

MINUTES

FREDERICK COUNTY CHARTER REVIEW COMMISSION

Thursday, February 6, 2020

Members Present: John Daniels, Dylan Diggs, Paul Gilligan, Lisa Jarosinski, Walter Olson

Call to Order: John Daniels, Vice Chairperson, called the meeting to order at 6:00 pm

Pledge of Allegiance

Vice Chairperson John Daniels stated that Chairperson Stephen Slater could not attend the meeting due to illness.

Approval of January 30, 2020 Meeting Minutes:

A motion was made to approve the January 30, 2020 minutes.

Commission Member	Motion	Second	Aye	Nay	Absent/Abstain
Diggs			✓		
Gilligan			✓		
Jarosinski		✓	✓		
Miller					✓
Olson	✓		✓		
Daniels, Vice Chair			✓		
Slater, Chair					✓

The January 30, 2020 minutes were approved.

Review and Discussion of Written Public Comments Received:

No additional public comments were received.

Discussion and Vote on the Final Charter Review Commission Report:

Motion to adopt the Charter Review Commission Report and submit it to the County Council.

Commission Member	Motion	Second	Aye	Nay	Absent/Abstain
Diggs			✓		
Gilligan		✓	✓		
Jarosinski	✓		✓		
Miller					✓
Olson			✓		
Daniels, Vice Chair			✓		
Slater, Chair					✓

The final Charter Review Commission Report will be presented to the County Council.

Commissioner April Miller arrived at 6:04 pm

Since Commissioner Miller arrived after the vote on the final report was taken, County Attorney John Mathias made a suggestion to the Commission that it could allow Commissioner Miller to submit her vote if no member objected. The Commission agreed to allow Commissioner Miller to submit her vote. Commissioner Miller voted against the report.

Future Agenda Items:

No other meetings will be held. The Commission will attend and present the Charter Review Commission Report to the County Council at their meeting on Tuesday, March 10, 2020, at 5:30 pm at Winchester Hall in the First Floor Hearing Room.

Public Comment:

The following people gave public comments:

Richard Kaplowitz, Crestwood Village 7056 Catalpa Road, Frederick
 Topics included: praise to the commission for a job well done, questions on Charter language directed to County Attorney John Mathias (Mr. Mathias answered that the language in the report from the Charter Review Commission was only a recommendation to the County Council. If the Council votes to send a recommendation to referendum, the County Attorney's Office will draft the proposed language for the ballot. Mr. Kaplowitz asked if the public will be able to review the Charter language for the ballot. Mr. Mathias answered that process has not been done in the past. Mr. Kaplowitz would like for that to happen.)

Final Commission Member Comments:

Commissioner April Miller: Commissioner Miller gave her reasons for voting against the Charter Review Commission Report. She felt that the report was well

written, however, there were a few items in which she felt the Commission fell short of their goal.

One of the items she was asked to review was the balance of power between the county executive and the county council. Commissioner Miller felt that the report should have included more opportunities for the council to be stronger. She hoped that as the council deliberates on the items that the Commission has proposed, the council will learn about the power they do have and how to execute that power to make a stronger government.

Another item was allowing the voters to have more of a voice in county government. She felt this goal was not achieved.

On the topic of allowing for increased salaries and benefits, Commissioner Miller felt that an increase of responsibilities should have been included in the Charter recommendations.

Commissioner Miller relayed that it was a hard decision to vote against the final report. There were many aspects of the report she agreed with but there were also many that she did not.

Commissioner Walter Olson: Commissioner Olson felt that the Charter itself was not functioning badly but it had not yet been tested in certain ways. He wanted to make sure that changes would not be made unless he was confident that they were changes for the good.

Commissioner Olson agreed with Commissioner Miller that one of his main focuses was to try to balance the power between the county executive and the county council. During all the interviews, Commissioner Olson realized that the task would not be as easy as he thought because of the many unintended consequences.

Another aspect Commissioner Olson had not considered was the county council as a part-time citizen legislature. He felt that this model will work for many years to come until Frederick County has a much larger population. In the meantime, Frederick County had the flaws and the advantages of the citizen council. In the compressed amount of time that the council has, they do not have the amount of oversight as they would like. During the charter review process, the Commission looked at different ways of enhancing the council's staff power, procedural power, or the reports that they received. In each case there was a cost factor without improvement of the caliber of decisions.

In the beginning, Commissioner Olson was confident that the Commission could make stronger changes than the resulting proposals in the final report. Not every proposal he supported made it to the final recommendations. Overall, however, Commissioner Olson supported the final report.

Commissioner Dylan Diggs: Commissioner Diggs agreed with Commissioner Olson and Commissioner Miller. There were some parts of the final report he liked and some parts that he didn't like. Overall he voted for it because the report is a step forward toward making the county government a little more balanced.

The Commission had many constructive discussions. Commissioner Diggs felt that it was very important to have a separation of power as well as a balance of power between the county executive and the county council.

Two big steps that the Commission did take were proposals for the council to have more subpoena power, transparency and improving the non-interference clause. Commissioner Diggs said he will be happy if these proposals move forward.

As a result of the Charter Review Commission, Commissioner Diggs had found that no matter how government institutions were structured, it was the people who make up those institutions that were most important. Those people need to have the basic democratic principles of humility, prudence, attentiveness, and believe in engagement.

Commissioner Paul Gilligan: Commissioner Gilligan stated that he voted for the final report because the Commission was successful with the initial charge. That charge was to adjust the items that were necessary to smooth out a few problematic areas without doing any damage. He felt that the process was very open and transparent. Chairperson Stephen Slater did a great job leading the meetings and created charts that kept the Commission on task. Commissioner Gilligan believes that the Commission created a great report to send off to the council.

Commissioner Lisa Jarosinski: Commissioner Jarosinski concurred with what the other commissioners had said about creating a good final report. The Commission looked at the proposals carefully and slowly, a few small changes were suggested but the Charter was not rewritten. She believed that the changes that had been suggested will not create more problems.

Commissioner Jarosinski stated that she appreciated the comradery of the Commission with their willingness to be heard and to listen. She appreciated being able to serve and to participate.

Vice Chairperson John Daniels: Vice Chairperson Daniels thanked Council Executive Assistant Lee Redmond for her administrative support to the Charter Review Commission.

Vice Chairperson Daniels stated that it was a privilege to be on the Charter Review Commission. He believed that non-combative communication resulted in a better document. The Commission had demonstrated that it worked. Agreeing strongly with Commissioner Gilligan, Vice Chairperson Daniels said it was difficult to pull back on some of the changes that he thought should have been proposed for the Charter. However, compromises were made to create a good final report.

Vice Chairman Daniels added his thanks to County Attorney Mathias and Chief Administrative Officer Rick Harcum for assisting the Commission.

Adjournment:

By unanimous consent of the Commission members, the final meeting of the Charter Review Commission adjourned at 6:24 pm.