

**CHARTER REVIEW COMMISSION
MINUTES**

December 4, 2023

**OPEN MEETING – Elk Room
6:30 P.M.**

NOTE: The recording and transcription of this meeting are available on the County website at www.ccgov.org/council.

PRESENT: Commission Members: Robert Gorman, J. Lloyd Sanders, Tom Wilson, Joseph Zang, Barbara Cox, Robb Carey and Alice Crothers (alt); David Culver, Council Manager; Terry Hale, Council Assistant. Derek Howell arrived at 6:35.

Call to Order

Chairman Robert Gorman called the meeting to order at 6:30 pm and announced that there were seven Commission Members present, which constitutes a quorum.

Approval of Agenda

On a motion by Tom Wilson, seconded by Robb Carey, the Commission moved to approve the agenda of December 4, 2023. The motion was approved unanimously.

Approval of Minutes

On a motion by J. Lloyd Sanders, seconded by Robb Carey, the Commission moved to approve the minutes of November 6, 2023. The motion was approved unanimously.

Old Business

a. Discussion of Article 5

Chairman Gorman announced that the Commission will begin with the review of Article 5 and asked the Commission if they had any comments on Section 501 or 502. Ms. Crothers inquired if the section 502 should also include the term expenses along with revenues. Mr. Carey noted Director of Finance is a specialized position and a background in government budget and financing is essential. He noted the verbiage that Anne Arundel County uses in its Charter for this position. Chairman Gorman agreed that additional language should be added to the Charter for the Director of Finance along the lines of "With the approval of Council, the Executive shall appoint a person knowledgeable and experienced in financial matters as it pertains to governmental finances and qualified to discharge the duties of the Director of Finance of the County." Mr. Carey noted that he thinks this is good language and made a motion to recommend this change in the Commission Report, the motion was seconded by Mr. Sanders and passed unanimously.

Ms. Crothers inquired about the monthly reports and who these reports were sent to by Finance. Mr. Carey believes these should be accessible by the public and Council Manager Culver explained the ACFR and quarterly reports. Mr. Carey also noted that these are subject to the freedom of information request, but this should be spelled out and Ms. Crothers concurred. Mr. Carey proposed language to be included in Section 502(3) add, "Prepare monthly and annual financial reports and made available to the Council and Executive as requested." Mr. Wilson made a motion to accept the proposed language, the motion was seconded by Mr. Carey and passed unanimously.

Council Manager Culver noted that Council did raise a concern about Section 504 on when the budget is due If April 1 is on a Saturday or Sunday. Mr. Wilson opined that this section should be changed to note the budget is due on the first business day of April. Ms. Crothers also noted that it should be made available to the public, in both printed form and on the County website, at the same time. Council Manager Culver noted he would draft the requested language for the report and the Commission concurred. Ms. Crothers also noted why newspapers are still being used for notices in Section 506, as well as other sections of the Charter, for public notices. Chairman Gorman noted that newspapers, as well as other media that is deemed suitable is called out in the Charter. Mr. Zang noted that the County needs to be careful since electronic media is not necessary the County website, many people only use Facebook or Twitter (X) for notices. Council Manager Culver noted that Council uses both our website and newspapers for advertising the budget, invoices paid, legal hearing notices and so forth.

Chairman Gorman inquired about the debt limit as enumerated in Section 507(b) and Mr. Zang opined that this is common and the limited appears to be within governmental norms. Council Manager Culver also noted that this number is based on the entire assessable base of the County and is a common tool used by rating agencies for bonding purposes. Mr. Wilson inquired on Section 507(c) and the frequency of budget amendments and Council Manager Culver reviewed the budget amendment process.

Chairman Gorman asked for comment on the remainder of Article 5 and Mr. Carey noted that the Charter should better address conflict of interest by elected and appointed officials in reviewing contracts. Ms. Cox also noted that she had numerous questions on the Ethics Commission and who can be appointed. Council Manager Culver noted that Article 6 outlines the creation of the Ethics Commission and the County Code also has regulations for the Commission and that the State also has requirements for these Commissions.

Mr. Wilson noted that President Gregory in her comments to the Commission noted that item (b) and (c) in Section 516 are no longer applicable and Council Manager Culver explained that since Council in only reviewing the approved contracts over \$100,000 that that language in (b) and (c) was made moot when the bill was amended to remove Council review until after the contract is awarded, not before.

Ms. Cox also inquired what happens to lapse appropriates as enumerated in Section 513 and it was noted that it would revert from the fund that it was appropriated from in the Budget. Chairman Gorman also inquired if \$20,000 was a high enough threshold in Section 515(d) and Mr. Zang opined that he believes that is still sufficient. Mr. Carey also discussed the emergency appropriation language in Section 512 and the Commission agreed that no change is necessary.

Chairman Gorman noted that this completed the review of Article 5 and recommend that the Commission begin at Article 6 at the next meeting.

New Business

Council Manager Culver noted the next meeting date would be January 8 since January 1 is a holiday and the Commission concurred with this schedule.

Adjournment

Mr. Wilson made a motion to adjourn, which was seconded by Ms. Cox. Chairman Gorman adjourned the meeting at 7:25 pm.

The next Commission meeting will be held on Monday, January 8, 2024 at 6:30 pm in the Elk Room of the County Administration Building.

Approved:



Robert Gorman, Chair



David M. Culver
Council Manager