

CB 24 Resolution to Amend the Howard County Charter

The Board of Appeals currently consists of five members. This resolution recommends increasing the membership to seven, contingent upon approval or rejection by Howard County voters as stipulated in Article C of the County Charter and the Maryland Constitution.

A primary issue involves the need for more explicit qualifications for Board membership. Additionally, the resolution does not specify the criteria for resignation, nor does it delineate a process for accepting resignations or addressing vacancies. In the absence of these provisions, the proposed amendment may present further challenges related to governance and transparency.

Council-member Rigby would you be so kind to please tell us why you think this Resolution is a worthwhile endeavor? Do you really think that Council-members Jung or Walsh would give you a fourth vote required to go to Referendum?

Therefore, I am vehemently against this resolution.

Angela Bruce

Testimony for CR 24

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 Resolution 24. While this bill seems like a decent-enough attempt to make substantive change with the Howard County Board of Appeals, many in the community working to improve the BOA do not believe it will create its intended effect and instead will only amplify the BOA's existing problems.

Placing additional members on the Board of Appeals doesn't address the long-standing problems with Howard County's quasi-judicial appeals process.

Two issues stick out like sore thumbs:

First, the county needs to address the burdens that the de novo process places upon Howard County citizens to receive due process. This is a serious issue, and it deserves serious attention. The current "de novo" system (which means having to put your case on all over again before the BOA after having done so before the Hearing Examiner) is a steep climb for most residents in terms of expense as well as the time and energy required to put on a case twice in a row. Because of this systemic issue, the process is fundamentally flawed and by default gives preferential to more monied interests, like developers and corporate powers. This is a problem for the residents of Howard County.

Secondly, there are serious concerns about the BOA's competence as a functioning Board rooted in their lack of qualifications for this work. The lack of qualifications stem from three areas: (1) a deficit in understanding the law, (2) a deficit in understanding zoning and land use law specifically, and (3) having little to no experience with judicial proceedings and processes.

CR 24 doesn't get us where we need to go when it comes to reforming Howard County's quasi- the BOA. Expanding the BOA won't fix these ongoing and systemic problems. Instead, this bill is reminiscent of an unhappy married couple who think that having a baby - why not 2 - will fix their marriage.

Community members urge the County Council to take substantive action to reform our appeals process and BOA to better serve ALL of the interests in Howard County. It's long overdue.



HCCA

Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 20 January 2026

Subject: HCCA Testimony for CR24-2026

I am Stu Kohn from Scaggsville testifying on behalf of the Howard County Citizens Association, HCCA as President.

Until specified qualifications and requirements for Board of Appeals (BoA) members are defined in the Charter and/or Code, this Resolution should not be considered. We cannot support having additional Board Members without specified guidelines and job qualifications identified for positions on this Board. We cannot support unqualified Board Members! HCCA does not believe this resolution as presented will have the support of the entire council to move forward to go to a referendum? We ask will any of the additional members have anywhere near the exceptional qualifications of the previous nominee, Andrea LeWinter. This nominee was the epitome of a nominee who stood out from the rest. She had knowledge and experience as a lawyer in Zoning and Land Use. Her denial was a major disappointment!!

Why do you think the addition of two more members is necessary? Will they be qualified other than being a resident of Howard County? Under this proposal why not propose the Planning Board to have two additional members?

To consider moving this resolution forward HCCA recommends the following amendments:

- Provide the nomination and selection process to add more members to the Board of Appeals.
- Develop core qualifications for members of the BoA to be well versed or trained in the Code and zoning regulations in Howard County.
- Eliminate De Novo hearings at the BoA.
- Representation from the Department of Planning and Zoning to be witnesses at BoA hearings representing the counties position.

During this time of fiscal crisis in Maryland why should taxpayers pay as much as \$54,000 more per year for the addition of these two members based on the "About" section of the Board of Appeals. Please refer to page 2 of the Resolution, line 7. It states in the Charter \$1200 per year yet in the "About" section it states, "\$5000."

Since you are proposing the additional two members why are you not considering the Planning Board being expanded? In addition, why are Planning Board members not getting paid for their service?

We don't understand the rationale of the expansion when the proposed revised Board of Appeals Rules of Procedure included alternate members which we testified Against. The Office of Law

stated this didn't have "Legal Sufficiency." Yet the Board of Appeals didn't believe the Office of Law's legal advice then went to you to ask the Maryland State Attorney for their opinion. Within a day the State Attorney stated they don't rule on County Charters.

The biggest question is why has the Board of Appeals overruled the Hearing Examiner who is legally qualified as they are not during the last several cases? This doesn't make sense!

This Council should reject this Resolution and consider a new Resolution to completely change the Charter as we believe it is fruitless to continue with the Board of Appeals as it stands now. Let it go to Referendum for the voters to decide. Unless you can guarantee your constituents' immediate solutions to drastically improve the Board of Appeals should be abolished.

In conclusion the Council should not hesitate to vote Against CR24-2026. In this testimony the HCCA believes we have provided thoughtful input. We kindly request the courtesy of a response addressing our concerns for potential improvements.

Thank You.



Stu Kohn
HCCA President