

The 2021 Wicomico County Charter Review Committee met on October 21, 2021 at 5:00 p.m. in Council Chambers, Salisbury, Maryland.

Members Present: Dallas Baker, Bob Benson, Mike Dunn, Doug Gosnell, Sharon Morris, Michelle Chesnik, Katherine Jones, Anthony Sarbanes, Wayne Strausburg, Mat Tilghman, Philip Tilghman, Blair Todd, and Sonya Whited. Julie Bellamy and David Plotts were absent.

Staff Present: Laura Hurley, Recording Secretary, and Paul Wilber, County Attorney.

**Approval of Agenda:**

**On motion by Mr. Sarbanes and seconded by Mr. Todd, the Agenda was unanimously approved.**

**Approval of Minutes from October 7, 2021:**

**On motion by Ms. Chesnik and seconded by Mr. Phil Tilghman, the Minutes from the meeting of October 7, 2021 were unanimously approved.**

**Review of County Council List of Potential Charter Questions:**

Mr. Dunn suggested they move their way through this list from the bottom up.

**32. Should there be a provision added to the Charter on what happens when either the Executive or Legislative Branch violates the Charter.**

Mr. Dunn said the Committee had discussed that a censure would perhaps better fit in the rules that the Council might adopt. He then asked Mr. Wilber how that would apply if the Council thought the Executive did something egregious, to which Mr. Wilber responded, certainly a letter can be written from the Council to the Executive with whatever the complaint is about violating the Charter, but right now there is no formal mechanism there. He said usually, when thinking of censure, that is by the Body of a member of the Body, but the Executive is not a part of the Council, so it is hard to say they would have a censure procedure for the Executive by the Council.

Mr. Dunn said the group talked about the fact that it is difficult to put something in place that can stand muster. He said, if an Executive did something egregious, he would think it is part of the role of the County Council to point that out and protest and write a letter.

Ms. Chesnik said she just cannot see this on a ballot, so they would be putting something on a ballot that really has no teeth at all and people will wonder what it is and have the perception it will do something when it does absolutely nothing.

Dr. Jones said she agrees with what Mr. Dunn said and the only thing she can think of outside the box is that maybe there is some kind of intermediary, such as if the Ethics Commission were involved, to which Mr. Wilber responded, the way the Ethics Code is written, it is primarily a conflict of interest that relates to a financial matter.

Mr. Strausburg said he thinks, as it relates to the Council, he agrees that putting it on the ballot is not a good idea, but he thinks the Council can adopt by rule a procedure to censure, and perhaps that is where this belongs. He said, with regard to the Executive, they discussed this several times and always landed in the court room, which is unfortunate because that leads to a lot of dysfunction, but, at the end of the day, this is an elected official who still has the right to defend themselves.

**31. Add a provision that requires unanimous County Council approval to set a property tax rate higher than the tax rate in the preceding year.**

Mr. Dunn said his reaction to this is that he does not know how this Committee could write anything requiring that the Council must vote unanimously on anything.

Mr. Strausburg said this goes into the revenue cap, and he does not think that is anything that is going to be practical for the Committee to put forward because he does not think it will make it to the ballot. He said he still thinks, particularly in the current environment, that there is enough general distrust of government that he does not see the electorate going along with some lessening of their overview of property taxes.

**30. Censure of Councilmembers.**

Mr. Dunn said they just discussed this in #32, and they will make a recommendation.

**29. Should the Airport be an official Department of the County.**

Mr. Dunn said they took care of this very early on.

**28. Changing the Charter back to the County Commissioner Form of Government.**

Mr. Dunn said they already discussed this.

**27. The Council is responsible for hiring external auditors, but the auditors report to the County Executive. Should this provision be expanded to provide that the Council oversees the audits?**

Mr. Dunn said he believes the Committee already addressed this.

**26. Appropriation control of capital funds – Does this apply to all capital projects, or just bonded projects? Any surplus of funds unexpended at the completion of all of the projects listed in the enabling legislation shall be credited to the capital program for the fiscal year next succeeding the year in which said balance is ascertained. Bond counsel recommends getting rid of this limitation.**

Mr. Dunn said the Committee has addressed this.

**25. Tax revenue cap.**

Mr. Dunn said the Committee has addressed this.

**24. Capital program and budget – extend the date for the adoption of the capital improvement program. Can the County Executive amend the CIP after it is submitted to the County Council? The wording in the first sentence “or amended” is unclear.**

Mr. Dunn said, if an extension on the CIP was asked for, the Committee recommended that an extension on the public hearing accompany that.

Ms. Whited read the Committee’s recommendation:

*The County Council may, by Resolution, change any of the dates and corresponding hearing dates set forth in Section 704 and 705 herein provided that said Resolution states the reasons for said changes and such Resolution shall be effective only during the fiscal year in which said Resolution is adopted subject to the restrictions set forth in Section 704.*

Mr. Strausburg said, for the past two fiscal years they have extended the time for the adoption of the CIP; however, from an Administrative standpoint, he believes that they should stay with the timeline of presenting the proposed CIP to Council because it gives the Council and the Executive Branch several months to review what is being proposed and to give some sort of consensus as to what they do and do not have an appetite for. He said they really do not want to be giving the Council the CIP and the annual budget at the same time, it is just too much information to digest in a very short period of time. He said he thinks what they have right now actually works, so Council can extend the period of time by Resolution to adopt the CIP, and they have done that, and he does not think the Executive has had an objection to that. He said, in his opinion, it is not broken.

Mrs. Hurley said, after it is submitted, they extend the date to make it simultaneous with the budget, and in between that time period it gets amended, so the concern was whether the Executive can just amend it after it has already been submitted to the Council. She said Mr. Benson suggested that as long as the public hearing had not been held yet, he felt it was okay for the Executive to amend it, but it really should not be amended after the public hearing. She said that is why they came up with the language to amend the public hearing date.

Mr. Strausburg said he thinks any proposed amendment after the CIP has been submitted should then go back to the Council, and he thinks they should be very transparent in that regard. Mrs. Hurley said the process they have had is that it is submitted in December, the Council extends it and has the public hearing in February, and then it does not get adopted until June, so they have that big gap in between.

Mr. Dunn said the CIP is a fluid planning document in the same way that a budget is a fluid planning document, so for him, if the Executive wants to amend the CIP after a public hearing and before a final adoption, the Council has the opportunity to say yes or no.

Mr. Phil Tilghman said he thought they said the Council "may" by Resolution, so he thought they were putting in practical language so they could change it if it needs to be changed.

**23. The question came up of whether the word "compensation" includes pension payments. Can a former County employee serve as a Councilmember if he/she is receiving pension payments?**

Mr. Dunn said he believes the Committee was okay with this.

**22. Clarification of benefits program – Does this mean that changes to benefits programs must be approved by Council?**

Mr. Strausburg said he honestly believes that changes to the benefits program should be approved by the Council, and the Charter is silent on that currently, but they had somewhat of a debacle with this, and he would not want to see them repeat that. He said he thinks it is very important that, if they are going to change benefits, the Council is aware and approves those changes in benefits, just like they do with salaries. He said the benefit in question was a voluntary benefit. He clarified, there is a County match, but it was a voluntary benefit, and the County changed the fiduciary and employees did not get proper notice in a timely fashion. He said he thinks this is something they really need to address.

**On motion by Mr. Strausburg, seconded by Mr. Baker, and unanimously approved, it was recommended that there should be clarification to Section 601.b that proposed changes to employee benefits programs must be approved by the County Council.**

**21. Citizen advisory boards – Add “County Council” after County Executive so the Council can also appoint citizen advisory boards.**

Mr. Dunn said they covered this.

**20. Update any Charter sections that reference Article 25a to the Local Government Article.**

Mr. Wilber said this is a clerical item. Mr. Benson suggested the Committee could recommend this to the Council to have the printer to update this.

**19. Charter Section 507.b – Department of Law – Should the County Attorney review all contracts of the Legislative Branch of Government?**

Mr. Dunn asked if the County Attorney currently does this, to which Mr. Wilber responded, no, not necessarily. Mr. Dunn asked if Mr. Wilber thinks the County Attorney should do this, to which Mr. Wilber responded, under the current setup, the Council has their own attorney. Mr. Dunn asked, if the Council Attorney were to review a contract within the Legislative Branch and give the thumbs up, would Mr. Wilber agree by default, or would he think that it should be reviewed by the official County Attorney as well, to which Mr. Wilber responded, current practice is that a purely Council-related contract would be reviewed by the Council Attorney. Mr. Dunn asked what a Council-related contract would be, to which Mr. Wilber responded, it would be if they hired an outside expert. He said, if they want to follow the current Charter to the word, it would be a double review.

Mr. Robert Taylor, former Council Attorney who was in the audience, came to the microphone and said he thinks the Committee is making a mountain out of a molehill. He said, in the three years he was there, other than his contract, he thinks there were two contracts done by the Council Attorney. He said one was to get the forensic auditor, but that was done before he was there. He said the second one was about a year ago when the Council hired an attorney because of the problems with Mr. Culver. He said he thinks it is pretty obvious from the language of the Charter that the County Council has the right to have its own contracts with expert attorneys it appoints, or any other contract, though it is hard to image what that would be, but obviously they cannot do contracts that pertain to the operations of the Departments, so the scope of what they would do is pretty narrow. He said, frankly, he would leave this alone, or in the provision for the County Attorney he would provide that the contracts do not include Council contracts. He said, to be comprehensive about this, yes, the Council Attorney from time to time is asked to look at County contracts, and they have the right to do that just like any other government. He said he thinks that is the way it is now, and he does not think that needs to be addressed because he thinks that is common sense. He said, as far as the specific Council contracts, they should have the right to do that, unless they ask the County Attorney to look at it.

**18. Section 507 – Should this section provide for an in-house County Attorney?**

Mr. Dunn said they already covered that.

**17. Section 504 – Reorganization – Should this be redefined.**

Mr. Dunn said they addressed this.

**16. Section 414 – Temporary administrative appointments – Should Deputy Directors be added to letter A and should there be a time period in which the County Executive must appoint a Director or Deputy Director when a position is vacant.**

Mr. Dunn said they already covered this.

**15. How much time should the Executive have to appoint an "Acting Director." Should Deputy Directors be added to this section? The 90-day time period to serve as Acting Director should apply to the position and person. County Executive must state start date, so Council and public know when "acting" appointment begins.**

Mr. Dunn said they already addressed this.

**14. Section 412 - Should there be a residency requirement for the Director of Administration.**

Mr. Strausburg said there already is. He said, having held this position, they make decisions that impact the citizens of the County and they should be in the same boat they are in.

Mr. Taylor came to the microphone and said he has one more suggestion. He said Mr. Strausburg is correct that the County Administrator has to be a resident, but he would suggest putting something in there that the person does not need to be when they are appointed, but they must become a County resident within some period of time. He clarified, he is working with another County on their Charter and they already have that in there, and he thinks if the Committee looks at some of the others they might see something like that because it allows a broader search.

Mr. Strausburg said he thinks Worcester County requires that the Director of Administration becomes a resident of the County within six months.

Mr. Benson suggested changing the language stating "prior to assuming the duties" to be removed and replaced with "within six months of appointment."

Mr. Phil Tilghman said he thinks it is pretty straightforward the way it is. He said, if the person is not a resident prior to taking the position, they need to move into the County.

**There being no further discussion, on motion by Ms. Whited and seconded by Mr. Strausburg, the suggestion was made to remove "prior to assuming the duties of the office" and replace it with "within six months of assuming the duties," which was approved with 8 votes in favor and 3 opposed.**

**13. Section 40 – Forfeiture of office by the County Executive - Should this provision be expanded?**

Dr. Jones said the question was the definition of a crime involving moral turpitude, but they left it as is.

**12. Section 408 – Removal of the County Executive from Office – Who makes the decision that the County Executive is unable to perform the duties of Office due to a physical or mental disability?**

Ms. Chesnik said this is another one that they left as it is because they were looking at getting sued.

**11. Section 405 – Qualification of the County Executive – Age requirement is currently 25 years old. Should this be changed?**

Mr. Dunn said they changed this to 30.

**10. Section 402 – Should a provision be added to require the County Executive to provide any information as requested by an individual County Councilmember which is for the purpose of introducing and evaluating legislation or to engage in the review and monitoring of government programs, activities, and policy implementation.**

Mr. Strausburg said, as he recalls, they agreed to this, to which Mr. Dunn responded, but he does not think they did anything. Ms. Chesnik said she thinks the way they left it is, if it was just for information, they really could not change it or prohibit them from asking. Mr. Dunn said he thinks this might have been when they talked about whether this was a people problem or a Charter problem. He said, if there are good lines of communication, then this is not needed as it is all about communication.

**9. Section 315 – Confirmation of Appointments–Confirmation should be done before a person is hired.**

Mr. Strausburg asked if that would cover the Executive appointing an Acting Director or Acting Deputy Director because a lot of times they have to advertise and interview, and it takes time, and in the meantime, they need someone in that seat, typically an employee who is already in that Department.

Mr. Dunn said, looking back at his notes, the Committee had a lot of suggestions, but took no action. He said he thinks they felt that a person being appointed needed to be appointed before they began to draw a paycheck, and there may have been a few instances where that did not occur when the Council did not approve someone, but the person started drawing a paycheck. Mr. Strausburg said they had a person appointed to a position that the County Council actually voted down, and that person stayed in the position, and that is certainly not good governance.

Ms. Morris said she thinks the provision is pretty clear as to what should happen, it just was not followed. She said, if they are using the last incident, the Council took action by rejecting it, so it goes back to the Executive violating the Charter.

Mr. Strausburg said, from a pragmatic standpoint, if someone is appointed to a position for which they are not confirmed, he thinks the Council should have the ability to preclude that person from receiving a paycheck in that position. He said he thinks it is just untenable to have a person in a position receiving a paycheck when the County Council has rejected that employee.

Mr. Dunn said this is something that needs to be fixed, but he does not know what the fix is. Ms. Morris said she still thinks this goes back to the Executive violating the Charter because, in that particular case, the Council could not control whether or not that person got paid because that person was the one who could write the paychecks.

Mr. Taylor came back to the microphone and said it was after the incident they are discussing that the Council hired the attorney he mentioned a few minutes ago, and he is not going to say there was any relation, but they can draw their own conclusion. He said, during the process of hiring that attorney, they also passed Legislation partially to address this situation. He clarified, he is not saying that is the ultimate and the Committee should do nothing, but they might want to look at that Legislation first because he thinks it comes fairly close to covering the waterfront on a situation like this. Mr. Dunn asked what the Legislation was, to which Mr. Taylor responded, it was to address this type of a situation where somebody who was not properly confirmed continued to serve and continued to get paid. He said it was to hopefully avoid having to hire the attorney, but it was actually that attorney's recommendation that this be put in here, the idea being to try to settle it out of court if they can, and if not, they would have the Legislation to back them up if they had to go to court, so that is why that was done that way. Mr. Strausburg said he thinks that Legislation closed this loophole.

**8. Section 311 – Legislative Procedure – Should the Open Meetings Act exceptions be added to this Section?**

Mr. Strausburg said the Open Meetings Act is State law, so why would they have to embed it in their Charter, to which Mr. Dunn responded, he agrees.

**7. Section 306 – This Section indicates the majority of the total number of Councilmembers established by the Charter must be physically present to constitute a quorum. Should the word “physically” be removed? During the pandemic, the Council had to meet remotely a few times.**

Mr. Dunn said there was a motion put on the floor, which was withdrawn, according to the scoresheet.

**6. Section 304 – Special assistance – Remove “by Resolution” in letter c.**

Mr. Dunn said they talked about this but the motion failed with a 12 to 3 vote.

**5. Section 206 – If an appointed person serves for one year or less, is a special election necessary?**

Mr. Dunn said they addressed this.

**4. Section 205 – Vacancies – Define search process and public input. When there is a vacancy, should the local State Central Committee recommend four people to be selected but not obligate the Council to select one of the four people?**

Mr. Dunn said a Councilmember came and spoke to the Committee and they wanted the option to go outside of the recommendations of the central committee, but he does not think the Committee did anything on this.

**3. Section 204 – Compensation – Remove 15 days after the beginning of the 4<sup>th</sup> year of the term of each Council and replace with immediately following the election of a new term of each Council.**

Mr. Dunn said they made a change, and it passed unanimously, to which Mrs. Hurley responded, her recollection is that they cannot do this. Mr. Wilber confirmed, they have to leave it alone.

**2. Section 202 – Qualifications – Should Wicomico County teachers be allowed to serve on the County Council?**

Mr. Todd said they did not do anything with this because they would then be making a special exemption for a special group.

**1. Add a new Charter Section to define local governing body.**

Mr. Dunn said they made a definition change and it passed unanimously.

**Discussion on Prioritizing/Ranking List of Charter Changes:**

Mr. Benson said he and Mr. Dunn talked about how to proceed from this point, and specifically how they would go about presenting their recommendations to the Council. He said their thoughts were that they probably should come up with a list of criteria to use to go through the various amendments they are suggesting. He clarified, it is not meant to be exhaustive, and it may be that the Committee as a whole disagrees with this, but they agreed that, as a practical matter, the Council is likely to put a limited number of Charter amendments before the voters, and the Committee is likely to exceed that number. He said the Committee needs to decide if they want to provide the Council with their thoughts as to which are important and list them in priority. He said they have all volunteered a significant amount of hours and it is his hope that when they make a presentation to the Council, they look at it

seriously and choose to use a number of the Committee's recommendations. He clarified, he thinks it is probably beneficial from the Committee's point of view to provide a list of priorities to the Council as to what they think are more important and which ones are less important.

Mr. Benson said the first question is how many Charter amendments the Council will likely place on the ballot, and Mr. Wilber has opined that they are not likely to get more than six on the ballot in an election. Mr. Wilber clarified, it is not so much the newspaper advertisement of the amendments, but it is producing the ballot with the ballot questions. He said his suggestion is, if they make changes to an article in the Charter, they could put the potential changes in that article on a ballot question, so then they would decide how many articles they want to make into a ballot question, but there are many articles in this Charter and he does not think the Council will put all of them on the ballot.

Mr. Benson said, recognizing there is a limit, if they exceed that limit, he suggests they pick and choose which ones they think are more important and tell the Council which ones they think are more important.

Mr. Benson said secondly, when they started this Committee, he thinks there was a general agreement that they wanted to do this as much as possible by consensus. He said, looking at the list, most things they chose to address were adopted unanimously or almost unanimously. He said he thinks that is an important criterion, but, as a practical matter, the Committee almost did that anyway.

Mr. Benson said the third item he thinks is important was whether the Charter amendment suggested was proposed by an expert, i.e. bond counsel. He said the County bond counsel recommended changes, and she is an expert in that, so it seems to him that if they have the benefit of an expert recommending changes that they should give some additional weight to those changes.

Mr. Benson said the fourth item is whether a proposed Charter amendment is likely to be considered favorable by the Council. He said, to him, that is probably less important, but, as a practical matter, if they are making a recommendation for a Charter amendment that is going to reduce the power of the Council, the question of a practical matter is whether the Council is likely to see that favorably and put it on the ballot. He clarified, he does not think that is a reason to not make the recommendation, but it seems to him that it is a consideration they might want to factor in as to where they put the priorities.

Mr. Benson said the last item is the timeframe before the Charter amendment would be effective, and the example he uses is Dr. Basehart's recommendations. He said, from his personal point of view, he thinks it is aspirational, but, as a practical matter, it would not have an effect for ten years, so to him it gets weighted at the bottom of the list because it will not happen for ten years, but it may be something they might want to think about in other election years. He added, there may be other items that the Committee think should be part of the criteria.

Mr. Sarbanes asked if Mr. Benson thinks they should give Council all the recommendations or pick a small number, to which Mr. Benson responded, he thinks that is a decision for the Committee to make.

Mr. Benson said, as a practical matter, Mr. Dunn is talking about writing a report and then bringing it back to the Committee to go over it and make changes, and then they would present the report to the Council with all of their work. He said within that, the question is whether they designate six items and only give them those, or do they give them all changes but say which ones are their top six, or maybe do

something completely different than that. He clarified, the purpose of this is to just generate a conversation and get some discussion going as to how the Committee thinks they should approach this.

Mr. Dunn clarified that they are not deciding which ones tonight, they are just discussing how to proceed relative to identifying priorities in their body of work.

Dr. Jones said the Committee has come up with 24 proposed changes, and she suggests they knock that down to about 12 with 6 as a priority.

Ms. Chesnik said she thinks something that was said when they started this Committee was, if it was not unanimous, it was not being sent to the Council anyway, to which Mr. Dunn responded, that was at their very first meeting, and that was a general discussion. He clarified, that was never adopted formally, but there is no question that this should be part of the discussion now.

Mr. Strausburg said he thinks the public expects them to put forth proposed amendments that they think are crucial to good governance, so he is a little reluctant to confine themselves to some finite number. He clarified, he thinks they will get to that as they go through what they have proposed.

Mr. Strausburg said his second comment is regarding whether the proposed Charter amendment is likely to be considered favorably by the Council. He clarified, they are not doing this for the Council, they are doing this for the public, and if they think it is an important proposed amendment that provides better governance, he thinks they should put it forward even if they feel it will not be received well. He said they have been charged with presenting the public with what they believe is in the best interest of the public, to which Mr. Dunn responded, they had good discussion over the last six months that some things probably will not be passed by the Council, but they are going to do it anyway because they feel strongly. He clarified, this suggestion by Mr. Benson was only a pragmatic consideration among all the things they consider as they move forward, not that they are not going to send it forward if they do not think the Council is going to approve it. He said that was not the spirit Mr. Benson was offering, to which Mr. Benson responded, he just thinks it is a factor. He said, if there are two recommendations that are equally important and they have to pick between the two, and one is likely to be considered and one is not, he thinks they might want to pick the one that would be considered over the one that does not. He clarified, that does not mean that they cannot send them both, but he hopes if they present the Council with their work understanding the hours they put into it, and they say they feel certain items are really important, he hopes the Council will look at those seriously and consider them seriously.

Mr. Baker said the Charter Review Committee meets every ten years, and there are elections every four years. He said, if the general consensus is that six go on the ballot, potentially 18 of them could go on a ballot if future Councils decide to put them on the ballot.

Mr. Dunn said, in 2016 without a Charter Review Committee the Council had eight Charter changes on the ballot, so they determined that eight ballot questions were sufficient and the public could handle eight, so there is no reason that this Committee could not think along that same path as well.

Mrs. Hurley clarified, it is very two years, so if it does not make it to the ballot in 2022, it can go in 2024. She said it can go on a non-County election ballot.

Mr. Dunn said, when asking the public to look at eight ballot questions, if it is a noncontroversial standard change to the Charter, they pass overwhelmingly. He clarified, if they make it onto a ballot, most of the time they pass, which is just a fact.

Mr. Phil Tilghman said it seems to him that perhaps they do not need to prioritize their recommendations. He said they were appointed to look at ways to improve the Charter of Wicomico County for good governance, and they report to the Council, not the voters, so the Council will choose how many they want on the ballot based on what they think will make governance better in Wicomico County. He said, frankly, he does not see the need for prioritizing. He said the Council could also put something on the ballot that this Committee has not recommended, and that is their prerogative. Mr. Dunn said their work as the Charter Review Committee is to look at the Charter and send the changes they think will best serve the citizens and good governance.

Dr. Jones said, if they look at only the unanimous recommendations, they are down to 11, to which Mr. Strausburg suggested having those 11 recommendations put on a document prior to the next meeting. He said he would like to see what has been voted up at this point so they can absorb that before the next meeting and come back and have a good discussion about which of these they feel should survive.

Mr. Baker said the Committee originally decided that if a motion passed by a majority they would report what that score was. He said there are a lot of votes that are not unanimous simply because someone abstained, and he does not feel like that is the criteria they should go by.

Mr. Dunn said right now they are having discussion on whether they think prioritizing is the right thing to do. He said this is a proposal of whether they want to go down the road of setting priorities. He said the alternative is to give the Council the recommendations submitted as is, but either way he likes the suggestion of having the final recommendations put together prior to the next meeting.

Mrs. Hurley reminded everyone that the ballot questions have to be advertised in the newspaper, which is a lot more detail than the actual ballot question. She said, even though the citizens will only see the ballot summary at the election, in the newspaper they will see all of it, and it gets very expensive as well.

Mr. Phil Tilghman asked if they can state in the newspaper that it was proposed by the Charter Review Committee and affirmed by the County Council, to which Mr. Wilber responded, it will be what the Council wants. Mr. Phil Tilghman said he would be much more likely to vote for the Charter change if he knew a Charter Review Committee had spent eight to nine months saying this was a good idea. Mr. Wilber said he thinks that can be conveyed through the media to the public, but not on the ballot.

#### **Public Comments:**

Mr. Taylor came back to the microphone and said, if the Committee has questions, they might want to get a copy of the 2018 ballot for which Mr. Wilber wrote the ballot questions just to get an example of his work product and what they look like. He said, as he mentioned, he is working with another County and they met with their Board of Elections last week who pleaded with them to keep the number of ballot questions down because of the room on the page. He said he did not get into what size pages they were using, but they promised to keep the number down.

Mr. Taylor said, as far as combining everything from an article, he is a little iffy on that, and here is why – they have to give at least some kind of a meaningful discussion of what the question is, and if it is just to change a Section, nobody knows what the change is, so he thinks it has to be a little more substantive than that, although it certainly does not have to be the complete text of the change.

Mr. Taylor said he thinks there are a number of changes the Committee approved that frankly could just be thrown out. He said, for example, there is one about having the word County Commissioner meaning

County Council, and frankly, that is dangerous because there are places in the Charter that refer to County Commissioners that should not be changed. He said he can get into that, but they can go through and find places where it would not make sense to change that. He said there are other changes, for example, on the appointment of the Public Works Director and the Finance Director, striking language saying they would be appointed under a particular Section, and he does not know what the purpose of that is because they will still be appointed under the other Section, so why change it, and why even waste the time on it.

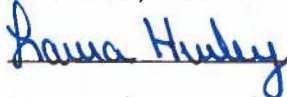
Mr. Taylor said tonight they changed the language in the personnel Section about benefits programs, but the language in there already covers that. He said what happened a year or so ago was essentially unlawful, and that is just the long and short of it, so it does not really need to be changed. He said the problem is, if they change it just for that one little phrase, then they are suggesting that everything else in that particular subpart does not need to have Council approval because, when they change one thing like that, the automatic implication is that it does not apply to anything else, so they have to be really careful on wording things. He clarified, he understands the intention, and he is not arguing that the intention is bad, but he is saying that the particular methodology would definitely raise questions.

There was no further discussion.



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Mike Dunn, Chairman



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Laura Hurley, Recording Secretary