

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2018 Legislative Session

Introduced: Legislative Day No. 14

Adopted: Legislative Day No. 15

Resolution No. 65-2018

Introduced by: The President of the Council

CHARTER AMENDMENTS

A RESOLUTION OF THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND PROPOSING THE AMENDMENT OF VARIOUS SECTIONS OF THE WICOMICO COUNTY CHARTER.

WHEREAS, Section 1002 of the County Charter indicates that amendments to the Charter may be proposed by resolution of the County Council approved by not less than five (5) of its members, and such resolution shall be exempt from veto; and

WHEREAS, Article XI-A, Section 5, of the Constitution of Maryland indicates that amendments to any charter adopted by any County of the State shall be submitted to the voters of the County at the next general or congressional elections occurring after the passage of the resolution; and

WHEREAS, the County Council desires to submit proposed revisions of the Charter to the citizens of the County for consideration at the next general or congressional election in accordance with the provisions of the Charter and Maryland Constitution.

NOW THEREFORE, BE IT RESOLVED by the County Council of Wicomico County, Maryland, pursuant to the authority granted the County Council of Wicomico County, Maryland by Article XI-A, Section 5 of the Constitution of Maryland and Article XI, Section 1002 of the Charter of Wicomico County, Maryland that the following sections of the Charter of Wicomico County be added or amended to read as follows:

CHARTER OF WICOMICO COUNTY, MARYLAND

Article III. The Legislative Branch

Section 315. Confirmation of appointments.

- A. Director of Administration, ASSISTANT DIRECTOR OF ADMINISTRATION, ~~and~~ department heads AND THE INITIAL APPOINTMENT OF DEPUTY DIRECTORS. Appointment by the County Executive of the Director of Administration, THE ASSISTANT DIRECTOR OF ADMINISTRATION, ~~or of the~~ DEPARTMENT head§ OR THE INITIAL APPOINTMENT OF A DEPUTY DIRECTOR of a department in the executive branch of the county government shall be subject to confirmation by the County Council. If the Council fails to act to confirm or reject any appointment within forty-five days of its submission to the County Council, at its legislative session, by the County Executive, the appointment shall stand approved.

Section 708. Transfer of appropriations AND CAPITAL ASSETS; INTER-FUND BORROWING.

A. How authorized. Transfers of appropriations between general classifications of expenditures within the same office or department may be authorized by the County Executive, PROVIDED THAT THE COUNTY COUNCIL IS GIVEN AT LEAST FIFTEEN (15) DAYS ADVANCE WRITTEN NOTICE OF ANY SUCH TRANSFER EXCEPT IN THE CASE OF AN EMERGENCY, IN WHICH CASE SUCH NOTICE SHALL BE GIVEN AS SOON AS POSSIBLE BUT NO LATER THAN FIVE (5) DAYS AFTER THE TRANSFER. Transfers between offices, departments, institutions, boards, commissions or other agencies of the county government may be made during the last quarter of the fiscal year and then only on the request of the County Executive and with approval of the County Council.

C. A DEPRECIABLE CAPITAL ASSET HAVING A CURRENT BOOK VALUE OF \$15,000 OR MORE, REGARDLESS OF WHEN AND HOW ACQUIRED, MAY BE TRANSFERRED BETWEEN DEPARTMENTS, AGENCIES, OFFICES OR FUNDS ONLY UPON WRITTEN RECOMMENDATION OF THE COUNTY EXECUTIVE AND APPROVAL BY THE COUNTY COUNCIL BY RESOLUTION. THE RECOMMENDATION SHALL DESCRIBE THE ASSET AND STATE ITS CURRENT BOOK VALUE AND THE REASON(S) FOR THE TRANSFER. OTHER THAN REAL ESTATE OR ANY OTHER ITEMS DESIGNATED BY RESOLUTION OF THE COUNTY COUNCIL, A DEPRECIABLE CAPITAL ASSET MAY NOT BE USED REGULARLY, EXCEPT UNDER EXTRAORDINARY CIRCUMSTANCES, BY A DEPARTMENT, AGENCY, OFFICE OR FUND UNLESS IT IS PURCHASED OR OTHERWISE ACQUIRED FOR OR SUBSEQUENTLY TRANSFERRED TO SUCH USER.

AND BE IT FURTHER RESOLVED, that this Resolution having been approved by not less than five (5) members of the County Council of Wicomico County, the proposed amendments shall be published by the County Executive in one (1) or more newspapers of general circulation in Wicomico County once each week for five (5) successive weeks prior to the next general election or congressional election occurring after passage hereof; and at such election the question shall be submitted to the voters of Wicomico County, Maryland, and if at said election a majority of the votes cast on the question shall be in favor of the herein proposed amendments, such amendment shall stand adopted and become a part of the Charter of Wicomico County, Maryland, from and after the thirtieth (30th) day following said election, in accordance with Article XI, Section 1002, of the Charter of Wicomico County, Maryland.

Done at Salisbury, Maryland, this 3rd day of July, 2018.

ATTEST:



Laura Hurley,
Council Administrator

COUNTY COUNCIL OF
WICOMICO COUNTY, MARYLAND



John T. Cannon,
Council President

CERTIFICATION

This Resolution was Adopted _____, Adopted with Amendments , Failed _____, Withdrawn _____ by the County Council on July 3, 2018.

Certified by 

Laura Hurley, Council Administrator