

**Cecil County Charter Board
Meeting Minutes**

January 19, 2010

PRESENT: Joyce Bowsbey, Dan Schneckenburger, Henry Burden, Robert Gell, Harland Graef, Chris Ann Szep, Ross Cameron, and Barry Montgomery, Executive Office Administrator Vicky Rinkerman, and Consultant Victor Tervalá, Esquire via phone conference.

ABSENT: Ed Cole

OPEN SESSION called to order at 6:00 p.m.

SUMMARY OF DISCUSSION

Approval of Minutes – December 7, 2009 and January 4, 2010

ACTION: On motion by Mr. Graef, second by Mr. Schneckenburger, the minutes of the December 7, 2009 and January 4, 2010 meetings were approved as presented.

Old Business

Letters to organizations – Chair Bowsbey reviewed the letter that will be sent to several organizations.

Presentations – The Board discussed the presentation format and dates.

Discussion ensued regarding presenting a forum to Cecil College students. Ms. Szep will contact students to investigate this option further.

Mr. Montgomery stated that he has contacted the Board of Realtors and they have not indicated that they would like an individual presentation.

Review of Draft Charter version 11

Article 2 County Council Section 204 (c) - Remove the word “nominated” from the sentence. Mr. Tervalá stated that the word nominated is in the Annotated Code of Maryland. He recommended and the Board agreed to leave it in the charter.

Section (e) – add the words “of Maryland” after Governor. The Board concurred with adding this language to the section.

Section 205 Qualifications (a) – Mr. Tervalá stated and the Board agreed that the Charter does not need to define “resident”. Any challenges to this provision would be taken to court.

Section (b) (2) – Mr. Tervalá stated that the general intent and definition of “public business” does not need to be defined further in the Charter. Public business is relative to government activities in the County.

Section 207 Compensation – Remove the words “not less than” – Mr. Tervalá stated and the Board agreed that this language should remain in the Charter because it provides a starting point for the salary and allows the compensation committee to adjust as necessary without a charter amendment. Business allowances are reasonable reimbursable expenses.

Section 208 (c) – The Board agreed to remove “pay or benefits” and replace with “compensation”.

Section 209 Vacancies (c) – The Board agreed to remove the word “twenty” and replace with “thirty”.

Section 214 Redistricting – Discussion ensued regarding candidates filing in a district and the timeline between filing and the redistricting process. Mr. Tervalo stated that he felt that this should not be an issue for those running for office.

Section 302 Legislative Session – Mr. Tervalo stated that the Council is permitted under State law to convene in Executive session during a legislative session, and the provisions are outlined in the legislation.

Section 303 Legislative Procedure – Mr. Tervalo stated that this section does not shut down county business only legislative business transactions.

- (a) – Mr. Tervalo defined a quorum as three members of Council to conduct business, and a majority is a majority of the three members.

Section 306 – Mr. Tervalo stated and the Board agreed not to revise the language to provide a time frame on the return of legislation by the County Executive.

Section 308 Referendum – The Board concurred to keep the ten percent requirement for voter referendum.

- (a) Mr. Tervalo stated that the Council may not initiate a new tax and that is not permitted under Charter government.
- (b) Mr. Tervalo stated that verification of signatures would be confirmed through the Election Board and the Council would forward automatically.

Example given: Mr. Tervalo stated that there is no provision in the Charter that prohibits a referendum on a local bond, but it would be on County, not State funds.

Article 4 Section 402 – The Board concurred to remove the word “controlling” and replace with “directing”.

Section 405 Qualifications of County Executive

- (b) – Discussion ensued regarding term limits for the County Executive. The Board concurred to remove section (b) entirely. There would be no term limits for the County Executive defined in the Charter.
- (c) – Section (c) becomes (b) - A County Executive may receive benefits.

Section 407 – Vacancy in the Office of County Executive – The Board concurred to keep the language in this section.

Section 408 Forfeiture of Office of the County Executive Section (b) – The Board concurred to keep the language in this section.

Section 411 County Attorney – Discussion ensued regarding the Charter not providing a provision for the Council to appoint their own attorney. Mr. Tervalo stated that the county attorney serves both bodies of government; however, the Council has the authority to hire their own attorney. Discussion ensued regarding removing the language permitting a public hearing before the Council prior to dismissal from office. The Board concurred to remove the provision for a public hearing before the Council from the Charter.

Article 6 Miscellaneous Section 601 Strategic Plan – Mr. Tervala stated that the Charter language provides the Council be given authority over the strategic planning process to ensure it is completed. He feels the issue involves cooperation and involvement by the elected council because they would ensure the plan is completed.

Discussion ensued regarding the parties involved in the strategic planning process. The Board concurred that the County Executive shall be responsible for developing a strategic plan. Mr. Tervala stated that his concern is that the Executive creating and Council adopting the strategic plan may create a stale mate.

(C) – Discussion ensued regarding Council adoption of the strategic plan. The Board concurred that the County executive is in charge of developing the plan with Council involvement and approval.

Discussion ensued regarding comments submitted by Treasurer Howard.

Section 501 – The Board concurred to remove the residency requirement for the Director of Finance.

Section 502 (3) – The Board concurred to change “statements” to “reports”;

(9) – The Board concurred to change to “collect and bill” to “bill and collect”.

Section 504 – The Board concurred to change “no later than April 1” to “no later than March 1”

Section 706 – The Board concurred that the continuation of the current budget manager position would be determined by the County Executive.

Discussion ensued regarding the letter of response from the Attorney General on staggered terms.

ADJOURNMENT

On motion by Mr. Graef, second by Ms. Szep, the meeting was adjourned at 8:00 p.m.

The next meeting of the Charter Board is scheduled for Monday, February 1, 2010 at 6:00 p.m. in the Perryville room of the County Administration Building, 200 Chesapeake Blvd., Elkton.

Approved:

Joyce Bowlsbey, Chair

Attest:

Vicky Rinkerman, Exec. Office Administrator