

CHARTER COMMENTS DEC 2023
Second Submission from Ken Caniglia

SPECIFIC: The following comments are provided based on the Published Drafts on the Charter Board Website Dec 2023 for Articles 2 and 4. It is very helpful if drafters would use track changes from 2014 Draft Charter so citizens could follow.

Article 2:

- 201 - The number of council members should be discussed based on the survey results. If it stays five, then language is OK.
- 205 - (a)/(b) Council members should have lived in Charles County for more than 1 year, say 5 years. Also state that council members are part time.
- 206 – (b) Term limits should be discussed using comments from survey results. Would recommend no more than 8 years, especially if the person also runs for County Exec. As written, a person could be in County Leadership position for 20 years.
- 209 – Member removal should require Super Majority. As currently written, County Exec could stop removal. I would propose that Exec be a voting member for Super Majority since one less Council member should be voting.
- 210 – (c) Would recommend that the Central Committees submit several candidates for the Councils review/action (ie like Boards today), when vacancy not filled through elect.
- 212 – I could agree with a simple majority to initiate an Investigation, but a super majority should be required to act on the findings, especially if legal action or removal is involved.
- 215 – (a) add to last sentence “at the County, State or Federal levels,”

Article 4:

- 404 – (b) No County Executive should serve more than a total of 12 years when combined with prior Council membership.
- 405 – (a) The County Executive should be older than 25, minimum 30 years old like governor. However, I would recommend at least 35 years. We need someone with experience and being there are no knowledge, skills or abilities identified in this charter for the County Executive, age (assumes experience) becomes more important.
 - (b) The County Executive should not have any interest, direct or indirect, in any county funded activities or services.
- 406 – (b) Any change to the County Executives salary should require a Charter change and as such require citizen’s vote.

- 409 – (1) Central Committees involvement has been removed. Why not have them propose several candidates for the Councils review/action (ie like Boards today)?
- (2) Since there is a Congressional election every two years and section (b) covers re-election of a County Executive, the remaining term of the vacated Exec position is limited. As such, the Council should first consider the appointment of the Chief Administrator to fill the Executives position, especially if we are in the 1-year remaining timeframe. The Administrator should have already been confirmed by the Council, is probably of the same political party as the Exec and is probably the best person to hit the deck running. Also, any newly appointed person would have an unfair competitive advantage in the upcoming election of the County Exec.
- 411 – The County Executive should be appointed by the Executive and confirmed by the Council. Possibly add qualifications for Administrator since they will be doing the actual work.
- Ex: “The Chief Administrative Officer shall be appointed solely on the basis of the individual's integrity, managerial ability, technical knowledge, qualities of leadership, professional attitude and of the individual's executive and administrative qualifications for the performance of the duties of the office as hereinafter set forth. The individual shall have had, prior to appointment, a Master's Degree in Business or Public Administration from an accredited college or university and at least five years' experience as an executive either in public administration or private business, or both; or an equivalent combination of education and experience.” (taken from Anne Arundel Charter)
- 412 Does the county Attorney represent only the Executive side or the Council side as well? If so, who adjudicates when there is a dispute between the two groups?
- Need to add qualifications for the County Attorney: Ex. “The County Attorney shall be a resident of the County and a member in good standing of the Bar of the Court of Appeals and of the Circuit Court for Anne Arundel County, and shall have been actively engaged in the general practice of his profession in the State of Maryland for at least five years prior to appointment.” (taken from Anne Arundel Charter)
- 414 – Would add language to identify the role of the “Board of Fire and Rescue”.
- 415/416 – Not sure the Charter Board or the Citizens know how the County Government should be organized. It seems that any changes from the current organization should be either recommended by the current County Administrator/Department Heads or the new County Executive, as approved by the Council. Having said that, there are additional critical Department Heads that are appointed by the County Executive that should be confirmed by the Council to bound the authority of the County Executive.
- 418 – (b) References section (a) for time frame, but no time frame listed in section (a).

(d) Add to end of last sentence “outlined in this Charter”

4XX – Charter implies Police function stays with Sheriff, so relationship between County Exec and Sheriff should be defined in this Charter. Any changes to that relationship should require a Charter change with citizen approval.