

**CHARTER REVIEW COMMISSION (CRC)**  
**February 14, 2024 – 8:00 a.m.**  
**County Office Building – Potomac River Conference Room**  
**100 Maryland Avenue, 6<sup>th</sup> Floor**  
**Rockville, MD 20850**

**Minutes**

<b>Commission Members Present:</b> Jim Michaels, Chair Dylan Presman <b>(Virtual)</b> Howard Denis Jeffrey Naftal <b>(Virtual)</b> Marvin Lynch <b>(Virtual)</b> Sherry Brett-Major David Nachtsheim Michael Persh Marcela Samuels <b>(Virtual)</b> CeCe Grant <b>(Virtual)</b>	<b>Staff Present:</b> Khandikile Sokoni, Office of the County Council Stephen Mathany, Office of the County Council Lisa Brennan, Office of the County Attorney <b>(Virtual)</b>
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**Commission Chair Jim Michaels called the meeting to order with a quorum at 8:02 a.m.**

**I. Administrative Items**

- a. Mr. Persh moved approval of the agenda, second by Mr. Nachtsheim, adopted unanimously.
- b. Mr. Nachtsheim moved approval of the January 2024 minutes, second by Mr. Lynch adopted unanimously.

**II. County Council Executive Director Marlene Michaelson on Council confirmation of County Executive appointments.**

The Commission heard from Ms. Michaelson on:

- a. Difference between merit and non-merit positions
  - i. Merit – Lengthy and extensive hiring process, including advertisement of positions, screening of candidates by the Office of Human Resources to ensure candidates meet job requirements before they can be shortlisted for interviews.
  - ii. Scrutiny of credentials to match job requirements.
- b. Non-merit – The County Executive can appoint whoever he/she wants for these positions. The Only chance the public gets to see these non-merit appointments are the County Council interviews of the candidates appointed for these positions.
- c. This helps eliminate a County Executive awarding unqualified people who say were helpful to his/her campaign with senior positions within the administration.
- d. The County Council does everything possible and routinely processes the appointments over a two-meeting period.
- e. Situations where there has been a true delay are where the County Council has had serious concerns regarding the candidate and the Council asked for additional information.
- f. The 4 Special Assistants that the County Executive hires do not really need to be interviewed and may be exempt already from the process.

- g. The County Council does not have a formal ability to remove a non-merit position if they are not performing well.
- h. Removing the Council confirmation of eligible non-merit appointments removes an important mechanism of checks and balances.

### **III. Study Group Topic Discussions and Straw Votes**

The Commission heard reports from the various study groups and took an informal straw vote as follows on whether to continue with this issue:

- a. Executive Appointments to “Non-merit” Positions, Charter Sect. 215
  - i. Unanimously agreed to hear public input at the listening sessions for this issue.
  - ii. Mr. Persh believes strongly that having a timeclock may be the better way to go about this, which still allows the Council to review appointments but forces them to do so in a timely manner.
- b. Voter Direct Election of Council President, Term of President
  - i. Possibly ends as two questions:
    - 1. Should the president be directly elected?
    - 2. What should the term of the Council President office be, and would this change require staggered elections?
  - ii. Should this be a Charter change, or should this be decided by the Council itself which currently selects its president under Council Rules of Procedure?
  - iii. Unanimously agreed to hear public input at the listening sessions for this issue.
- c. Other Council Election & Structure Issues (e.g., staggered terms)
  - i. Pre-empted by the State of Maryland.
  - ii. Possibly include in the report that this is something that the State should look into itself to allow Counties to make their own decisions.
  - iii. Unanimously agree to not proceed with public input at the listening sessions for this issue because the Charter cannot be amended due to pre-emption at the State level.
- d. Requirements for Approval by Super Majority on Budget & Revenue Matters, Charter Sect. 305.
  - i. Does the threshold get moved from a precise number to a percentage?
    - 1. This allows for no charter change requirements if the size of Council changes again.
    - 2. Also changes the threshold if there happens to be a vacancy on the Council.
  - ii. Unanimously agreed to hear public input at the listening sessions on this issue.

### **IV. Listening Sessions to discuss the issues approved by straw vote will be held on March 6, 2024**

- a. Hybrid at the County Office Building – 2:00 PM to 3:30 PM
- b. Virtual Zoom meeting 7:00 PM to 8:30 PM

Mr. Nachtsheim moved to adjourn, second by Mr. Natal

**MEETING ADJOURNED AT 9:40 AM.**