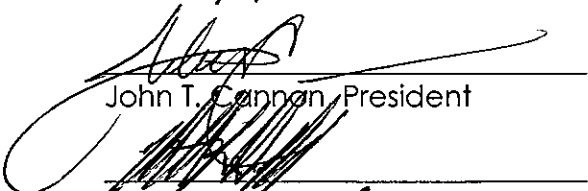


**Open Work Session**  
**Opposition Letter to Senate Bill 166**  
**February 2, 2016**

Ms. Joan Strang, Vice-President of Government Affairs for the Maryland Builders Industry Association, came before Council. She said this bill was discussed at their legislative committee meeting on Monday and a hearing was held today. The bill pertains to land use and it puts a lot of restraints on what the County can and cannot do for land use. It will affect the County's comprehensive plan. She read a summary that indicates, "Senate Bill 166 and House Bill 243 would overturn the ruling in the Maryland Court of Appeals against Bell and Hardwood and in doing so would also reverse a series of functional court cases dating back nearly 50 years. Provisions in state law and county charter provisions are the current basis for the right to appeal local legislative actions. In place of the historic case law relied upon by the court in ruling against Bell and Hardwood, Senate Bill 166 and House Bill 243 will codify the unsuccessful arguments made by the appellants." Ms. Strang said they are trying to wipe out this decision and that will put us back many years. Mr. Cannon asked what would be the tangible result if the bill passes, to which Ms. Strang said anybody that has property 1,000 feet from a zoning change or comprehensive plan change, would have the ability to take action in court and tie up the property for years on end. Mr. Lenox came before Council. He said he is not familiar with the court case that Ms. Strang described, but for the sake of Wicomico County, the most dangerous thing is the bill practically does not have a definition for what is "standing." Almost anyone, alleging anything, can tie things up, including the County's attorneys, so there would be legal expenses in determining first if someone has a place at the table. Mr. Lenox said he is not opposed to the bill but in the form it is written, it opens up all of Council's actions and all of his actions to be challenged by virtually anyone for any reason. There being no further discussion on motion by Mr. Kilmer and seconded by Mr. Joe Holloway, a letter will be sent to Delegate Carl Anderton opposing Senate Bill 166.


*Signatures are on the next page.*

**Open Work Session  
Opposition Letter to Senate Bill 166  
February 2, 2016**



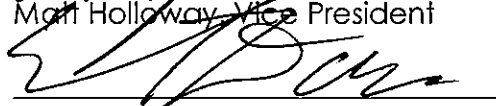
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John T. Cannon, President



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Matt Holloway, Vice President



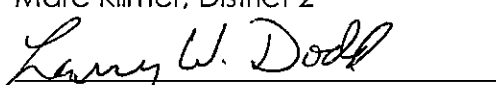
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Ernest F. Davis, District 1



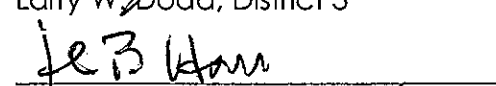
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Marc Kilmer, District 2



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Larry W. Dodd, District 3



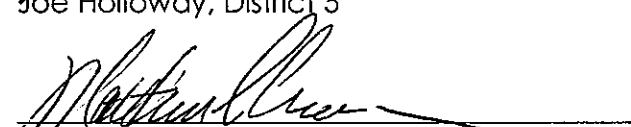
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John B. Hall, District 4



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Joe Holloway, District 5



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Matthew E. Creamer, Council Administrator