



Howard County Council

George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

COUNCILMEMBERS

Liz Walsh, Chair

District 1

Opel Jones, Vice Chair

District 2

Deb Jung

District 4

Christiana Rigby

District 3

David Yungmann

District 5

August 5, 2025

The Honorable Anthony G. Brown
Attorney General of Maryland
Opinions & Advice Division
Office of the Attorney General
200 St. Paul Place
Baltimore, MD 21202

Dear Attorney General Brown:

This formal request is submitted by the Howard County Council, through its Presiding Officer, in accordance with the established guidelines of your Office.

The Council has been asked by the Howard County Board of Appeals to seek an official Office of the Attorney General (OAG) Opinion as to whether the inclusion of Alternate Members is permissible within the Howard County Charter and Code and may be enacted through legislative action under existing authority, or whether a Charter amendment is required to authorize the inclusion of Alternate Members on the County's Board of Appeals.

The Howard County Board of Appeals is in the process of revising its Rules of Practice and Procedure to include provisions for alternate members. These proposed revisions have been submitted to the County Council for adoption.

The Howard County Office of Law has given its legal opinion that a Charter amendment is required to authorize the inclusion of alternate members on the Board of Appeals (see attached opinion from the County Solicitor).

In contrast, the Howard County Board of Appeals has submitted a memorandum contending that it believes such a change should be permissible under the County Charter, without the need for an amendment to the Charter.

The Howard County Board of Appeals has asked the Council to obtain legal clarification from your Office.

The following materials are enclosed for reference:

(410) 313-2001

fax: (410) 313-3297

<http://cc.howardcountymd.gov>

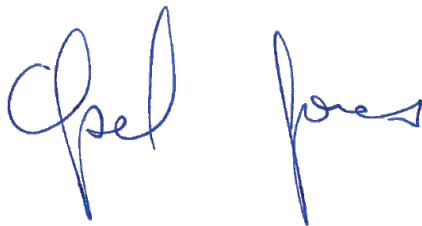
- Opinion and legal analysis of the County Solicitor of Howard County regarding the Alternate Member proposal
- Howard County Board of Appeals Alternate Member memorandum and recommendation; this document includes the term “Brief” in the title, but no attorney was involved in the drafting
- Draft of the proposed Rules of Procedure

For additional information, clarification, or transmission of supplemental materials, please contact:

Michelle Harrod
Council Administrator
Howard County Council
Email: mrharrod@howardcountymd.gov
Phone: 410-313-3111

We appreciate the Office of the Attorney General’s attention to this matter and your continued service to local governments across Maryland.

Respectfully,

A handwritten signature in blue ink, appearing to read "Opel Jones", with a stylized flourish at the end.

Dr. Opel Jones

Presiding Officer

Howard County Council

Enclosures: As listed above