

Urgent: Charter Submission- Charter Concerns - Comment Submission Per The Charter Draft- Include in the Final Draft

Charles Citizens <[REDACTED]>

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To:Charter Board <CharterBoard@charlescountymd.gov>

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Integrity, Fairness, Transparency, Inclusion, Diversity, True Leadership

Thank you for inputting the much needed recommendations below for the good of the County and Taxpayers

Submitting because integrity is imperative

Preamble

Change as follows:

We, the citizens of Charles County, Maryland, a body corporate and political under the Maryland constitution, establish under this charter a form of governance that is effective and impactful in providing governmental services to our citizenry. Herein, we define an order of responsibility and accountability for all elected officials, employees, appointees, and contractors that measures up to the highest standard. We will collaborate with all independent, federal, state, and county offices, which necessitates that our services operate at the highest level. We delegate executive authority and responsibility, as well as promote and establish ordinances, policies, and procedures that are inclusive of all citizens of Charles County. Therefore, we hereby ordain and confirm this

Charter.

OR

We, the People of Charles County, Maryland, in order to obtain the benefits of self[1]government and home rule, do, in accordance with the Constitution and laws of the State of Maryland, adopt as our instrument of government this CHARTER OF CHARLES COUNTY, MARYLAND.

Note: It's not the role of this charter to single out one of many important aspects of effective government such "address" geo-political representation and equality of opportunity". Laws and policy can and should have the purpose of promoting equity as well as a fair and competitive

processes. Further, nowhere in the charter are details of how the charter will “address” this representation.

The sentence is not appropriate for a Preamble. Needs to be Removed...

Article 1

General Provisions

As per the following:

102. Exercise of Powers

The powers mentioned in the preceding section shall be exercised only by the County Council, the County Executive, other officers, agents, and employees of the County acting under their respective authorities. Thus, it will include the **input of the public** which are the **citizens of Charles County**. In the exercise of such powers, **all citizens of Charles County shall be accorded equal treatment in all matters under the jurisdiction of the County government.**

Article 2

203. Council to Act as a Body

In the second sentence, strike out the word no...It shall have no power to create.....

It shall have the power to create standing committees.

Council members shall be elected alternative years of the General Assembly **and not be family members, close friends, CEOs or Board members of non-profit organizations (especially in the County), County Stakeholders in any capacity, former elected officials, acquaintances and/or any individuals who have received funds from the county for business related activities and/or non-profit organizational activities. Individual Council Members shall not be employees of any County (particularly Charles County) or Federal employees. Names of qualified members will be promptly selected by a special election or drawing qualified names out of a “hat” of sorts. Anyone in an elected position can’t have a role in the process. No one individual name will be eliminated based on how current elected officials feel about said individual. Any potential councilmember must not have a criminal background, felonies, misdemeanors of any kind, they must not be in financial distress, they must complete and financial disclosure form, they must not have any financial dealings with the County or be stakeholders with entities that are stakeholders in the County or have financial dealings with the County.**

204 Election

(e) Change to read, “ All local elections should be held at a different time from state elections”

205 Qualifications

(a) suggestion was to change the number of years each Council member needed to be a registered voter and live in the County. It currently reads one year. We discussed the fact that it should be longer but never came to a consensus.

206 Term of Office

(d) there is confusion about absences....while it speaks to how many absences a member shall not have...it does not specify what the sequence will be.

207 Compensation

What are 5 councilmen going to be doing full time? The average salary for councilmen/women in the National Capital Region (DC, MD, VA locale) is between \$29,625 to \$38,265 per year.

208 Forfeiture of Office

(2) at the end of that sentence, after moral turpitude...add ethics violations, sexual harassment, discrimination, retaliation, discriminatory harassment, libel, slander, innuendo or any violation of the Charles County Standard of Conduct, the MD Constitution and any federal, state or local laws.

OR

the Council member being convicted of or pleading guilty to a felony or a crime involving **moral turpitude, racial discrimination of any race people by any race of people, discriminatory harassment, slander, libel, innuendo, retaliation, sexual harassment, hostile work environment and/or any violation of ethics as defined by Federal and State law and the current (as of 2023-2024) county policies.**

OR

A Council Member shall immediately forfeit office upon ceasing to be a qualified voter of the County or when convicted of a felony or a crime involving moral turpitude or when found guilty of racial discrimination of any race people by any race of people, discriminatory harassment, slander, libel, innuendo, retaliation, sexual harassment, hostile work environment and/or any violation of ethics as defined by Federal and State law and the current (as of 2023-2024) county policies. A Council Member required to reside in a particular Council district shall forfeit office upon ceasing to be a resident of that district, provided that no member of the Council shall forfeit office by reason of any change in the boundary lines of a Council district made during a single term.

209 Removal from Office

At the very end of the paragraph, add the following sentence; "They must reimburse and compensate the County if found guilty".

County Executive mustn't have a stake in this so his/her signature must not be required.

Removal from office is a result of racial discrimination of any race people by any race of people, discriminatory harassment, medical inability to perform, drug or alcohol abuse, mental inability to perform, mental incapacity, being incapacitated, illness that last for more than 30 days (not relating to being discriminated against, harassed in any way or bullied while in office), slander, libel, innuendo, retaliation, sexual harassment, hostile work environment and/or any violation of ethics as defined by Federal and State law and the current (as of 2023-2024) county policies.

215. Redistricting

(a) The boundaries of Councilmanic districts shall be established every 10th (only as needed) or every 15th year, which is sound for the County at this point for ethical and transparent reasons. Whenever district boundaries are to be established or re-established, the Council shall appoint, not later than February 15 of the year prior to the year in which redistricting is to be effective, a commission on redistricting, composed of two members from each political party chosen from a list of five names submitted by a **competent, transparent and ethically sound Central Committee**, following the rules of the committee without interference from outside parties, which includes other elected officials (unlike what the County currently has). Such references names will be submitted from each political party which polled at least fifteen percent of the total vote cast for all candidates for the Council in the immediately preceding regular election. The Council shall appoint one additional member of the Commission that is not a family member, close friend, business partner, acquaintance, non-profit owner (staff) and the like. The Commission shall, at its first meeting, select one of its members to serve as chairperson by qualifications and/or drawing the names of any qualified, willing individual. No person shall be eligible for appointment to the Commission if he/she holds any elected office.

(b) By October 1 of the year prior to the year in which redistricting is to be effective, the Commission shall prepare, publish, and make available a plan of Councilmanic districts and shall present that plan, together with a report explaining it, to the Council. The plan shall provide for Councilmanic districts that are compact, contiguous, and substantially equal in population. No less than fifteen calendar days and no more than thirty calendar days after receiving the plan of the Commission, the Council shall hold a public hearing on the plan. If within seventy calendar days following presentation of the Commission's plan no other law establishing or re-establishing the boundaries of the Councilmanic districts has been enacted, then the plan, as submitted, shall become law.

Article 3

307 Enactment of Legislation

We questionwhat is the process for creating a bill?

309 Executive Veto

Eliminate the County Executive veto altogether for ethical and conflict of interest reasons (integrity is imperative)

311. Referendum

On the first sentence, replace **5%** with **1%** of the registered voters

Article 4

401 Composition

Question...define “agents”

a. Election of the County Executive

The County Executive shall be nominated and elected by the qualified voters of the entire County at the same time as State officers and in the manner provided by law. Citizens have a right to request a recount of votes and current elected officials can't run for said position until after 4 years of them leaving their current position in an elected position.

402. Powers and Duties

(a) Eliminate supervision and oversight boards and commissions. Give this responsibility to the council.

(v) Provide the council with any information the public should know on any action that requires investigation or possible public/ethical/criminal inquiry from legal authorities. The County Executive is obligated to provide ALL information with any potential ethical, legal ramifications whether confirmed or potential inquiry.

Further, any changes pertaining to financial obligations which alter previously discussed and or approved budgetary requests.

The county executive shall provide all information expeditiously and timely as humanly possible.

a. Term of the County Executive

The County Executive shall serve for a term beginning at noon on the first Monday in December next following his/her election and ending at noon on the first Monday in December in the fourth year thereafter. No person shall be eligible to succeed himself/herself in the office of County Executive if he/she has served in such office for two consecutive four year terms.

b. Qualifications of the County Executive

The County Executive shall have been a resident and a qualified voter of the County for at least five years immediately preceding his/her election or appointment. At the time of his/her election or appointment he/she shall have attained the age of twenty-five years. During his/her term of office, he/she shall not hold any other office of profit in federal, state, county or municipal government. He/She shall not, during the whole term for which he/she was elected or appointed and for two years thereafter, be eligible for appointment to any County office or position carrying compensation.

402 Powers and Duties

(a) (ii). at the end of the sentence, add...."after review by the County attorney".

403 Plan of Organization

(a) second sentence....the Executive may, (take out "at any time") add..."in conjunction with the Council and County Attorney....alter, adjust, modify, etc."

407 Compensation

The salary proposed is not realistic

411 Temporary Absence

In the first sentence, add...”In the event of a temporary absence...as defined **by FMLA only (reference the Department of Labor standard)**....in the office....”

412 Chief Administrative Officer

The County Council shall make two recommendations for the County Administrative Officer for consideration by the County Executive. Citizens have a right to request a recount of votes and current elected officials can't run for said position until after 4 years of them leaving their current position in an elected position.

The Chief Administrative Officer shall serve at the pleasure of citizens of Charles County.

Article 5

503 Preparation of the County Budget

Change the wording to say...”The executive **shall** hold **a series of public hearings (not one hearing)** during the months....”

Article 6

606 Planning Commission

Who does this commission report to? The individuals in this group can't report to the County Executive, as this has the huge potential to create a conflict of interest or ethics violations.

607 Board of Appeals

Who does this group report to? The individuals in this group can't report to the County Executive, as this has the huge potential to create a conflict of interest or ethics violations.

Article 10 Inspector General

Lots of questions about this section...I was not able to capture all of them. Most centered around the qualifications of the Inspector General and qualifications of the panel that selects the IG.

As per the Association of Inspector General's guidance, the IG and the panel must have superb past performance (must be able to provide authentic documentation with dates, times, signatures (on letterhead) from viable companies outside of Charles County and PG County. The panel must have knowledge of the Inspector General roles, have a Bachelor's degree from an accredited college or university; have ten years of public sector experience performing or managing audits, investigations, or directly related legal functions; and have at least three years experience as a senior-level staff member in an inspector general's office managing and overseeing audits or investigations

The Inspector General must be an outside entity without a stake in the game (meaning stakeholder in any sense of the word), must not be a Charles County/ Prince Georges County resident (given certain relations between Charles County elected officials, the current County lobbyist and the others with Prince Georges County officials. Conflicts

of interest must be eliminated per the Inspector General/Panel selection and throughout this Charter document), the Inspector General must not be related to any elected official or Charles County Government employee. The Inspector General must not be an acquaintance, business owner or non-profit CEO or said board member. The Inspector General must not have any business dealings with the local, state or federal government. The Inspector General must have 7 – 10 years of good experience as an Inspector General. The Inspector General must have completed the necessary Inspector General training successfully, through a certified Inspector General training institute such as the Association of Inspector Generals and be able to provide authentic proof of successful completion. The individual selected must have the aforementioned and below referenced qualifications per training.

Per the Association of Inspector Generals, the requirements to be accepted for the necessary training is:

Institute Eligibility Requirements

ELIGIBILITY REQUIREMENTS

(a) Certified Inspector General Program

Applicants for the Certified Inspector General Program are selected by one of three standards:

(i) Currently hold an appointed position as an inspector general in a public jurisdiction.

OR

(ii) Currently serve as a senior-level staff member in an inspector general's office, (including, assistant inspector general, deputy inspector general, or legal counsel) who has earned a Bachelor's degree from an accredited college or university; has ten years of public sector experience performing or managing audits, investigations, or directly related legal functions; and has at least three years experience as a senior-level staff member in an inspector general's office managing and overseeing audits or investigations.

OR

(iii) Currently serve as a senior-level staff member in an inspector general's office, (including assistant inspector general, deputy inspector general, or legal counsel) who has earned a graduate degree in Public Administration, Law, or a related field from an accredited college or university; has seven years of public sector experience performing or managing audits, investigations, or directly related legal functions; and has at least three years experience as a senior-level staff member in an inspector general's office managing and overseeing audits or investigations.

The Professional Certification Board will review the information provided by registrants to make a determination about individual qualifications for the designation of Certified Inspector General.

The Professional Certification Board of the Association of Inspectors General shall make all decisions regarding interpretations of these requirements and determinations made pursuant to these requirements. The Board will use the following definitions:

(iv) Inspector General shall mean the individual appointed by a government authority to a position designated “Inspector General”; any individual appointed to direct an office with the title of “Office of the Inspector General”; or the head of any government agency with responsibilities and authority commensurate with those typically assigned to offices of inspectors general.

(v) Assistant Inspector General or Deputy Inspector General shall mean a senior level staff member who reports directly to the Inspector General and can fill the position of inspector general in the Inspector General’s absence. Examples of positions that meet this criteria would include the Office of Inspector General’s Director of Investigations, Director of Audit, the Director of Inspections or Evaluations, or the General Counsel.

(vi) Legal Counsel shall mean the senior-most counsel assigned to the Office of Inspector General and reporting directly to the Inspector General.

(vii) Managing and overseeing shall mean managing or administering financial or management audits or investigations. The position must entail decision making authority with respect to the audits or investigations or substantial responsibility for providing legal advice on related cases, and the position share direct responsibility for case outcomes.

Participants are required to be present for all blocks of instruction to be eligible to sit for the comprehensive examination.

Participants are required to pass the comprehensive exit examination given the afternoon of the last day.

If the participant does not attend all blocks of instruction or pass the exam, the applicant may sit in or audit the next Institute without a fee.

(b) Certified Inspector General Auditor Program

The applicants for the Certified Inspector General Auditor® Program are selected by meeting three standards;

(i) Currently employed as an inspector general auditor or performing the duties of an inspector general auditor in a public jurisdiction.

AND

(ii) Have earned a bachelors or graduate degree from an accredited college or university or have equivalent experience.

AND

(iii) Have one year of specific and documented experience performing or managing public sector audits.

The Professional Certification Board will review the information provided by registrants to make a determination about individual qualifications for the designation of Certified Inspector General Auditor®.

No prerequisites other than the eligibility criteria listed above are required to attend this Institute and no course preparation is required in advance of the Institute.

Participants are required to be present for all blocks of instruction to be eligible to sit for the comprehensive examination.

Participants are required to pass the comprehensive exit examination given the afternoon of the last day.

If the participant does not attend all blocks of instruction or pass the exam, the applicant may sit in or audit the next Institute without a fee.

(c) Certified Inspector General Investigator® Program

The applicants for the Certified Inspector General Investigator® Program are selected by meeting three standards;

(i) Currently employed as an inspector general investigator or performing the duties of an inspector general investigator in a public jurisdiction.

AND

(ii) Have earned a bachelors or graduate degree from an accredited college or university or have equivalent experience.

AND

(iii) Have one year of specific and documented experience performing or managing public sector investigations.

The Professional Certification Board will review the information provided by registrants to make a determination about individual qualifications for the designation of Certified Inspector General Investigator®.

No prerequisites other than the eligibility criteria listed above are required to attend this Institute and no course preparation is required in advance of the Institute.

Participants are required to be present for all blocks of instruction to be eligible to sit for the comprehensive examination.

Participants are required to pass the comprehensive exit examination given the afternoon of the last day.

If the participant does not attend all blocks of instruction or pass the exam, the applicant may sit in or audit the next Institute without a fee.

(d) Certified Inspector General Inspector/Evaluator® Program

The applicants for the Certified Inspector General Inspector/Evaluator Program are selected by meeting three standards;

(i) Currently employed in an inspector general's office performing inspections, evaluations, or reviews in a public jurisdiction.

AND

(ii) Have earned a bachelors or graduate degree from an accredited college or university or have equivalent experience.

AND

(iii) Have one year of specific and documented experience conducting inspections, evaluations, or reviews in the public sector.

Participants are required to be present for all blocks of instruction to be eligible to sit for the comprehensive examination

Participants are required to pass the comprehensive exit examination given the afternoon of the last day.

If the participant does not attend all blocks of instruction or pass the exam, the applicant may sit in or audit the next Institute without a fee.