judgment, the Board's conduct reflected an extraordinary breakdown of basic judicial norms—fairness, justice, and restraint—that courts and quasi-judicial bodies are supposed to embody, and it rattled me precisely because it departed so sharply from those basic legal notions. While I didn't believe I could be any more dismayed than by Chairman Ryan's conduct during that proceeding, ***what has been even more unsettling is watching that breakdown become the justification for legislation that further entrenches the very dysfunction that caused it.***

The photograph that surfaced showing the Chair of the Board of Appeals socializing with counsel for WR Grace in the days leading up to an unprecedented, sweeping order (an order issued without consultation with the Office of Law, without hearing the merits, and effectively granting summary judgment in favor of WR Grace while overturning a detailed decision issued by the Hearing Examiner, who actually possesses formal legal training) was not a trivial matter. In any quasi-judicial context, ***even the appearance of bias or ex parte influence is something that must be acknowledged, disclosed, and addressed by the decision-maker himself.*** That responsibility lies with the official, not with those who notice the problem. The response to that moment by Gene Ryan was telling. Rather than acknowledging the interaction, clarifying its scope, and reaffirming the integrity of the process (a simple and common response to the raising of such concerns), the reaction was to gaslight our attorney, question the legitimacy and foundation of the photograph, attack those who raised it, and portray oversight as misconduct. Mr. Ryan further prejudiced the proceedings by insinuating that we—the appellants—had invited improper political interference into the matter without any factual basis for doing so and recast the entire situation as procedural impropriety on our parts. That posture is virtually unheard of in any judicial or quasi judicial setting. It did not restore confidence. It underscored exactly why oversight was necessary in the first place.

Councilmember Jung and her staff were right to flag that issue. Not politically right—institutionally right. That is how integrity is preserved. That is how public trust is maintained. ***To recast that act as improper influence, and then to legislate against similar conduct going forward, is to fundamentally misunderstand where the threat lies.***

I recognize that reasonable people can debate the correct outcome in that case. But I am not raising this to argue whether the Board ultimately reached the “right” result on the merits. The point is that even the appearance of potential impropriety by a quasi-judicial decision-maker is an issue that should be raised and addressed calmly, transparently, and professionally. That is how legitimate institutions protect public trust.

And if the concerns were unfounded, they could have been dispelled in the simplest way: by acknowledging the interaction and making clear, on the record, that no case-related discussions occurred. Instead, the

response was to attack the basis for the concern, impugn those who raised it, and recast oversight itself as wrongdoing. That is not how a neutral tribunal behaves. Even setting intent aside, it is a process failure, and it is exactly why insulating the Board from scrutiny is the wrong lesson to take from this episode.

This should not be a partisan point, or an intra-Council point. It is a governance point, and one that should unite anyone who cares about the legitimacy of County institutions.

I am mindful, of course, that this Council does not operate in a vacuum.

You have different philosophies, different constituencies, and different internal dynamics. You do not need to agree with one another on everything, or even on much, to serve effectively. But I worry that internal rivalries, ego, and political maneuvering are being allowed to obscure a far more basic moral question here.

You do not have to like one another. You do not have to align ideologically. But if those conflicts cause this body to lose sight of the difference between right and wrong—between accountability and insulation—then we all lose. There are ways to pursue political objectives that do not erode public confidence or damage core institutions. This bill is not one of them.

I understand that CB-7 may pass. If it does, it will not be because it was necessary or just, but because it was convenient. And candidly, while I can speculate about the motivations at play, I still struggle to identify any legitimate public purpose this bill serves. What is clear, however, is that preserving—let alone restoring—the integrity of an already broken system is not among them.

I would urge each of you, before casting your vote, to set aside the politics for a moment and reflect on the oath you took when you assumed public office. That oath was not to protect appearances, advance political showmanship, silence discomfort, or preserve a status quo that benefits a few. It was to uphold fairness, transparency, and the rule of law for the people of this County.

CB-7 does not do that. It asks the public to accept that scrutiny is the problem, rather than the conduct that necessitated it. It asks us to pretend the emperor is clothed.

I hope you will reconsider.

Respectfully,
Aidan Morrell

MORRELL TESTIMONY BELOW

Council Members, thank you for the opportunity to testify.

My name is Aidan Morrell. I'm a resident of Howard County, a lawyer, and one of the appellants in a zoning matter involving W.R. Grace.

I want to start with a point I think everyone here should agree on.

Protecting the integrity of quasi-judicial bodies like the Board of Appeals from unlawful or improper political interference is a principle everyone in this room should support.

I certainly do.

The problem is that this bill does not further that principle—and that principle is not why this bill is being introduced.

And when you look at what this bill is actually responding to—and what it is not—it becomes immediately clear why this bill gets it exactly backwards.

First, this bill is a solution in search of a problem.

CB7-2026 is premised on the idea that there is some demonstrated pattern of improper conduct by County Council members interfering with the Board of Appeals.

There is not.

No findings.

No record of illegal interference.

No identified abuse of power.

No documented harm to any proceeding.

*Instead, this bill appears to be responding to a **narrow set of complaints and narratives that arose in connection with a specific Board of Appeals matter**—one in which I was personally involved—rather than to any established or systemic problem with councilmember conduct.*

To be clear, I am not here to relitigate that case, and I'm not asking this Council to accept anyone's version of disputed events as fact.

*But it is difficult to ignore that **the timing, scope, and focus of this bill appear tied to public complaints made by a Board of Appeals member following that matter**, rather than to any substantiated finding of improper interference by the Council as a body.*

That distinction matters.

Second, and relatedly, the conduct that seems to have triggered this bill—to the extent it can be discerned from public statements and media coverage—is exactly the conduct we should want from elected officials.

Based on publicly reported accounts, councilmembers or their staff became aware of circumstances that raised questions about process, impartiality, or the appearance of impropriety involving a Board of Appeals member in connection with a pending case.

And rather than ignoring those concerns, they were raised.

*Even accepting, for the sake of argument, the most charitable characterization offered publicly by the Board of Appeals Chair—that a councilmember urged him to “do the right thing” after becoming aware of information that raised ethical concerns—**that is not bribery, coercion, or undue influence.***

As a matter of basic legal definition, blackmail involves seeking something of value in exchange for a specific action or inaction.

*It does **not** describe the act of disclosing ethically relevant information and urging a public official to comply with their legal obligations.*

That is not corruption.

That is not interference.

*That is proper **oversight**.*

If we are now saying that councilmembers may not speak out when they see procedural irregularities, ethical concerns, or conduct that undermines public confidence, then we are not protecting the integrity of the Board of Appeals.

*Rather, we are insulating it from scrutiny, and in so doing, **actively eroding the very integrity this bill claims to defend.***

Third, the way this bill attempts to address its stated concern is itself deeply problematic.

*CB7-2026 prohibits “hindering, obstructing, or disrupting” deliberations, but **nowhere does it define what those terms mean in practice.***

Does a public statement criticizing a Board decision qualify?

Does asking questions?

Does requesting explanations?

Does warning against apparent impropriety?

*This bill does not draw that line, and **that is precisely the problem**. There are substantial due process concerns with the bill as drafted and this bill raises more concerns than it addresses.*

Vague standards do not protect integrity.

They chill speech.

They discourage oversight.

And they invite selective and inconsistent enforcement. Especially when applied to elected officials whose job is to represent constituents and speak publicly about government misconduct

Fourth, it's important to recognize that existing rules and laws already address the conduct this bill claims to be worried about.

*If a councilmember were to illegally interfere with a quasi-judicial proceeding—through bribery, coercion, threats, or ex parte manipulation—**there are already legal mechanisms to address that**.*

Ethics laws.

Criminal statutes.

Administrative rules and remedies.

Judicial review.

We do not need a new ordinance with undefined standards to address conduct that is already prohibited and adequately addressed elsewhere.

What this bill actually does is something else entirely.

*Rather than defending the Board of Appeals on the merits, or addressing substantive concerns about its processes, **this bill reads like a diversion—a shift from defending conduct to policing criticism of it**.*

Fifth, the real-world effect of this bill is not to preserve the separation of powers.

*The practical effect is to **reduce transparency**, discourage councilmembers from intervening when something looks wrong, and make it easier for the Board of Appeals to operate without public accountability.*

That concern is not theoretical.

The Board of Appeals has a documented history of:

- *Adversarial relationships with the Office of Law*
- *Procedural irregularities*
- *Decisions that appear predetermined*
- *And repeated conflicts involving powerful private interests and developers*

*In that context, **the last thing this County should be doing is weakening oversight**.*

Finally, when you step back and look at the broader context, the political theater underlying this bill becomes difficult to ignore.

On its face, this bill sounds principled.

But in practice, it appears far more responsive to discomfort with scrutiny than to any demonstrated threat to due process.

This is not about protecting the rule of law.

*It is about **deterring the very officials who were willing to ask uncomfortable questions and demand***

accountability.

That is the tail wagging the dog.

And it sends exactly the wrong message:

That the problem is not misconduct by powerful bodies—but the exposure of it.

In summation:

Yes—we should all agree that councilmembers should not illegally or improperly interfere with quasi-judicial proceedings.

But this bill does not target illegal interference.

It targets oversight.

It targets speech.

And it targets accountability.

If the goal is integrity, this bill misses it entirely.

And if the goal is to preserve public confidence in our institutions, then silencing the people we elect to speak on our behalf is exactly the wrong way to do it.

As a final point before I close—I want to acknowledge what many in this room already understand: this bill is likely to pass. A majority of this Council appears prepared to support it, and that reality itself deserves to be stated plainly for the record.

If this bill does pass, it will not be because the problem it purports to solve has been demonstrated, and it will not be because it meaningfully protects the integrity of the Board of Appeals. It will pass because political convenience and showmanship have been allowed to outweigh judgment and principle.

It is a profound disappointment that the response to serious concerns about Board of Appeals conduct was not to applaud those willing to demand accountability, transparency, and adherence to the rule of law, but instead to condemn them. It is even more troubling that the legislative response appears designed to insulate the Board from scrutiny, discourage resignations, and make it harder to appoint members with meaningful legal expertise—thereby entrenching the very conditions that gave rise to public concern in the first place.

I urge the members of this Council, particularly those inclined to support this bill, to examine their motivations carefully and to reflect on the obligations they undertook when they assumed public office. This body was not elected to preserve appearances, protect the status quo, or shield powerful institutions from accountability. It was elected to serve the public, to demand fairness, and to ensure that County bodies operate within the bounds of law and ethics.

This bill does none of those things. It asks the public to pretend the emperor is clothed, and to accept that silencing oversight somehow serves the public interest. It does not.

For those reasons, and with the hope that principle may yet prevail over politics, I urge you to reject CB7-2026.

Thank you.

Re: Lubna Khan Testimony Opposing CB-7-2026

From Lubna Khan <Inkhans167@gmail.com>

Date Sat 1/31/2026 11:27 AM

To CouncilMail <CouncilMail@howardcountymd.gov>; Inkhan1@gmail.com <Inkhan1@gmail.com>; Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jung, Debra <djung@howardcountymd.gov>; Lubna Khan <Inkhans167@gmail.com>

WARNING!!!

This email originated from someone outside of Howard County
*****DO NOT CLICK LINKS OR OPEN ATTACHMENTS*****
unless you recognize the sender and know for sure that the content is safe

Dear Chair Opel Jones Co-Chair Christina Rigby, and Council Member Youngman

I reviewed the recording of your debate on CB 7-2026 dated 1-27-2026 and listened carefully to the views expressed by everyone and advice of the County Solicitor. I was concerned by how Councilwoman Walsh and Councilwoman Jung were prevented from fully speaking and presenting their objections.

If this bill passes without meaningful oversight of the Board of Appeals, I intend to exercise my First amendment right to create a public YouTube channel to document how quasi-judicial proceedings are being conducted in Howard County. County because residents and others throughout the state deserve transparency and accountability in these matters. Given the impact of your decisions on our daily lives, residents now require meaningful checks and balances and public and social media oversight.is quite essential.

I have personally experienced due process and equal protection violations, including manipulation of my evidence and the absence of a fair tribunal. These are federal constitutional issues that must be adjudicated in federal court. Accordingly, I now intend to pursue relief in federal court.

It is troubling to hear repeated references to "obstruction" and "interference" while serious concerns about procedural fairness and transparency remain unaddressed. You have an obligation to ensure a fair and impartial tribunal. When that obligation is not met, affected parties have the right to seek relief in federal court for constitutional violations. Through such proceedings, the influences and advocacy behind this legislation may be fully examined.

The Board of Appeals has increasingly become a forum where due process appears compromised, and this legislation seems to reinforce that trend in the absence of adequate oversight.

To ensure public accountability, the proponents of this bill and the forces behind it should be publicly identified statewide. Voters have a right to know what their elected officials stand for and who influences their votes on legislation. Quite frankly Ms Rigby was not making any sense.

My cases are supported by documented evidence and reflect ongoing failures of the state system to provide adequate remedies, particularly where serious concerns about misconduct and the misapplication of legal standards are raised.

Public trust depends on transparency, fairness, and respect for constitutional rights, including due process and the right to a fair tribunal. Rather than focusing on vague and politicized terms such as "obstruction" and "interference," meaningful guardrails must be established to ensure impartial decision-making. In the absence of a fair tribunal, citizens are left with no option but to challenge the process itself. Safeguarding due process is not an impediment to governance—it is a fundamental obligation of public office. I urge you to give these concerns serious consideration.

Sincerely,

Sincerely

Lubna Khan

On Thu, Jan 22, 2026 at 6:15 PM Lubna Khan <Inkhans167@gmail.com> wrote:

Members of the Council,

I am here today to oppose CB-7-2026 because this bill opens the door to further corruption and lack of accountability within the Howard County Board of Appeals.

I have personally appeared before Board members Gene Ryan, Lynn Foehrkolb, and Felita Phillips in multiple cases. Based on my direct experience, I believe these members have engaged in serious misconduct that undermines public trust. In fact, I have been forced to take legal action against them and their counsel, Barry Sanders, because of their unlawful and egregious conduct. They are now seeking absolute immunity to shield themselves from accountability. Please take note of C-13-CV-25-000106, ACM-REG-0968-2025.

In **BA-790-D**, the Board:

- Allowed petitions to bypass the Hearing Examiner in violation of Section 16-302.
- Improperly incorporated non-parties into the case.
- Reopened an administratively closed matter where third parties were not permitted.
- Disregarded an active District Court citation.
- Threatened me with expulsion for questioning their jurisdiction.
- Characterized me as "insane" for raising lawful procedural concerns.
- Falsely accused me of perjury by referencing a police report that was never produced.
- Misrepresented site conditions after visiting the property.
- Changed my evidence

- Altered and mislabeled meeting minutes and evidence to conceal altering my evidence exhibit list.

In **BA-789**, the Board approved a falsified Site Development Plan, SDP **99-125**, which contained a county signature dated 2020 and a fabricated seal. A SDP dated 2020 cannot legitimately be identified as SDP 99-125 which reflects a 1999 year of filing as coded by DPZ. This raises serious concerns about record integrity when Board of Appeals is suppose to resolve conflicting evidence

They violated the open meeting act. They stated "now you can hear the board deliberating" then opened the husher because they were approving fabricated record and knew what they were doing

In both cases, when I attempted to impeach Department of Planning and Zoning witnesses, I was unlawfully silenced and denied the right to meaningful cross-examination.

Additionally:

- Gene Ryan has a documented history of litigation against the federal government that he lost. He is for a special interest group. He aspires to be politician
- Felita Phillips has been involved in multiple financial and real estate-related legal matters.
- Lynn Foehrkolb consistently supported these improper actions.

Together, their conduct reflects a pattern of bias, procedural violations, and disregard for due process and troubled background and are not fit to adjudicate in quasi-judicial proceeding

The Board of Appeals, as it currently operates, has become a platform for abuse of authority rather than a forum for fair adjudication. Without meaningful oversight, this bill will only strengthen an already broken system.

Instead of expanding the Board's power, this Council should be establishing independent oversight, accountability mechanisms, and removal procedures for misconduct and corruption

For these reasons, I strongly oppose CB-7-2026.

Passing this bill will not serve the public interest. It will serve special interests and protect institutional corruption.

I urge you to vote against it because you are fanning corruption and I have no attention to give up they dont deserve absolute immunity which they are seeking in C-13-CV-25-000106

I respect Council member Liz Walsh and Deb Jung for standing up for integrity in quasi-judicial proceedings. Board of appeals demands oversight by the county council

Thank you

Lubna Khan