

THE EFFECTIVE DATE OF THIS RESOLUTION IS JULY 26, 2022

RESOLUTION NO. 22-28

RE: Charter Amendment – County Council - Salary

The Frederick County Charter, Section 701, provides that the Charter may be amended by the procedures provided in Article XI-A of the Maryland Constitution.

Article XI-A, §5 of the Maryland Constitution provides, in relevant part, that amendments to any charter adopted by any County may be proposed by a Resolution of the County Council.

Article XI-A, §5 of the Maryland Constitution provides that a Charter Amendment shall be published by the President of the County Council once a week for five successive weeks prior to the election in at least one newspaper published in the County.

Article XI-A, §5 of the Maryland Constitution provides that an amendment so proposed shall be submitted to the voters of the County at the next general or congressional election occurring after the passage of the resolution.

Article XI-A, §5 of the Maryland Constitution provides that if at the election the majority of the votes cast for and against the amendment shall be in favor thereof, the amendment shall be adopted and become a part of the charter of the County from and after the thirtieth day after the election.

The Frederick County Charter, Article 2, County Council, section 207 currently provides that a Council member receives a salary of \$22,500 per year, plus reasonable allowances, and receives no further compensation. Pursuant to the recommendation of the Charter Review Commission and an affirmative vote of the Council, the Council member's salary will increase to \$37,000 per year beginning December 2022.

Specifically, Section 207 states:

207. Salary

For the performance of public duties under this Charter, each council member shall receive a Salary of \$22,500 per annum. A council member may not accrue annual leave or be entitled to any payment in lieu thereof. The Salary shall be in full compensation for all services performed, but may not preclude reasonable and necessary expenses as may be provided in the Budget. The Council shall establish by ordinance a Compensation Review Commission every four years to review the Council's Salary in accordance with the provisions of Article 25A Subsection 5(AA) of the Annotated Code of Maryland. The Council may accept, reduce or reject the Commission's recommendation, but it may not increase any recommended item.

The Council believes that a Council member should be eligible to receive allowances and fringe benefits in addition to their salary in order to attract qualified and desirable candidates.

In accordance with Section 701 of the Frederick County Charter and Article XI-A, §5 of the Maryland Constitution, this Resolution proposes adding provisions to allow a Council member to receive allowances and fringe benefits in addition to a salary.

The County Council, therefore, adopts this Resolution to amend Section 207 of the County Charter to read:

207. Salary

For the performance of public duties under this Charter, each council member shall receive a Salary of \$22,500 per annum. **IN ADDITION TO SALARY, THE COUNCIL MEMBERS MAY BE ENTITLED TO RECEIVE ALLOWANCES AND FRINGE BENEFITS AS THOSE TERMS ARE DEFINED IN THIS CHARTER.** A council member may not accrue annual leave or be entitled to any payment in lieu thereof. The salary and **ANY ALLOWANCES AND FRINGE BENEFITS ALLOCATED IN THE BUDGET** shall be in full compensation for all services performed, but may not preclude reasonable and necessary expenses as may be provided in the Budget. The Council shall establish by ordinance a Compensation

Review Commission every four years to review the Council's salary **AND FRINGE BENEFITS** in accordance with the provisions of Article 25A Subsection 5(AA) of the Annotated Code of Maryland. The Council may accept, reduce, or reject the Commission's recommendation, but it may not increase any recommended item.

The County Council held a duly advertised public hearing on this proposed Charter Amendment on July 21, 2022. The public had an opportunity to comment on the proposed Resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the County Council of Frederick County that the following amendment to the Frederick County Charter, Article 2, County Council, section 207 Salary, shall be submitted to the voters of the County at the next general or congressional election in accordance with Section 701 of the Frederick County Charter and Article XI-A, §5 of the Maryland Constitution:

207. Salary

For the performance of public duties under this Charter, each council member shall receive a Salary of \$ 22,500 per annum. In addition to salary, the council members may be entitled to receive allowances and fringe benefits as those terms are defined in this charter. A council member may not accrue annual leave or be entitled to any payment in lieu thereof. The Salary and any allowances and fringe benefits allocated in the budget shall be in full compensation for all services performed, but may not preclude reasonable and necessary expenses as may be provided in the Budget. The Council shall establish by ordinance a Compensation Review Commission every four years to review the Council's salary and fringe benefits in accordance with the provisions of Article 25A Subsection 5(AA) of the Annotated Code of Maryland. The Council may accept, reduce, or reject the Commission's recommendation, but it may not increase any recommended item.

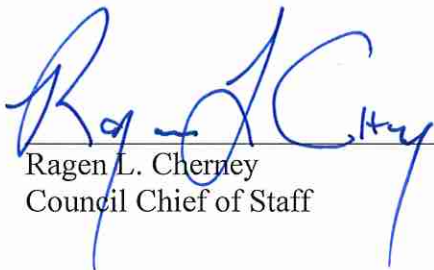
AND BE IT HEREBY FURTHER RESOLVED by the County Council of Frederick County, that pursuant to Section 701 of the Frederick County Charter and Article XI-A, §5 of the Maryland Constitution, the amendments shall be published by the President of the County

Council once a week for five successive weeks prior to the election in at least one newspaper published in said County;

AND BE IT HEREBY FURTHER RESOLVED by the County Council of Frederick County, that pursuant to Section 701 of the Frederick County Charter and Article XI-A, §5 of the Maryland Constitution, this proposed Charter Amendment shall be submitted to the voters of the County at the next general or congressional election occurring after the passage of this Resolution.

The undersigned hereby certifies that this Resolution was approved and adopted on the 26th day of July, 2022.

ATTEST:


Ragen L. Cherney
Council Chief of Staff

COUNTY COUNCIL OF
FREDERICK COUNTY, MARYLAND

By: 
M.C. Keegan-Ayer, President