

Open Work Session
Request to Convene Charter Review Committee
June 4, 2019

Mr. Cannon said, as Councilmembers, they have talked about this numerous times in all of their discussions as far as the many Charter amendments they have introduced over the last few years. He said, in those conversations, he knows it had been mentioned before that there was a lot of work that needed to be done with the Charter. He said his concerns are the same concerns they had when he was on the Charter Review Committee before. He said Mr. Wayne Strausburg was on that Committee with him, and so was Mr. Kilmer. He said, of course, no matter how many decisions they came to, and no matter how many choices they came up with, they sent them to the County Council, and they said they could not put it on the ballot because they only wanted to put three or four on there, rightfully so. He said his question to Council is whether they seriously need to look at revamping the entire Charter, and bringing to the voters of Wicomico County a completely new Charter. He said they had to do that when they transferred from a Council form of Government to a Legislative-Executive form of Government, which had to be done with the approval of a brand new Charter. He said he is wondering, as opposed to piece mealing this out, whether or not they feel it is necessary, or whether it is even a task they can undertake, or a Committee can undertake, to rewrite the entire Charter altogether, to which Mr. McCain responded, his gut reaction to that is that this is a decision for the Charter Review Committee to undertake. He said, if the Committee reconvenes, maybe one of their first jobs is what direction to go, and to make a recommendation to Council as to if they think that is the case, or if there is a better way of going about it. He said that is their purpose, so that is his gut reaction.

Mr. Dodd said the first question is who is the Charter Review Committee, and is there still a Charter Review Committee listed, to which Mr. Cannon responded, they would reappoint a new Committee. Mr. Dodd said it is worth discussing, and that is why they are here. Mr. Holloway said, since this conversation came up, they are going to have a new Councilperson come along, and they are not seated yet, so when would be the first time this could be voted on? He then asked if it was three years from now, to which Mr. Cannon responded, probably. Mr. Holloway said he is not saying it is too soon, but he is saying they have time to discuss it more, and he thinks it would be wise to at least wait until they get a full Council seated before they approach it full force. Mr. McCain agreed with Mr. Holloway.

Mr. Holloway said another thing he wants to bring up is how they choose the Committee. He said he remembers when they chose a Committee before, each Councilperson chose one or two people. Mr. Cannon said they will look into that. He said they have not looked into this yet, but there has to be a process on how they might appoint the Committee. He said there have been two Committees, so they will see if there is a policy. Mr. Holloway said there has to be a policy somewhere, but he remembers that being part of it. Mr. Dodd said, if that is the case, that is not a bad suggestion. Mr. Cannon said he does not agree with Mr. Holloway. Mr. Holloway said that was one of the things that came up when he started thinking about this, but they have time to sort this all out. Mr. Hastings said he definitely thinks they should take a look at this, though he does not have any strong feelings one way or the other, but he thinks it should be a comprehensive process, and he thinks it is much needed.

Mr. Cannon asked Mr. Strausburg, who was sitting in the audience, if he remembers the timeframe as to when the Committee met, and how long the Committee took. Mr. Strausburg then came before Council, and said he thinks it was around six months. He said it was a pretty deliberate process, as it should be. He said he thinks Mr. Kilmer is the Councilmember who indicated that it was time to really take a look at the Charter again, and he certainly believes they should look at the Charter again. He said there are a

number of what he would call inconsistencies in the Charter right now that really ought to be addressed. He said he thinks some of the drafting language in the Charter is too vague, and is too open to differing interpretations, so he thinks they should be looking at how they really can clarify the intention of each section of the Charter. He said that was really where he was coming from saying they have inconsistencies, inequities, and, for lack of a better word, they have some vagueness in terms of the drafting, and that is not good. He said they should not have vagueness in their Charter. Mr. Holloway said they are constantly running into issues. He said they changed the Charter to go to an Executive form of Government, but there were a lot of things in there that were not changed as far as how it operated under the Executive form of Government, and how many times have they run into that over the last few years? Mr. Strausburg said they are going through what he would call a growth curve. He said they say they are 13 years into an Executive form of Government, and, in some cases, they can say that is a really long time, but he thinks they are all learning as they go along. He said they have had changes in Councilmembers, and changes in Executives, so he just thinks it is a good time for the Elected Officials to sit and talk about where they see inconsistencies, start with where they believe the language is not as concise as it should be, where they believe there are imbalances, and start there. He said he thinks that is, from his standpoint, a first step before they convene a Charter Review Committee because he thinks they need to come to some sort of a consensus to the extent they can as to where are the really big holes in the Charter, for lack of a better term, and he thinks that is an appropriate first step.

Mr. Cannon said Mrs. Hurley was kind enough to contact MACO to see what they might recommend, and she found that Montgomery County, which is a similar form of Government as Wicomico County, had a pretty solid Charter, and that could be something they could look at to get a basis. Mr. Strausburg said they could look at Harford County's. Mr. Cannon asked which County Charter was used the last time, to which Mr. Strausburg responded, he thinks they relied heavily on Harford when they drafted theirs, and they have been at this a bit longer than Wicomico has. He said there are several Executive forms of Government in the State, and several Charters, but he is just simply saying that he thinks, being on the inside of this, it is time for them to sit down, take a deep breath, and take a look at what they believe needs to be addressed in their Charter. He said, if they do not do that, he thinks they are not doing their jobs. Mr. Dodd said, if it is recommended that the Charter be reviewed every ten years, that is three Councils with different people who are going to have a different idea, different interpretation, and different opinion, so every one of them is going to look into things they have run into in the past, and either recommend going to a full Charter Committee, or having Charter changes, so he thinks it is time to put a Committee together.


Mr. Cannon asked what their timeframe would be as far as the election cycle, to which Mr. Strausburg responded, he certainly thinks they want to seat their new Councilmember first, and, if their next election is three years off, they have a lot of time to look at this, but time goes very quickly. He said he thinks some of the issues they are going to talk about are fairly thorny issues, and not going to be easily resolved, so he thinks that starting the discussion would be appropriate once their new Councilmember is seated to at least put the things on the table that they collectively, Executive and Legislative Branch, think need to be on the table. He said they have differences, and they need to discuss them. Mr. Cannon said it will take a lot of legal as well. Mr. Dodd said he agrees with Mr. Strausburg. Mr. Cannon said they wanted to bring this up for discussion, but, certainly, they are finding out now that it is not terribly important that they come to a resolution today, but maybe they have to just keep this on the burner to know that probably within a year they will have to revisit this. There was no further discussion.

Signatures on next page

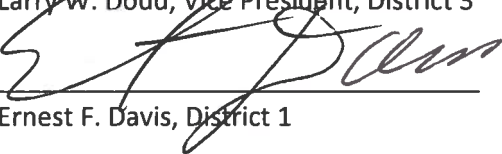
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John T. Cannon, President



Larry W. Dodd, Vice President, District 3



Ernest F. Davis, District 1

Marc Kilmer, District 2

Josh Hastings, District 4



Joe Holloway, District 5



William R. McCain, At-Large



Laura Hurley, Council Administrator