

Frederick County Charter Review Commission Proposals

Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
1	Art. 1, Sec. 104 (a)	Definition of "Agency"	Add phrase "including all entities, however structural, that utilize the County's financial system" "funded by county taxes"	3 members of the public	8/29/2019	Tabled on 9/5/19 (7-0) Rejected by CRC on 10/28/19 (2-4)
2	Art. 2, Sec. 203	Council to Act as a Body	Add to CC the ability to create standing committees	CM Keegan-Ayer (for) OCBM Kresslein (against) 3 members of the public (for)	7/26/2019 8/1/2019 8/29/2019	Moved to workshop on 9/5/19 (7-0); No Action by CRC after workshop on 12/11/19
3	Art. 2, Sec. 204 (c) (and Sec. 201)	Election of County Council	Abolish 2 At-Large CM positions (and reduce CC from 7 to 5 District CMs)	OCBM Aquilino (for) OCBM Kresslein (against) CM Hagen (against)	8/1/2019 8/1/2019 9/3/2019	Rejected by CRC on 9/5/19 (0-7)
4	Art. 2, Sec. 204 (e)		Create staggered terms for CM so all not elected in gubernatorial election cycles	OCBM Aquilino	8/1/2019	Rejected by CRC on 9/5/19 (0-7)
5	Art. 2, Sec. 205 (c)	Qualifications for County Council	Prohibit CMs from serving as employees of Board of Education due to perceived conflict of interest	OCBM Mackintosh (for) 2 members of the public (for) 1 member of the public (against)	8/1/2019 8/20/2019 8/6/2019	Moved to workshop on 9/5/19 (3-4); <u>Rejected by CRC after workshop held on 1/16/20 (3-4)</u>

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Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
6	Art. 2, Sec. 207	Council Member Salary	Increase CM salary	CM Donald (for) CM Hagen (for) fmr CM Otis (for) OCBM Kresslein (for) OCBM French (for) OCBM Aquilino (against) OCBM Mackintosh (against) OCBM Hoover (against) OCBM Holtzinger (against) Sen. Young (for) 3 members of the public (for) 2 members of the public (against)	7/22/2019 9/3/2019 7/25/2019 8/1/2019 8/1/2019 8/1/2019 8/1/2019 8/1/2019 8/1/2019 9/7/2019 9/21/19 10/28/19	Moved to workshop on 10/3/19 (7-0); Workshop held on 10/28/19 and vote held; rejected by CRC (0-7)
7	Art. 2, Sec. 207	Council Member Salary	Allow benefits for CMs	CM Fitzwater (for) OCBM Kresslein (for) 2 members of the public (against)	8/20/2019 8/1/2019 10/28/19	Moved to workshop on 10/3/19 (7-0) Workshop held 10/28/19 and vote held; approved to include in Final Report (4-2-1)
8	Art. 2, Sec. 209	Vacancies of the County Council	Hold Special Election if vacancy occurs during first two years of term of CM	CM McKay CM Hagen	7/29/2019 9/3/2019	Moved to workshop on 10/3/19 (7-0); Workshop held on 11/7/19; Rejected by CRC on 12/11/19 (3-4)

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Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
9	Art. 2, Sec. 210 (and/or Sec. 207)	Officers of the County Council	CC President shall receive additional stipend (suggested \$1000-2000) to compensate for extra time commitment	CM Fitzwater (for) 1 member of the public (against)	8/20/2019 10/28/19	Moved to workshop on 10/3/19 (7-0) Workshop held on 10/28/19 and tabled by CRC pending information from County Atty (7-0); Approved to include in Final Report on 12/11/19 (6-1)
10	Art. 2, Sec. 210 (and Sec. 201 and 204)	Officers of the County Council	CC President Elected At-Large and go to 6 Districts (similar to Harford County)	CM Dacey (for) CM Hagen (against)	8/1/2019 9/3/2019	Rejected by CRC on 10/3/19 (0-7)
11	Art. 2, Sec. 211	Investigations by the Council	Change issuance of a subpoena possible with vote of five CM instead of six	fmr CM Otis 4 members of the public (for)	7/25/2019 9/21/2019	Moved to workshop on 10/3/19 (7-0) Workshop held 10/28/19 and vote held; approved to include in Final Report (7-0)
12	Art. 2, Sec. 211	Investigations by the Council	Add power for investigations to be delegated to a standing or ad hoc committee of the Council	3 members of the public	8/29/2019	Rejected by CRC on 10/3/19 (0-7)

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Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
13	Art. 2, Sec. 212 (b)	Non-Interference	Change the words "the Council" to "a Council Member" to allow individual CMs to request info from CE and CE staff	CM Fitzwater	8/20/2019	Moved to workshop on 10/3/19 (7-0); Workshop held on 12/11/19 and approved to be included in Final Report (5-2)
14	Art. 2, Sec. 212 (b)	Non-Interference	Add to language requiring CE to provide information re: constituent issues and increase communication between CE and CC	CM Hagen fmr CM Otis OCBM Kresslein OCBM Holtzinger	9/3/2019 7/25/2019 8/1/2019 8/1/2019	Moved to workshop on 10/3/19 (7-0); Workshop held on 12/11/19 and rejected by CRC (3-4)
15	Art. 2, Sec. 213	Council Assistance	Add to CC staff a Budget Director and Staff Attorney independent of CE and County Attorney	CM Donald (for) CM Dacey (for) CM Hagen (mentions) OCBM Holtzinger (against) 1 member of the public (for)	7/22/2019 8/1/2019 9/3/2019 8/1/2019 10/28/19	Moved to workshop on 10/3/19 (7-0); Workshop held on 12/11/19 and tabled by CRC until 12/19/19 (4-3); CRC decided to take no further action on this proposal on 12/19/19 (5-2)
15A	Art. 2, Sec. 213 (or Art. 3, Sec. 301)	Council Assistance	Add a position of Ombudsman (or standing committee for arbitration) to settle disputes between citizens and County Government before redress in Circuit Court	3 members of the public	8/29/2019	Rejected by CRC on 10/3/19 (0-7)

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Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
16	Art. 2, Sec. 214 (c)	Redistricting	Modify language to more closely define "substantially equal in population"	CM Hagen	9/3/2019	Moved to workshop on 10/3/19 (7-0); Workshop held 10/17/19 (no vote); Rejected by CRC on 12/11/19 (3-4)
17	Art. 4, Sec. 402 (f)	County Executive Powers and Duties (Mr. Daniels requested an opinion from the County Attorney specifying whether the section applies to FCSO MOUs/MOAs)	Clarify whether Sec. 402 (f) requires the CE to sign any contracts entered into by the FCSO that require the expenditure of county funds (i.e.: MOA between DHS/ICE and FCSO re: Sec. 287 (g))	2 members of the public	8/1/2019	Tabled on 10/3/19 (5-2); Re-tabled on 10/17/19 (5-2); Moved to workshop on 10/28/19 (3-3); No Action by CRC after workshop on 12/11/19
18	Art. 4, Sec. 405 (b)	Qualificaitons of the County Executive	Prohibit CE from holding any other public office, etc. (make Sec. 405 (b) language agree with Sec. 205 (c))	OCBM Mackintosh	8/1/2019	Rejected by CRC on 10/3/19 (0-7)
19	Art. 4, Sec. 406 (a)	Compensation of the County Executive	Increase the salary of the CE	OCBM Kresslein (for) OCBM Holtzinger (for) OCBM Mackintosh (against) OCBM Hoover (against) OCBM Aquilino (against) Sen. Young (for) 3 members of the public (for)	8/1/2019 8/1/2019 8/1/2019 8/1/2019 9/7/2019 9/21/2019	Moved to workshop on 10/3/19 (7-0); Workshop held on 10/28/19 and vote held; Rejected by CRC (0-7)

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Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
20	Art. 4, Sec. 408	Vacancies of the County Executive	Hold Special Election if vacancy occurs during first two years of term of CE	CM McKay (for) CM Hagen (for) CE Gardner (against)	7/29/2019 9/3/2019 10/28/19	Moved to workshop on 10/3/19 (7-0); Workshop held on 11/7/19; Rejected by CRC on 12/11/19 (3-4)
21	Art. 4, Sec. 408 (b)	Vacancies of the County Executive	Appointed CE should be of same party as departing CE (align with provisions for vacant CM in Sec. 209 (b) for CC)	CM Keegan-Ayer	7/29/2019	Moved to workshop on 10/3/19 (7-0); Workshop held on 11/7/19; Approved by CRC for Final Report on 12/11/19 (7-0)
22	Art. 4, Sec. 414 (a)	Plan of Organization	Add the word "budgetary" to provision	3 members of the public	9/21/2019	Rejected by CRC on 10/3/19 (0-7)
23	Art. 5, Sec. 503	Preparation of the County Budget	Require the CE to provide mandatory weekly budget progress reports beginning January 1 of each year	CM Blue	8/9/2019	Moved to workshop on 10/3/19 (6-1); No Action by CRC after workshop on 12/19/19 (6-1)
24	Art. 5, Sec. 503 (b)	Preparation of the County Budget	Require an additional public meeting(s) than the two provided in this section to allow for additional public input into the budget process	CM Hagen	9/3/2019	Moved to workshop on 10/3/19 (7-0); No Action by CRC after workshop on 12/19/19 (6-1)

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Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
25	Art. 5, Sec. 506	Action on the Budget by the Council	Grant to CC power to transfer/add funds to sections of county budget (perhaps with a supermajority)	CM Donald (for) CM McKay (for) CM Keegan-Ayer (for) CM Dacey (for) CM Blue (for) CM Fitzwater (mentioned) CM Hagen (for limited) fmr CM Otis (for) OCBM Kresslein (against) OCBM Mackintosh (against) 4 members of the public (for)	7/22/2019 7/29/2019 7/26/2019 8/1/2019 8/9/2019 8/20/2019 9/3/2019 7/25/2019 8/1/2019 8/1/2019 9/21/2019	Moved to workshop on 10/3/19 (7-0); No Action by CRC after workshop on 12/19/19 (6-1)
26	Art. 5, Sec. 506 (d)	Action on the Budget by the Council	Extend time for CC to act on the budget resolution	fmr CM Otis	7/25/2019	Moved to workshop on 10/3/19 (7-0); No Action by CRC after workshop on 12/19/19 (6-1)
27	n/a	Board of Education Vacancies (See MD Code, Educ., Sec. 3-5B-01(d)(2))	Provide a more open and transparent process for BoE vacancies to include public hearings and input from CC	CM Blue	8/9/2019	Moved to workshop on 10/17/19 (6-1); Workshop held on 11/7/19; Rejected by CRC on 12/11/19 (1-5-1)
28	n/a	Abolish Charter	Abolish Charter and Return to BOCC form of government	fmr CM Delauter OCBM Holtzinger 2 members of the public	7/17/2019 8/1/2019 8/6/2019	Rejected by CRC on 10/3/19 (0-7)
29	n/a	Create County Police Force	Remove law enforcement responsibilities from the FCSO and create a County Police Force	Sen. Young (for) 1 member of the public (against)	9/17/2019 9/5/2019	Rejected by CRC on 10/3/19 (0-7)

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Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
30	Art. 5, Sec. 508 (a)	Borrowing Limitations	Change debt limits from 5% to 3% of real property and from 15% to 9% of personal property	County Finance Director	10/17/2019	Moved to workshop on 10/17/19 (7-0); approved on 11/18/19 to include in Final Report (7-0)
31	Art. 7, Sec. 703 (a)	Charter Review Commission	Review process of appointing future Charter Review Commissions including time period and potentially adding 1-2 members to be appointed by CE	1 member of the public CE Gardner	10/28/19 11/4/19	Moved to workshop on 11/18/19 (7-0); No Action by CRC after workshop on 12/19/19
32	Art. 3, Sec. 305 (f)	Enactment of Legislation	Extend 90 days to 120 days if amendments constituting a change in substance are introduced	1 member of the public	10/28/2019	Rejected by CRC on 11/18/19 (0-7)
33	Art. 4, Sec. 412 (b)	Appointment and Removal of Department Heads and Others	Clarifying appointment process for boards and commissions to make process more open and transparent	1 member of the public	10/28/2019	Rejected by CRC on 11/18/19 (2-5)
34	n/a	Add Index to Charter	Add Index to Charter	1 member of the public	10/28/2019	Approved on 11/18/19 to include in Final Report (7-0)
35	n/a	Recall Elections	Allow recall election for County elected officials following a recall petition and subsequent recall vote	1 member of the public	10/25/2019	Rejected by CRC on 11/18/19 (0-7)

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Ref.	Charter Section	Topic	Nature of Change	Person Suggested	Date to CRC	CRC Action
36	n/a	Elected Ethics Commission	Provide for an elected 5-member Ethics Commission to be elected by the voters of Frederick County	1 member of the public	10/25/2019	Tabled on 11/18/19 pending opinion from County Attorney (7-0); No Action by CRC after discussion on 12/11/19
37	n/a	Conflict of Interest	Prevent CE or any member of CC from promoting or assisting any business entity named in a lawsuit against Frederick County	1 member of the public	10/25/2019	Rejected by CRC on 11/18/19 (0-7)
38	Art. 4, Sec. 405 (b) (and Section 407)	Qualificaitons of the County Executive	Add penalty for CE not devoting full-time to CE job functions as specified in Section 405 (b); perhaps declaring CE office vacant after CC resolution stating CE in violation (adding paragraph (5) to Section 407).	CE Gardner	10/28/2019	Moved to workshop on 11/18/19 (5-2); Moved to set aside this proposal for future charter review commissions on 12/19/19 (7-0)

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39	Article 5, Secs. 503, 509, and 513 (also Art. 1, Sec. 104)	Preparation of the County Budget, Transfer of Appropriations, Amendment to Capital Budget After Adoption of the Budget	Budget provisions making clear distinctions between Operating Budget, Capital Budget, and Capital Improvement Plan (CIP) and specifying "Divisions" to more accurately reflect structure of County Government, etc.	County Budget Director	11/7/2019	Moved to workshop on 11/18/19 (7-0); Moved to table this provision until 1/16/20 (at request of staff) (7-0); <u>Moved to withdraw this proposal from consideration at the request of staff on 1/16/20 (7-0)</u>
40	Art. 2, Sec. 214 (b)	Redistricting Commission	Adjust due date for Redistricting Commission recommendations from November 15 to October 15 to comply with earlier Primary Election date in presidential election years	Bd. Of Elections Director	11/18/2019	Approved by CRC to include in Final Report on 12/11/19 (7-0) (no workshop)
		CE = County Executive				
		CM = Council Member				
		CC = County Council				
		OCBM = Original Charter Board Mbr		Document revised 2/4/20 (Changes shown in <u>bold underline</u>)		
		FCSO = Frederick County Sheriff's Office				