

**Cecil County Charter Board
Worksession Meeting Minutes**

March 23, 2009

PRESENT: Joyce Bowlsbey, Henry Burden, Robert Gell, Harland Graef, Nicholas Ricciuti, Chris Ann Szep, Executive Office Administrator Vicky Rinkerman; and Consultant Victor Terval, Esq.

ABSENT: John Burkley, Ross Cameron and Daniel Schneckenburger.

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

SUMMARY OF DISCUSSION

Comments submitted – The comments submitted from Daniel Schneckenburger and Ross Cameron on agenda items were read for the Board.

Approval of Minutes – On motion by Dr. Gell, seconded by Ms. Szep, the minutes of the March 12, 2009 meeting were unanimously approved.

County Executive Discussion – The Board agreed that the Dorchester County and Wicomico County Charters were well written and simplistic in style to use as examples for Cecil County’s Charter.

The Board discussed the pros and cons of an elected county executive. The Board of County Commissioners appoints the current county administrator. All department directors report directly to the administrator.

The General Assembly delegates power for the legislative and executive branches of local government. All power reverts to the elected council if there is no elected county executive. The majority of charters include non-interference language to deter interference from the legislative branch into the duties of the executive branch.

ACTION: The Board agreed to proceed at this time with the concept of an elected county executive, who would appoint a “deputy county executive” or other name as deemed appropriate. The duties of the county executive will be determined at a later time in the process. An elected position would promote a more efficiently managed government.

NOTE: Services provided by Victor Terval include the revisions and ongoing working draft of the charter, which will be reviewed and revised throughout the process by the Board. The Board used the proposed 1996 Charter as the document to be revised and revisions pertain to changes in this document.

Preamble – The Board discussed and decided to insert a preamble to the proposed charter that is similar to Dorchester County.

Article 1 – Section 101 Body Corporate and Politic – retain the first sentence and strike the second sentence in this section.

Section 102 Exercise of Powers – retain the first sentence and strike the second sentence in this section.

Section 103 Name and Boundaries – retain the language in this section.

Insert Section IV – Definitions – insert a section for definitions in the beginning of the document and definitions will be added as necessary.

Insert Section V – Separability - insert this section in the beginning of the document.

Article II – Section 201 – Composition of the Council – revise and insert “Composition.....” before Section 202 Powers of the Council. Pro and con discussion ensued regarding the composition of the council relative to being elected at large or by voting district.

Perspective for elected at large: unified voice for county, each person would continue to represent his/her district on the council; critical to maintain consistency, works in the best interest of the county.

Perspective for elected by voting district: delineates the power of the citizens; council works for the people of their district, citizens would feel less disenfranchised

NOTE: A hybrid system is available that is used by other counties. Example: Five council members – one elected at large and four by voting district.

ACTION: The Board agreed to a five-member council elected by voting district with a county executive elected at large. In the event there is a vacancy on the council, the county executive would vote to break a tie.

Section 202 – Powers of Council – Mr. Tervalo will draft this section for the next meeting.

Insert Section 203 – Council to Act as a Body – use Dorchester County Charter as an example. No committees permitted other than ad-hoc for inquiry and fact-finding.

Insert Section 204 – Election – Cecil County is the only county in Maryland where elected officials serve staggered terms of office and are free to jettison the four-year term. Discussion ensued regarding transitioning to charter government and keeping staggered terms of office. The Board considered staggering the election of the council and county executive.

NOTE: The proposed charter could “grandfather in” current Commissioners and retain staggered terms for a period of time to expire at a later date.

ACTION: The consensus of the Board is to retain staggered terms for elected officials.

NOTE: The Census will be done again in the year 2010. The Board may consider proposing the appointment of a special commission to draw the lines for the voting districts. Voting districts are determined using a formula to calculate population to ensure equal representation in each district. Population does not determine the size of residency districts. The State’s voting districts are scheduled to be revised before the 2012 election. The commission would present the voting district plan to the Council for approval.

NOTE: Mr. Tervalo will draft the transition to charter section for Board review.

Insert Section 205 – Qualifications – use Dorchester County Charter as an example. Retain section (a) and (b). Section (c) strike the last part of the sentence, “except that.....”. Section (d) strike the last part of the sentence” except that.....”. Retain Section (e).

Adjournment

ACTION: Motion made by Mr. Burden, seconded by Mr. Graef, to adjourn the meeting. The meeting was adjourned at 8:00 p.m.

Next Meeting Date – The Board will meet on Monday, April 6, 2009 at 6:00 p.m. in the Perryville Room in the County Administration Building.

Approved:

Joyce Bowlsbey, Chair

Attest:

Vicky Rinkerman.
Executive Office Administrator