



# Howard County Board of Appeals

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

## MINUTES November 7, 2024 WORK SESSION Hybrid Hearing (CVG Room and Webex)

### **Board Members Present:**

Gene Ryan, Chair  
Felita Phillips, Vice Chair  
Lynn Foehrkolb (left early)  
Robbyn Harris (arrived late)  
Jean Xu

### **Staff:**

Kel Berg  
Michelle Harrod  
Barry Sanders  
Nick Rinehart  
Kiasten Miller

Call to order at: 9:03 a.m.

### **Administrative Matters**

Approval of Minutes – October 17, 2024

Motion – Lynn Foehrkolb, 2<sup>nd</sup> Jean Xu

*Unanimously approved. (P 4-0, Ms. Harris not yet present). **The motion passed.***

### **Preliminary Matters**

- Review of 2025 Board of Appeals scheduled meeting dates.
- Review of Rules of Procedure calendar.

- Office of Law – Board will wait on complete input for Sections I, II, and III from Office of Law, develop final rules, and then send to Office of Law for legal sufficiency.
- BA 22-023C&V Maryland International School, Inc. – Decision & Order was sent out yesterday.

### **Meeting Overview**

This Work Session is a continuation from the Board of Appeals Work Session held on September 26, 2024, at which time the Board convened to discuss the Board of Appeals administrative practices, procedures, and policies consistent with the Howard County Charter, Article V.

### **Discussion – ROP Section I & II Rough Draft – Technical Changes**

*Introduction – First Paragraph (J. Xu)*

Decision: Board Approved

*Applicability – Applicability (J. Xu)*

Decision: Board Approved

*Rule 2.0 Administrative Operations – Paragraph 1 The Hearing Authority (G. Ryan)*

Decision: Board Approved

*Rule 3.0 Petition Process – Paragraph 1 Form and Contents of Petitions (G. Ryan)*

Decision: Board Approved

*Rule 2.0 Administrative Operations – Paragraph 5 Legal Advisor (G. Ryan)*

Decision: Board Approved

*Rule 3.0 Petition Process – Paragraph 6 Postponement and Dismissal (G. Ryan)*

Decision: Board Approved

### **Discussion – ROP Section I & II Rough Draft – New Topics**

*Rule 1.0 Organization – Paragraph 2 Alternate Members (J. Xu)*

Decision: Board Rejected

*Rule 1.0 Organization – Paragraph 2.1 Powers and Functions (J. Xu)*

Decision: Withdraw

*Rule 1.0 Organization – Paragraph 2.1.3 (J. Xu)*

Decision: Board Rejected and will circle back

*Rule 2.0 Administrative Operations – Paragraph 3 Board of Appeals Administrator: Roles & Responsibilities 3.1.5 (J. Xu)*

Decision: Board Rejected

*Rule 2.0 Administrative Operations – Paragraph 5 Legal Advisor (G. Ryan)*

Decision: Board Approved

*Rule 5.0 Meetings and Hearings – Paragraph 1 Quorum (R. Harris)*

Decision: Board Approved

*Rule 5.0 Meetings and Hearings – Paragraph 2 Scheduled by Chairperson (R. Harris)*

Decision: Board Approved

*Rule 5.0 Meetings and Hearings – Paragraph 2 Scheduled by Chairperson (F. Phillips)*

Decision: Board Approved

*Rule 5.0 Meetings and Hearings – Paragraph 9 Place and Time of Hearings and Meetings (J. Xu)*

Decision: Board Rejected

*Rule 6.0 Cases – Paragraph 1 (G. Ryan)*

Decision: Board Approved

*Rule 6.0 Cases – Paragraph 4 Attendance Section 4.1 (J. Xu)*

Decision: Board Approved

*Rule 6.0 Cases – Paragraph 4 Section 4.3 (J. Xu)*

Decision: Board Rejected

*Rule 7.0 Ethical Service – Paragraph 6 (J. Xu)*

Decision: hold vote for Ms. Foehrkolb regarding “regular Board Members”

Decision: Board Rejected “subsequent to date of rule”

## **Recess**

*Rule 9.0 Evidence – Paragraph 1 Technical Reports and Experts (R. Harris)*

Decision: Board Rejected

*Rule 9.0 Evidence – Paragraph 1 Technical Reports and Experts (J. Xu)*

Decision: Board Approved

*Rule 10 Admission of Evidence – Paragraph 1.1 (R. Harris)*

Decision: Board Approved

*Rule 13.0 Subpoenas – New Paragraph (G. Ryan)*

Decision: Chair will propose new language

*Rule 13.0 Subpoenas – New Paragraph (G. Ryan)*

Decision: Board Approved

**Next Steps**

The next Board of Appeals ROP Work Session will be continued on November 14, 2024 at 6:30 p.m. in the C. Vernon Gray Room.

The Board adjourned 12:25 p.m.

**MINUTES APPROVED**

Kel Berg 11/14/2024