

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND  
LEGISLATIVE SESSION DAY 2024-10**

**RESOLUTION NO. 26-2024**

**Title of Resolution:** Charter Amendment – Appointment and Removal of Department Heads and Others – Executive

**Synopsis:** A Resolution amending Article 4, Executive, Section 412, Appointment and Removal of Department Heads and Others, of the Cecil County Charter to provide that the Council shall have 2 consecutive Legislative Sessions to approve appointments of the Executive. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection, in accordance with Section 602 of the Charter of Cecil County.

**Introduced by:** Council President at the request of the County Council

**Introduced and ordered posted on:** June 4, 2024

**Public hearing scheduled on:** July 2, 2024 at 7:00 p.m.

**Scheduled for consideration on:** July 16, 2024

By: \_\_\_\_\_  
Council Manager

Notice and title of Resolution having been posted on June 4, 2024 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on June 19, 2024 and June 26, 2024, a public hearing was held on July 2, 2024, and concluded on July 2, 2024.

By: \_\_\_\_\_  
Council Manager

**Explanation:** CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT  
~~Strike through~~ indicates language deleted from existing document  
Underlining indicates language added to document by amendment.  
~~Double Strike through~~ indicates language stricken from document by amendment

Charter Amendment – Appointment and Removal of Department Heads and Others – Executive  
1       **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter, the Charter

2 may be amended by the procedures provided in Article XI-A of the Maryland Constitution; and

3       **WHEREAS**, pursuant to Article XI-A, §5 of the Maryland Constitution, amendments to  
4 any charter adopted by any County of this State under the provisions of this Article may be  
5 proposed by a resolution of the Council of the County, or by a petition signed by not less than  
6 20% of the registered voters of the City or County, provided, however, that in any case 10,000  
7 signatures shall be sufficient to complete a petition; and

8       **WHEREAS**, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election  
9 Law Article, the Attorney, designated to represent the county legislative body, shall prepare  
10 and certify, and submit to the State Board of Election, not later than August 1, 2024, the  
11 following information as required under §7-103(b) of the Election Law Article for each question  
12 to be voted on in the County: (1) a question number or letter as by the Election Board; (2) a  
13 brief designation of the type or source of the question; (3) a brief descriptive title in boldface  
14 type; (4) a condensed statement of the purpose of the question; and (5) the voting choices that  
15 the voter has; and

16       **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and  
17 Article XI-A, §5 of the Maryland Constitution, the amendments shall be published by the  
18 President of the County Council once a week for five successive weeks prior to the election in at  
19 least one newspaper published in said County; and

20       **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and  
21 Article XI-A, §5 of the Maryland Constitution, an amendment so proposed shall be submitted to  
22 the voters of the County at the next general or congressional election occurring after the  
23 passage of the resolution; and

24       **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and  
25 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for  
26 the amendment shall be in favor thereof, the amendment shall be adopted and become a part  
27 of the charter of the County from and after the thirtieth day after said election; and

28       **WHEREAS**, Article 4, Executive, Section 412, Appointment and Removal of  
29 Department Heads and Others, of the Cecil County Charter currently provides that:

Charter Amendment – Appointment and Removal of Department Heads and Others – Executive

30 (a) The Executive shall appoint an individual to head each principal operating  
31 department, office or agency of the executive branch, subject to confirmation of the Council.  
32 The Executive shall remove individuals appointed under this subsection at the Executive's  
33 discretion.

34 (b) Except as provided in Subsection (c) of this section or prescribed by state law or  
35 other provisions of this Charter, the Executive shall appoint all members of boards and  
36 commissions. Such membership shall be subject to confirmation by the Council. The  
37 Executive shall remove individuals appointed under this subsection at the Executive's  
38 discretion, unless otherwise prohibited by law.

39 (c) The membership of boards and commissions that are established exclusively to  
40 advise the Council shall be appointed and removed by the Council, at the Council's  
41 discretion, unless such matters are prescribed by state law or other sections of this Charter.

42 (d) If the Council fails to take action within 30 days upon an appointment made by the  
43 Executive pursuant to this section, the appointment shall become effective.

44 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and  
45 Article XI-A, §5 of the Maryland Constitution, this Resolution proposes the following  
46 amendment to Article 4, Executive, Section 412, Appointment and Removal of Department  
47 Heads and Others, of the Cecil County Charter:

48 (a) The Executive shall appoint an individual to head each principal operating  
49 department, office or agency of the executive branch, subject to confirmation of the Council.  
50 The Executive shall remove individuals appointed under this subsection at the Executive's  
51 discretion.

52 (b) Except as provided in Subsection (c) of this section or prescribed by state law or  
53 other provisions of this Charter, the Executive shall appoint all members of boards and  
54 commissions. Such membership shall be subject to confirmation by the Council. The  
55 Executive shall remove individuals appointed under this subsection at the Executive's  
56 discretion, unless otherwise prohibited by law.

57 (c) The membership of boards and commissions that are established exclusively to  
58 advise the Council shall be appointed and removed by the Council, at the Council's

Charter Amendment – Appointment and Removal of Department Heads and Others – Executive discretion, unless such matters are prescribed by state law or other sections of this Charter.

(d) If the Council fails to take action ~~within 30 days~~ **AFTER 2 CONSECUTIVE LEGISLATIVE SESSIONS** upon an appointment made by the Executive pursuant to this section, the appointment shall become effective.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, that the following amendment to Article 4, Executive, Section 412, Appointment and removal of department heads and others, of the Cecil County Charter, shall be submitted to the voters of the County at the next general or congressional election in accordance with Article 6, Section 602 of the Cecil County Charter and Article XI-A, §5 of the Maryland Constitution:

(a) The Executive shall appoint an individual to head each principal operating department, office or agency of the executive branch, subject to confirmation of the Council. The Executive shall remove individuals appointed under this subsection at the Executive's discretion.

(b) Except as provided in Subsection (c) of this section or prescribed by state law or other provisions of this Charter, the Executive shall appoint all members of boards and commissions. Such membership shall be subject to confirmation by the Council. The Executive shall remove individuals appointed under this subsection at the Executive's discretion, unless otherwise prohibited by law.

(c) The membership of boards and commissions that are established exclusively to advise the Council shall be appointed and removed by the Council, at the Council's discretion, unless such matters are prescribed by state law or other sections of this Charter.

(d) If the Council fails to take action ~~within 30 days~~ **AFTER 2 CONSECUTIVE LEGISLATIVE SESSIONS** upon an appointment made by the Executive pursuant to this section, the appointment shall become effective.

**AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, that, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election Law Article, the Attorney, designated to represent the county legislative body, shall prepare, certify, and submit to the State Board of Election, not later than

88 Charter Amendment – Appointment and Removal of Department Heads and Others – Executive  
89 August 1, 2024, the following information as required under §7-103(b) of the Election Law  
90 Article: (1) a question number or letter as by the Election Board; (2) a brief designation of  
91 the type or source of the question; (3) a brief descriptive title in boldface type; (4) a  
92 condensed statement of the purpose of the question; and (5) the voting choices that the  
93 voter has.

93 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
94 **MARYLAND,** that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,  
95 §5 of the Maryland Constitution, the amendments shall be published by the President of the  
96 County Council once a week for five successive weeks prior to the election in at least one  
97 newspaper published in said County.

98 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
99 **MARYLAND,** that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,  
100 §5 of the Maryland Constitution, the aforementioned proposed amendment shall be submitted  
101 to the voters of the County at the next general or congressional election occurring after the  
102 passage of this Resolution.

103 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
104 **MARYLAND,** that in accordance with Article 6, Section 602 of the Cecil County Charter and  
105 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for  
106 the aforementioned proposed amendment shall be in favor thereof, then the proposed  
107 amendment shall be adopted and become a part of the Charter of Cecil County from and after  
108 the thirtieth day after said election.

**INTRODUCED: June 4, 2024**

**ADOPTED: \_\_\_\_\_**

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
Council Manager