

**Cecil County Charter Board
Worksession Meeting Minutes**

November 9, 2009

PRESENT: Joyce Bowlsbey, Henry Burden, Chris Ann Szep, Ed Cole, Ross Cameron, and Barry Montgomery, Executive Office Administrator Vicky Rinkerman, Consultant Victor Tervalá, Esquire via conference call, Treasurer Pamela Howard, and Commissioner Robert Hodge.

ABSENT: Dan Schneckenburger, Robert Gell, Harland Graef.

OPEN SESSION called to order at 6:15 p.m.

SUMMARY OF DISCUSSION

Approval of Minutes – October 26, 2009 – On motion by Mr. Cameron, seconded by Mr. Cole, the minutes of the October 26, 2009 meeting were approved. Mr. Burden abstained from the vote.

Old Business

Review of 2010 Charter draft – Version 8

Section 512 – Emergency Appropriations – Board agreed to the definitions as provided by the Mr. Tervalá.

New Business

Section 513 Lapsed Appropriations – Ms. Bowlsbey read the section from the Dorchester County Charter. Discussion ensued regarding how budget appropriations and the capital budget would be recorded from year to year. Capital project funding stays in the capital budget until the project is abandoned or finished. Currently, the Board must take action to revert funds from the capital budget to the general fund.

ACTION: The Board agreed to add a sentence to clarify the required action to transfer unspent money from the capital budget to the general fund.

Section 514 Amendment to Capital Budget after Adoption of the Budget.

ACTION: Board agreed with this section of the Dorchester County Charter.

Section 419 Limitations on Expenditures from 96 Charter– section (a) – Discussion ensued regarding the referral to “shall not expend funds for a line item...”, and how this would affect the budget process. Currently, the process occurs at the department level, and the line item may be too restrictive on the budget process.

(b) Discussion ensued regarding the funding limit of \$10,000, adding flexibility by permitting the Council to define the limit, requiring the limit be set by the council by ordinance, and limiting the ability of the council to micro manage the budget by using this provision. A concern was raised regarding departments spending money in the budget at the end of the year instead of returning the money to the general fund. This language would not require a department to encumber funds from budget year to budget year for continuing contracts. The current accounting process would need to be revised to enable departments to encumber funds for this purpose. Mr. Tervalá stated that the charter does not need to manage the budget process at this level.

ACTION: The Board agreed to delete section (a), and add language to section (b) to increase the initial funding limit to \$20,000 in the charter, and construct language for future budget limitations to be set by ordinance by the council.

Section 515 Composition and Limitation upon County Funds - Discussion ensued regarding the language in this section. Section (a) – A concern was raised regarding accounting for special revenue fund or funds and other smaller fees. Mr. Tervala stated that there is no need to set up individual funds because smaller funds can be bundled. He continued stating that other counties have this language that allows for the accounting of special funds, and other laws will dictate how the funds are handled. Section (b) – discussion regarding adding, “recommendation by the County Executive”, and add same language to section (c). Discussion ensued regarding the accounting processes used for government funds.

ACTION: The Board agreed to keep this section in the charter.

Section 421 Bond Issuance Authorization from 96 Charter – Mr. Tervala stated that this section is not in the Dorchester County charter. This section describes the characteristics of the language for an ordinance, and it would provide a disclosure to the public of the specifics associated with a bond issuance. There is no requirement to pass an ordinance for a bond issuance.

ACTION: The Board agreed not to add this section to the charter.

Article 6. Miscellaneous Provisions

Section 601 Charter Amendments – The Board agreed to keep this section in the charter.

Section 602 Termination of Charter (a) (b) (c) – The Board agreed to keep these sections as stated in Dorchester County charter.

Section 603 Charter Review Commission – The Board agreed to section (a) change year to 2022 and change to seven members; section (b) agree with this section in the charter; and (c) agree with this section in the charter.

Section 604 Bonding of Officers – Discussion ensued regarding the current process for bonding of officers. A suggestion was made to base the amount of bonding on a percentage of the total budget.

ACTION: The Board agreed to bond officers for the total of two percent of the County’s expense budget.

Section 605 Independent Auditor – Discussion ensued regarding adding a time limit to this section; however, it was determined that it is covered by law.

ACTION: The Board agreed to keep this section and add county executive to receive a copy of the auditor report.

Section 506 Code of Ethics – The Board agreed to not include in the charter since this is covered by state law.

Section 507 Personnel Administration and Section 508 Personnel Board – The Board agreed to not include this section in the charter.

Draft County Charter Version 8 – Discussion ensued regarding employee salary compensation and review process. Mr. Tervala stated that it is assumed that the county executive would handle all salary matters for the employees.

ADJOURNMENT

On motion by Mr. Montgomery, seconded by Mr. Burden, the meeting was adjourned at 8:00 p.m.

The next meeting of the Charter Board is scheduled for Monday, November 23, 2009 at 6:00 p.m. in the Perryville Room of the Cecil County Administration Building.

Approved:

Joyce Bowsbey, Chair

Attest:

Vicky Rinkerman
Executive Office Administrator