

**Cecil County Charter Board
Worksession Meeting Minutes**

September 28, 2009

PRESENT: Joyce Bowlsbey, Dan Schneckenburger, Henry Burden, Ross Cameron, Barry Montgomery; Harland Graef, Chris Ann Szep, Executive Office Administrator Vicky Rinkerman, and Consultant Victor Terval, Esquire, and Treasurer Pamela Howard. Ed Cole arrived late

ABSENT: Robert Gell.

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

SUMMARY OF DISCUSSION

Approval of Minutes – On motion by Mr. Schneckenburger, seconded by Mr. Burden, the minutes of the September 14, 2009 meeting were unanimously approved as submitted.

New Business – Dorchester Charter and 1996 Cecil County Charter:

Note: All charters are different in terms of definitions and language regarding county finances. The decision to be made is elected treasurer vs. appointed finance director, and defining the function of the office. The elected treasurer position was created by the General Assembly.

The Cecil County Treasurer's Office collects money and is responsible for tax billing and the accounting function of government. The office prepares the finance reports, audit statement, and provides grant administration, etc. They recently took over the recordation tax process for the County. Assistance is provided by staff to the budget manager, who is responsible for processing bonds and the budget. The office staff's duties and responsibilities have evolved as the County grew. The County attempted to hire a Finance Director when the last charter question was considered, and position ended up being costly for the County with many of the duties and responsibilities being duplicated in both departments.

Note: Other jurisdictions with charter government have abolished the elected Treasurer position. The duties and responsibilities of the elected position are not clearly defined.

Discussion ensued regarding the need for an elected position vs. a finance department. The Treasurer's salary is determined by the State delegation.

Note: Jurisdictions with code home rule have eliminated the Treasurer's position as the current elected officials have retired from office.

A positive aspect of charter government is that the county would have a mechanism to ensure qualified individuals are hired to conduct county business and finances.

Discussion ensued regarding whether citizens receive better service with an elected Treasurer. The general consensus was that quality customer service could be accomplished through the appointment process by the county executive. An elected treasurer would complicate the process of charter government and set up a conflict. The elected council would provide the "check and balance" system for county finances. A good argument for charter government is that an appointed finance director would ensure competency in the position and create a "leaner" government.

Section 502 Duties of Finance Director – The Board discussed the financial duties of the finance director as outlined in the Dorchester County charter.

ACTION: Chair Bowlsbey called for a straw vote and all present were in favor of eliminating the elected treasurer position, and replacing that function with an appointed finance director.

Section 504 Preparation of the County Budget – The county executive would be charged with preparing the budget.

Note: Currently the county budget consists of revenue, expenses, capital, and the capital improvement program.

Section 506 Public Budget Hearings – Discussion ensued regarding budget hearings, and the decision was to continue the current practice of two public budget hearings.

Section 507 Action on the Budget by the Council – Discussion ensued regarding the policy decision on how much authority the Board would like the elected council to have over the budget. Council should have the authority to decrease budget items, but not increase budget items. Discussion ensued regarding the Council having authority over the form of the budget as presented.

Note: The process typically works that when the budget is finished it is forwarded to the council for final approval, unless the county executive has veto power over budget items. From the section, “council has no power to change the form of the budget, or to alter revenue budget except to correct mathematical errors”.

ACTION: The Board unanimously agreed to permit the council to decrease budget items, and keep the wording as stated by Mr. Tervalo in the section.

Section 509 (a) Capital projects – Discussion ensued regarding the bond procedure for borrowing funds to pay for capital projects.

Note: Bond financing requires a separate ordinance to allow the borrowing to prevent hiding “borrowing” within the budget. A bond issue ordinance cannot be brought to referendum by the voters after the bond ordinance is adopted for a capital project.

ACTION: The Board unanimously agreed with Section 509, and had no changes to the text.

Section 508 Tax Levy and Balanced Budget – all charters have this provision.

Section 509 Borrowing Limitations – Discussion ensued regarding (b) limit on borrowing ability. The Treasurer will provide the Board with the County’s assessable base and current debt. A concern was raised regarding creating “big government” and choosing target percent for the borrowing ability. Rating agencies have some control over the permitted level of debt. The County was required by the State to create a written debt policy this year. In this section, items 1, 2, and 3, would not be included in the calculations. General funds and enterprise funds are not supposed to be co-mingled in the budget.

ACTION: The Board concurred to discuss this section after reviewing the assessable base and current debt figures for the County.

Old Business

Section 207 – Compensation on Council – Discussion ensued regarding changing the compensation for elected council members. A suggestion was made to compromise at \$25,000 per year for council compensation. Discussion ensued regarding keeping the language the same and establishing a salary commission to review salaries.

ACTION: The Board unanimously agreed to establish the starting council salary at \$25,000 and keep the language the same in the section.

Section 407 Vacancy in the Office of County Executive – Discussion ensued regarding the ability of the council to force a special election as an alternative to filling a vacancy in the Office of County Executive.

ACTION: The Board unanimously agreed to a special election provision to fill a vacancy in the Office of County Executive.

Section 408 – Forfeiture of Office by the Executive – Discussion ensued regarding the revised language in this section. A provision for “probation before judgment” was added to the paragraph.

ACTION: The Board unanimously agreed to add to the charter that the county executive and council must be US citizens.

Other

Letter of invitation to Delegation – A letter of invitation was sent by Chair Bowsbey to the County’s State Delegation inviting them to attend the October 26 meeting. Discussion ensued regarding the forma for the meeting.

Adjournment

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

Next Meeting Date – The Board will meet on Monday, October 5, 2009 at 6:00 p.m. in the Perryville Room in the County Administration Building.

Approved:

Joyce Bowsbey, Chair

Attest:

Vicky Rinkerman
Executive Office Administrator