



Howard County Board of Appeals

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

MINUTES November 14, 2024 WORK SESSION Hybrid Hearing (CVG Room and Webex)

Board Members Present:

Gene Ryan, Chair
Felita Phillips, Vice Chair
Lynn Foehrkolb
Robbyn Harris
Jean Xu

Staff:

Kel Berg
Michelle Harrod
Barry Sanders
Nick Rinehart
Kiasten Miller

Call to order at: 6:32 p.m.

Administrative Matters

Approval of Minutes – November 7, 2024

Motion – Lynn Foehrkolb, 2nd Robbyn Harris

Unanimously approved. The motion passed.

Preliminary Matters

- *Rule 7.0 Ethical Service – Paragraph 6 (J. Xu)*
Vote regarding “regular Board Members” at November 7, 2024 Work Session was tied 2-2 without Board Member Foehrkolb.
Decision: Board Rejected

Meeting Overview

This Work Session is a continuation from the Board of Appeals Work Session held on November 7, 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 – Proposed Edits based on Office of Law Feedback

Rule 1.0 Organization – Paragraph 3 Presiding Officers (Office of Law)
Decision: Board Approved

Rule 4.0 Public Notice – Paragraph 5 Posting for Other Administrative Appeals heard Denovo (Office of Law)
Decision: Board Approved

Rule 6.0 Cases – Paragraph 3.2 On the Record Appeals of Administrative Agency Decisions (Office of Law)
Decision: Board Approved

Rule 7.0 Ethical Service – Paragraph 5 (Office of Law)
Decision: Board Approved

Rule 12.0 Appearances before the Board of Appeals – Paragraph 2 Appearance (Office of Law)
Decision: Board Approved

Rule 17.0 Decision and Order; Process and Issuance (Office of Law)
Decision: Board Approved

Discussion – ROP Rough Draft Section III Part 2 Proposed Changes

Rule 1.0 Organization – Paragraph 2 Alternate Members (G. Ryan)
Decision: Board Approved

Rule 3.0 Petition Process – New Paragraph (G. Ryan)

Decision: Board Approved

Rule 5.0 Meetings and Hearings – Two new sub-paragraphs (G. Ryan)

Decision: Board Approved

Rule 6.0 Cases – New Paragraph (G. Ryan)

Decision: Board Approved

Discussion – ROP Rough Draft Section New Rules

New Rules – New Definitions (G. Ryan)

Decision: Board Approved lines 17-33, 36-38, and 40-123

New Rules – New Definitions [De Novo] (G. Ryan and J. Xu)

Decision: Board Approved Mr. Ryan's proposed changes

New Rules – New Definitions [Ex Parte] (G. Ryan)

Decision: Board Approved

New Rules – Proposals for new Sections on Required Trainings (G. Ryan and J. Xu)

Decision: Board Rejected b and c (Ms. Xu withdrew a)

New Rules – Add new Rule entitled “Required Education” (G. Ryan)

Decision: Board Approved lines 62-91

New Rules – Add new Rule entitled “Electronic Submissions” (G. Ryan)

Decision: Board Approved lines 92-119 (Mr. Ryan withdrew lines 120-121)

New Rules – Add new section entitled “Ex Parte Communication” (J. Xu)

Decision: Board Rejected

Next Steps

On November 21, 2024 the Board will receive a comprehensive rough draft of Sections 1, II, and III. The Board will submit comments to staff by December 2, 2024. The next Board of Appeals ROP Work Session will be continued on December 12, 2024 at 6:30 p.m. in the C. Vernon Gray Room.

The Board adjourned 8:14 p.m.

MINUTES APPROVED

Kel Berg 12/5/2024