

**Open Work Session**  
**Proposed Charter Amendments**  
**March 20, 2018**

Mr. Cannon said, over the last few months, there have been numerous suggestions made in regard to continuing to fine tune the Charter. He said he believes they are recognizing very much so, especially in light of what the ballot is going to look like this year, that they want to try to reduce this to a smaller number. He said, right now, there are ten items listed here, and he guesses they are going to have to decide which would be the highest priority. Mr. Dodd asked, the highest priority to keep, or to cut, to which Mr. Cannon responded, first they need to decide how many they think they want, and then they will decide which ones to keep. Mr. Kilmer said it is going to be a long ballot this year, so he thinks one or two. Mr. Dodd said he thought they discussed this already, and they were going to keep it at a short number.

Mr. Cannon said the first item on here is to add a new Charter section to define Local Governing Body. He said, to him, he thinks that is sort of a housekeeping measure, and there may be other things they need to address that are more in line with actual operation of the County. Mr. Dodd asked if that has to be a Charter Amendment, to which Mr. Taylor responded, he thinks it would because the Code says the Governing Body of the County Council with an elected Executive is either the Council, or the Council and the Executive, as provided in the Charter, and, essentially, when they look at their Charter, there is nothing there. He asked when the next Charter Review Committee is, to which Mrs. Hurley responded, she would have to go back and check the dates, but it is not this year. Mr. Taylor said it is not this year, but it is not too far in the future, to which Mr. Kilmer responded, he thought it was every decade. Mrs. Hurley responded, it is every decade. Mr. Kilmer said he thinks it is after 2020 because the last one was after 2010. Mr. Taylor said that could be a factor in determining how many items Council wants to go with because some of these probably could be deferred. He said, right now, there is this open question about what it is because it is not defined, and yet the language "Governing Body" is used in many places throughout the State Code, so it is somewhat housekeeping, and somewhat substantive, he guesses. Mr. Cannon said it does not compromise how they are governing today, to which Mr. Taylor responded, probably not because he thinks they can make a backhanded argument that, he thinks, has some legal force that it is probably the County Council anyway, even though it is not specifically defined in the Charter, and he discussed that in the memo he sent Council. He said, if they want to defer on that one, he understands.

Mr. Cannon said the second item is the discussion on adding term limits for both Councilmembers and the County Executive. Mr. Taylor said this grows out of the recommendation by the Commission on the report they submitted, to which Mrs. Hurley clarified, actually, that was the recommendation from the County Executive. Mr. Taylor said he thought they were still on the first item. Mr. Kilmer said the Charter Review Committee suggested term limits for the County Executive, not for Council, to which Mrs. Hurley responded, the County Executive, specifically, sent over a letter asking that. Mr. Joe Holloway said the State has term limits for the Governor, but it does not have term limits for Legislative Bodies. He then asked if the Executive Branch has term limits, to which Mr. Cannon responded, yes, and it is the same with the Federal Government. Mr. Joe Holloway said, if they are going to do anything, he would say amend it for the County Executive position, not Council. He said he kind of takes this a little personally anyway because Executive Culver brought his name up when he was talking about it to Greg Bassett stating Mr. Joe Holloway had been with Council too long, and he kind of criticized former Councilmembers who had served for a lengthy time. Mr. Joe Holloway said there are term limits every

four years anyway because they have to be elected, but he would say to take both of them off. Mr. Dodd said he does not think it is an issue. He said he does not remember anybody coming out and wanting it on the Charter, and he thinks that would be a low priority anyway.

Mr. Kilmer said he knows Council has received criticism about going through this process without hearing from the public, and he does not think this should be their final determination. He said he thinks they should throw it out to the public that this is a year when term limits can be put on the ballot, and if they have suggestions to let Council know. He said he does not know if there will be public suggestions, but the Charter Review Committee asked for public comments and they received one, so he does not know if there is much public attention put on it. Mr. Cannon asked if he is suggesting to put an advertisement in the paper to advertise these ten Charter Amendments, to which Mr. Kilmer responded, that is not what he is saying. He said they do not have to submit anything to the State until the summer, so, if the public wants to let Council know what their thoughts are on these things, they can do so. Mr. Cannon asked how they can get the word out to the public, to which Mr. Joe Holloway responded, they are doing it right now. Mr. Kilmer said that is also part of what he is saying right now. Mr. Cannon asked if Mr. Kilmer wants him to just read the ten Charter Amendments, to which Mr. Kilmer responded, no. He said, obviously, this is not the end of the process, and the public can let Council know what they think about this. He clarified, he is not talking about this item in particular, but in general. Mr. Cannon said that is a really good point, and it really is a different approach on deciding how they might evaluate the Charter Amendments before it goes to the polls. Mr. Joe Holloway asked what if folks came in and wanted other items added, to which Mr. Cannon responded, they would listen to it. Mr. Joe Holloway clarified, would they change this, to which Mr. Cannon responded, they could put 20 on there if they had enough people who said they wanted to, and then Council would have to cut it down like they always do. He said they always have to evaluate it. Mr. Dodd said it is going to cost a lot of money too.

Mr. Cannon said the third item is the Charter Section 204B(1) Compensation - Remove "Within 15 days after the beginning of the fourth year." He said this is what they had talked about regarding the Compensation Committee and the timing where they felt the timing is set up wrong no matter what the circumstances, and this would change that. Mr. Taylor said this is one item he also sent a memo on because there are different aspects of this. He said the State Law for the salary review for Council, essentially, imposes the first 15 days of the fourth year of the term of Council as the time when the Commission submits its report. He said that is, essentially, what State Law says, and that has been reflected in the County's Charter, and also in their Code, for Council and also for the Executive. He said the State Law does not have that same 15 day of the fourth year requirement for the County Executive. He said that is sort of open, and he guesses the Commission could come in any time they want to. He said they can appoint the Commission whenever they want to do that. He said the State Law does not govern that. He said the only thing it governs is 15 days of the fourth year of Council's term for the recommendation of the Council salaries. He said, to get to where the Commission wants to go, they would have to amend the Charter and the Code, and that would eliminate that fourth year requirement as far as the Executive is concerned, but he thinks it would still remain in place for Council. He said he does not think they can undo that because of what it says in the State Code. He said, as far as the Sheriff is concerned, neither the State Code, nor the Charter, nor the County Code address that, and he does not know why the Sheriff is in that Commission's recommendation other than, he guesses, that is what Council had asked for. Mr. Cannon said he thinks it is because he is elected, to which Mr. Taylor responded, yes, he understands that, but he is saying it is not required by anything, and it is just being done on an optional basis at this point. He said he guesses the issue is if Council wants to split it in terms of when they make their recommendation, and when Council acts on the recommendation into two

different time periods, or do they just want to leave it like it is so that everybody comes in at the same time, which would be the fourth year of the Council's term. Mr. Cannon asked if anyone has an inclination to leave this on or take it off, to which Mr. Joe Holloway responded, they can follow Mr. Kilmer's recommendation and wait until they hear from the public on it. Mr. Cannon said there is going to come a time where they will have to make a decision on probably three of these no matter what. Mr. Kilmer said he thinks Mr. Matt Holloway had mentioned this before, to which Mr. Matt Holloway responded, if they are going to stick with the fourth year, they are never going to get a salary change, he does not think, for anybody. He said he would certainly prefer to do it in the first year after the election if there is not a way to do it all together, to which Mr. Taylor responded, there does not seem to be, and Mr. Wilber may have an opinion on that too. He said it looks to him like the State Law controls that, as far as Council's focus. Mr. Kilmer said he noticed that in the County Code, and he heard some feedback, which he does understand why some people who were on the Compensation Commission were not thrilled that they did all that work and it came to nothing, and he understands that. He said he knows they put a lot of time into it. He said it does seem to say in the County Code that it says "Each Council," so it sounds like every four years it has to meet, but the County Charter does not necessarily require they meet every four years. He then asked if maybe they should look at changing the County Code to stop requiring they meet every four years so then they do have an option that, if there is no appetite on Council to raise salaries, they would just have that out of the way at the beginning, and not have the Commission go through it. He asked if that is something they should consider, amending the County Code so they do not have to meet every four years, to which Mr. Taylor responded, to go a little bit beyond his question, right now under the State Law they do not have to do it, even for Council. He said the language is optional in that it says the County Council may, not that it has to. Mr. Kilmer said the County Code makes it sound as though they do have to meet. Mr. Taylor said he was focusing primarily on what the State Law required, so he is not sure, but, if it does not require it in the Charter, it could be made optional as well. Mr. Kilmer said the way he read it in the Charter is that they do not have to meet every four years, but under County Code they do have to meet every four years, so maybe they should change the County Code, to which Mr. Taylor responded, they could change the County Code without doing a Charter Amendment. Mr. Kilmer said there is political consideration that Mr. Matt Holloway has talked about where it is hard to raise salaries in the fourth year. He said, if they recognize that, then maybe they should not necessarily have to meet every four years. He said, if they are going to go through all of that work and there is not politically a will to do it, maybe that is a way to address those concerns and make it so it is not quite as bad of a situation. Mr. Cannon said it sounds to him like they are talking about removing it from the Charter, and removing it from the Code completely, to which Mr. Kilmer responded, yes. Mr. Cannon said the idea is to remove this from the Charter and the Code as well, to which Mr. Kilmer responded, he is not saying to take it out of the Charter. He then asked if Mr. Cannon means to amend the Charter, to which Mr. Cannon responded, yes. Mr. Matt Holloway clarified, leave the Charter as it is, and just take it out of the County Code. Mr. Taylor said he is looking at it right now, and he is just looking at the Charter language and it does say that the County Council shall establish a Commission. He said this is in regard to the County Council and the County Executive, so it does sound mandatory in the Charter, so possibly they would have to amend both the Code and the Charter. Mr. Kilmer said that is something to look at because it says they shall establish, but it does not necessarily say every four years, to which Mr. Dodd responded, there is no guideline there. Mr. Matt Holloway said it says each Council. Mr. Taylor said he thinks, when they read through it though, it sounds like it is just an automatic process once they have established it. He said Council is asking him this for the first time, and he did not focus on this part of it, but maybe it is not absolutely mandatory. He said, at least looking at that first part, the word "shall" has sort of a mandatory flavor to it. Mr. Cannon said he thought it said within 15 days after the beginning of the fourth year of the term of each Council, so that is a four-year requirement. Mr. Taylor said that is what it sounds like, and it sounds like,

at least in the Charter, it is mandatory that this Commission go through its processes for the Council and the Executive, at least right now for both of them, but it submits its recommendation at the very beginning of the fourth year of the Council's term. Mr. Matt Holloway asked if Mr. Taylor is saying this is following a State Law, to which Mr. Taylor responded, yes, it is very much similar to the State Law, except the State Law is optional as far as Council is concerned in that it says "May establish." He said, in the County Charter, they have gone to "shall," and he thinks the reason for that is, and he goes back a bit on this just like Mr. Joe Holloway does, when they adopted some of the things in the Charter, they copied them from other Charters, and he is gathering that whatever this was copied from, that is probably the way it reads. Mr. Dodd asked Mr. Matt Holloway if he had said he liked the wording of "Immediately following," to which Mr. Matt Holloway responded, he does, but that would not mean they are committing to calling up the review Committee twice if they wanted to do the Executive the first year after the election and the Council in the fourth year. Mr. Dodd said they have already done the work, and it would not change much. Mr. Taylor said the only thing he would suggest if they did that would be, instead of saying "Immediately after," say something such as "Within three months" because when a County Council gets sworn in oft times half or more of the members are neophytes, and to say the first thing they are going to do when they get sworn in is appoint this Commission he does not think is necessary or just good practice. Mr. Kilmer said maybe this is something for the Charter Review Committee to hash out, and not have politicians do it because it sounds like it is more complicated. Mr. Matt Holloway said they are already getting feedback from the Compensation Committee about how many times they have been on the Committee and Council has not taken any of their recommendations, and now they are talking about calling them up twice. Mr. Dodd said he can see their frustration. Mr. Matt Holloway said he thinks this should go to the Charter Review Committee.

Mr. Cannon said the next item is Charter Section 304C, Council Administrator and special assistance - remove "By Resolution." Mrs. Hurley said this item came about when they had the investigation last year and they did not authorize a contract by Resolution. She said the question is if Council wants to leave "By Resolution" in that Charter section. Mr. Cannon asked for clarification, to which Mrs. Hurley responded, when they had the investigation last year in 2017, they hired an auditor, and they did not initially approve that contract by Resolution. She said the Charter specifically says "By Resolution," so they later went back and did that. She said the question now is if they should leave "By Resolution" in there, or take it out. Mr. Taylor asked if some of the thinking on this is particularly if they are doing a fraud investigation, and they had to do it by Resolution it would, essentially, tip them off, to which Mr. Cannon responded, that was it. Mr. Taylor said he thinks that was the primary reason, and he does not know whether in those circumstances, and maybe Mr. Wilber has some thought on this, whether they can ever do a Resolution outside of a public meeting, though he just does not know as this is a new one for him. He said the standard practice, obviously, is to do it at a public meeting. Mr. Cannon said he thinks the idea of being able to remove this was to give Council more latitude to go ahead and make that hire, to which Mr. Taylor responded, that is true, but he thinks, essentially, even if they took out the words "By Resolution," if they got together and made a decision to do it, it would be tantamount to a Resolution. He said he does not know whether something like that can be done in a Closed Session. He said, if a Resolution can be done in a Closed Session for something like that, then it seems to him there is no pressing need to change the language from what it is now. Mrs. Hurley said Council does not approve all of the County contracts by Resolution. She said there are some contracts, as Mr. Wilber knows, that do not come before Council for approval. She said she thinks if it can be discussed in Closed Session, and, if Council is comfortable with that, then they would not need a Resolution, to which Mr. Taylor responded, that might be. He said he just does not know sitting here today what the answer to that would be. Mr. Wilber said they can make decisions in Closed Sessions, and they do not have to be in Closed and then come out to Open to approve the decision, such as a decision to buy real estate. Mr.

Taylor said, if the language remains "By Resolution," does that then throw it into Open Session, to which Mr. Wilber responded, he thinks that throws it into Open Session. Mr. Taylor said maybe they do want to take that out then, to which Mr. Cannon responded, to him, that sounds like a high priority item, and he does not know how they could explain that to the public. Mr. Kilmer said it would have to be limited pretty severely. He said it would have to be very specific circumstances to be allowed because they cannot just give themselves broad power to hire people without Resolution. He said the public deserves to know in almost every circumstance if they are hiring people, to which Mr. Cannon responded, that is a good point. He said how they fine tune it will be Phase 2 before they get there. He said they may have to add some more language instead of just striking the "By Resolution." He said they may have to explain the special circumstances. Mr. Kilmer said they cannot just take out "By Resolution" because that would give them the power to do whatever without public view, which is not proper for them to do. He said he thinks they have to be careful with this that they do not go too far with moving stuff out of public view. Mr. Taylor said he has just one thought on that. He said the actual making of a contract on something like that is not really making governmental policy. He said he understands the concern, but he does not think it is overwhelming. Mr. Kilmer said it is not governmental policy, but it is actions Council takes in spending money, and doing things like that where the default should be that the public should be able to see what they do. He said, even with this fraud Resolution, his view is that they can have a Resolution that does not spell out all of the details and still hire someone like that. He said he does not necessarily see the need for this because he thinks they can handle it under current practice, but he thinks his views may be the minority on Council. Mrs. Hurley said it is kind of like what Captain Wilson mentioned earlier today when he could not discuss the investigation at Pittsville. She said there are certain times that this Body might not want the public to know that an investigation is going on, and that would be the reason for taking out "By Resolution." Mr. Cannon said he sees the need for this. He said Council came under what he believes was unnecessary criticism for just trying to do their job as was necessary, and trying to suggest they were in violation of this particular Charter to keep them from doing what they thought was in the best interest of the public. Mr. Kilmer said he understands, but they have to think of the wider ramifications, and not just the one circumstance they went through. Mr. Cannon said, like he said, he thinks there is other language they can use. Mr. Kilmer said, to that concern, he thinks the next section is far more important, and actually more pressing.

Mr. Cannon said the next item is Section 305 on the County Internal Auditor where they need to add that the County Internal Auditor has the authority to consult with County employees and contractors/vendors regarding internal accounting control, administrative and operating practices and procedures, and other pertinent financial and compliance matters. If an audit indicates the possibility of fraud, the Internal Auditor has full power to do whatever is necessary to determine whether such fraud occurred, including interviewing personnel. He said this has, obviously, come about because, when they were looking at a fraud investigation, they were told that a limited interpretation of the Charter did not give Mr. Roser full authority to do all that was necessary, and, that being the case, they had a fraud investigation that was completely obstructed. Mr. Roser said the Auditors need to access personnel, vendors, and contractors. He said the standards are clear, and, in order for them to maintain their independence and their mission, they like the Baltimore County language. He said, if Council looks at Page 2 of this handout, Section D, it says "Duty to cooperate with Auditor retaliation prohibited," and there are two items under that. He said he thinks they need to make it clear that the Internal Auditors need to be able to access documentation which may be in the hands of vendors, contractors, and certainly need to have access to personnel in order to do their job. He said the standards for Internal Auditors reiterate that, and their audit manual under section 100B also says the same thing, "Internal Auditors shall have full free and unrestricted access to records, personnel, and physical properties relevant to the performance of an audit," and he thinks they need some kind of language in there to try

to firm that up a little bit. He said he thinks that is very important for the mission of Internal Auditor. Mr. Joe Holloway said on the list it says "To consult with County employees." He then asked if "consult" is the correct word, and if it should say "question County employees," to which Mr. Roser responded, he thinks it should say "Have access," period, and he will defer to Mr. Taylor on that. Mr. Roser said he really likes the language in the Baltimore County Section D. He then read "Duty to cooperate with Auditor's retaliation prohibited. 1) An employee and other persons associated in any manner with the expenditure of County funds shall cooperate with the County Auditor and the performance of the Auditor's duty under this Section. 2) An employee or other person who assists or provides information to the County Auditor or the Auditor's staff may not be retaliated against, penalized, or threatened in any manner as a result of assisting with or providing information to the County Auditor or the Auditor's staff." Mr. Joe Holloway said number one really limits Mr. Roser to people who are expending County funds, and that means he could not talk to a truck driver from the County. Mr. Taylor said he thinks that is a good point, and he thinks that could be made a little bit broader for that very reason he is pointing out. He said not every employee is associated with the expenditure. Mr. Roser said he thinks what they are suggesting here is that they work with Mr. Taylor and Mrs. Hurley to try to incorporate some of this Baltimore County language, and rewrite this section a little bit differently for Council's consideration. He said it is very important, again, to the mission of the Internal Auditor that they have something in their law that says the Auditor has access to what the Auditor needs in order to perform the function of the office. Mr. Kilmer said he thinks this is a priority, and he thinks this is one that should probably be chosen to be on the ballot. He said, while their attorney is looking this over, maybe Council should, on a separate track, look at the Baltimore County language, and see if they need something in the County Code. He said there is nothing in the County Code that talks about the Internal Auditor that he can find. He said there is something in the Charter, and maybe some of this language should be in the Code so they can suggest changing the Charter to the extent necessary, and then some of this other language spelled out in the Code. He said they can pass a Code that maybe could mirror this. Mr. Taylor said, where it says Baltimore County Code, he thinks that may be a typo, and that may be in their Charter. He said he looked at it quickly, and the Baltimore County Website is a little bit hard sometimes to interpret, and he wishes he had the book in front of him. He said he believes that is in their Charter, and not their Code. He said he thinks there are two provisions in their Charter which seems unusual, but, in any event, it, perhaps, should be somewhere in one or the other. Mr. Kilmer said a lot of this seems like good language, but maybe it does not have to be in the Charter, and they could have it part of the Code. He said it does look like one section is Baltimore County Charter, and then the rest is spelled out in the County Code and it is separated on there. Mr. Taylor said, when looking at their website, it is a little hard to figure out. Mr. Cannon said Mr. Taylor made a really good point as far as what measures they should be addressing, Charter related versus Code, to which Mr. Taylor responded, he agrees on that, and maybe they need to look a little harder at Baltimore County. He said maybe they can give them a call and make sure which is where in their world. Mr. Joe Holloway said that is an interesting point, but what authority does Council have to uphold the Charter if it is violated, to which Mr. Cannon responded, they are always going to be limited in that, and would have to go to court, which no one wants to do, but that is always the unfortunate last resort. Mr. Kilmer said a County Code can have penalties in it for violation of the Code, so that would have to be part of it, and they can talk about what would happen if the County Code is violated. He then asked Mr. Taylor if that is correct, to which Mr. Taylor responded, yes. He said maybe Mrs. Hurley, Mr. Roser, and himself can get together and put something on Council's plate to look at both in terms of the Charter and the Code.

Mr. Cannon said the next item is Charter Section 309B(1) Legislative Powers of County Council - Update reference of Article 25A to Local Government Article. He said that sounds a little bit like number 1. Mr.

Taylor said this is purely housekeeping, and he thinks this could be deferred until the next Charter Review Committee.

Mr. Cannon said the next item is Section 315A Confirmation of Appointments - Add "Assistant Director of Administration and All Deputy Directors." Mrs. Hurley said that was a recommendation by a Councilmember. She said she did check some other Counties, and the only other County she found that does Council confirmation of Deputy Directors is Harford County, and she does have a copy of that language she can pass around. Mr. Matt Holloway asked what the thought was on wanting to confirm Deputy Directors, to which Mr. Cannon responded, he thinks it was initially discussed that a Deputy Director could take on an important role as Director if a Director were to leave, and then there would be a Department Head, for the most part, that would be in control. Mr. Davis said there was a timeline with the last Charter, to which Mr. Cannon responded, it is a 90-day timeline. Mr. Kilmer clarified, that is acting, not appointed. Mr. Matt Holloway said one could not be promoted as a Director of a Department without confirmation. Mr. Cannon said there is the 90-day rule that they have to do that if they are an acting Director. He said he guesses it could be that this person could be a Deputy Director, and not be an acting Director. Mr. Joe Holloway said the other ramification of that is there is a budget they are budgeting for a Director, but not paying anybody, and the money could be used for something else. He then asked Mr. Taylor if that is correct, to which Mr. Taylor responded, he thinks that is right. He said, sitting here, he could not swear to it, but it sounds right. Mr. Joe Holloway said he thinks this is kind of an important one.

Mr. Cannon said the next item is Charter Section 507B Department of Law – Should the County Attorney review all contracts of the Legislative Branch of government. He said this has come about simply because, at the point in time where there was really only one County Attorney, that is just what they did. He said he thinks there are instances now where they have contracts that even the County Attorney has not approved. He said he thinks the criticism came when Council took particular measures with Mr. Taylor's blessing, he is assuming, to which Mrs. Hurley responded, this item actually came about going back to hiring the forensic auditor. She said they did not have the County Attorney review that contract, and that was one of the County Executive's concerns. Mr. Cannon said, to a certain degree, this problem would resolve itself just in the fact Council has other legal resources.

Mr. Cannon said the next item is Section 508 Citizen Advisory Boards – Add "County Council" after County Executive, so the County Council can also appoint Citizen Advisory Boards. Mrs. Hurley said this item came about when they had the Animal Ordinance Committee. She said they found out they were not able to appoint that citizen committee themselves, and, actually, had to get a recommendation from the County Executive in order to do that. Mr. Kilmer said it is probably a good idea for Council to have the power to do that, but he does not know how pressing it is. Mr. Matt Holloway said he thinks it is important, but, if they are trying to narrow this down to two, he is not sure if it is up there. Mr. Cannon said this is a Level 2 priority.

Mr. Cannon said the final item is 708B Transfer of appropriations – Add "The County Executive, however, is to notify the County Council of Appropriations between general classifications of expenditures within the same office or department that total over a certain amount." Mrs. Hurley said this item actually came from Mr. Taylor who made that recommendation. She said she did look at some other Counties. She said Prince George's County says the transfers have to be approved by Council if they are exceeding \$250,000 in one fiscal year. Mr. Dodd asked if that is a one-time amount or total, to which Mrs. Hurley responded, it is aggregate, so it would be total. She said Baltimore's County Council would approve inter-program transfers in excess of 10 percent of appropriations in the current expense

budget. She said Montgomery County does not say it requires Council's approval, but it just says they cannot have cumulative transfers from any one appropriation not exceeding 10 percent of the original appropriation. Mr. Taylor said he thinks, for ease of operation, it would be simpler just to put in some amount, whether it be \$5,000 or \$10,000, and, if he made this recommendation several months ago, he forgot to say there probably should be some time aspect to it because right now the language that is in there, if that is his language, is there is nothing, and they could give notice three years after the transfer is made. He said they probably want something such as "within 30 days," or something like that. Mr. Matt Holloway asked if they could say "prior to," to which Mr. Taylor responded, it would be a good idea to have "prior to." He said there may be some quasi emergency, but, nevertheless, he thinks that is a good idea. Mr. Kilmer asked if this is just notification, and Council does not have to approve it, to which Mr. Taylor responded, no. He said, in fact, the reason he made this suggestion was because there were some of the things the budget got out of whack on, and there were some transfers made because of that, and if, Council had been notified, perhaps that whole situation would have come to light and have been addressed much earlier, and they would have known about it at the time. Mr. Cannon asked if they would go as far as to change the language for Council concurrence, to which Mr. Taylor responded, that is up to Council. He said it certainly is a thought, but it seems to him that, if they are going to do that, there might be some level under which they do not need approval, such as if they are going to transfer \$50 to go buy some stationary, to which Mr. Cannon responded, they are talking about major things. He said, if Council is told to pass the budget for Roads because they specifically need a \$75,000 piece of machinery, and then it turns out after that year that machinery was never purchased and they used that \$75,000 for something else, Council cannot do line item cuts, and they understand that, but there could be a very unusual circumstances. Mr. Taylor said he is just thinking of a threshold where they would not have to do it because it is, essentially, peanuts, such as \$100, \$250, \$500, or whatever Council wants to put it at. Mr. Cannon said Mr. Kilmer has great respect for separation of funds, to which Mr. Kilmer responded, he thinks notification is probably fine. He said he does not know if this rises to the level of trying to get Council into micromanaging that sort of stuff. Mr. Matt Holloway said it should just be notification, and they should nail the language on that to make it very specific on the requirements and notification, to which Mr. Cannon added, and a timeframe. Mr. Taylor asked if 30 days sounds good, to which Mr. Matt Holloway responded, yes.

Mr. Cannon said he suggests the Councilmembers re-review all of these and try to come up with an opinion on their own as to which three they like the most and they think are the most important. Mr. Matt Holloway asked if they are doing three, to which Mr. Cannon responded, they will do three and then, if they want to cut it to two, that is fine, and they will then fine tune this down. He said they do not have to have advertising for a Public Hearing, but they could put a Public Hearing on the Agenda for this, to which Mrs. Hurley responded, they certainly can. Mr. Cannon said it would be a Public Hearing, and maybe they could have the Public Hearing and then the Public Comments, and the Public Hearing could specifically be about Charter Amendments. He said they are not held to advertising that, to which Mrs. Hurley responded, they could advertise it on the County's website. Mr. Cannon said there may be ways to promote this without spending the fortune it would cost to document all of this in the newspaper. Mr. Kilmer said he thinks, if they let the public know and then they hear from them, they do not have to do this. He said they are starting pretty early this time, and they started kind of late the last time, so there is definitely time for the public to give Council input on any of these items. Mr. Matt Holloway said he does not think they have to call it a Public Hearing, and they can just say they are seeking public input, and that way it gets them away from the Public Hearing requirements. Mr. Cannon clarified, that is what he was saying, and there are really no Public Hearing requirements. He said they can call it Public Hearing but they would not be obligated to put it in the newspaper. Mrs. Hurley said there is not a legal requirement for them to have a Public Hearing on the proposed Charter



Amendments, to which Mr. Matt Holloway responded, he knows, but, if they call it a Public Hearing, do they have to advertise? Mrs. Hurley responded, that would be a legal question, to which Mr. Taylor responded, he would not think so if it is not required by law just because they call it that. Mr. Cannon said they could put it on the next Agenda. Mr. Dodd said a lot of people watch PAC14 anyway so they will get the word. Mr. Cannon said they could have another Work Session the next meeting unless Council wants to wait a little bit. There was no further discussion.

  
John T. Cannon, President

  
Larry W. Dodd, Vice President, District 3

  
Ernest F. Davis, District 1

  
Marc Kilmer, District 2

absent  
John B. Hall, District 4

  
Joe Holloway, District 5

Matt Holloway, At-Large

  
Laura Hurley, Council Administrator