

**CHARTER REVIEW COMMISSION**  
**September 13, 2023 – 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 Karen Cordry, Vice-Chair Cece Grant Dylan Presman Howard Denis Jeffrey Naftal Marvin Lynch Sherry Brett-Major David Nachtsheim Michael Persh Marcela Samuels	<b>Staff Present:</b> Khandikile Sokoni, Office of the County Council Christine Wellons, Office of the County Council Stephen Mathany, Office of the County Council Erin Ashbarry, Office of the County Attorney Dale Tibbitts, Office of the County Executive
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**Commission Chair Jim Michaels called the meeting to order with a quorum at 8:04 a.m.**

1. Opening statement made by Chair Michaels
  - a. Focus on community outreach.
  - b. Utilize Citizens Advisory Boards.
  - c. Long Term Goals:
    - i. First Report due May 1, 2024
    - ii. Drafting to begin in February.
2. Introduction of Charter Review Commissioners and staff.
3. Explanation of Charter Review Commission (“CRC”) from Council Staff provided by Senior Legislative Attorney Christine Wellons and Legislative Attorney Khandikile Sokoni.
  - a. Montgomery County derives its powers through the state of Maryland legislature.
  - b. The County Charter is County Constitution that provides the framework of government.
  - c. The County Charter provides for the structure of County government; thus it cannot impose legislative matters.
  - d. Many issues may be pre-empted by state or federal law.
  - e. Charter Amendments may be proposed as recommendations by the CRC to the County Council.
  - f. Charter amendments may also be petitioned for by the public. The CRC would be able to provide input regarding any Charter amendments that make the ballot from public petitioning.
  - g. Christine Wellons led a short discussion regarding difference between legislative and charter matters.
  - h. Public listening sessions are conducted to receive input from County residents.

- i. CRCs in the past have had sub-committees to discuss separate matters.
- 4. Explanation of Training Materials – Khandikile Sokoni.
  - a. All training materials have been provided via email and are online.
  - b. Vice-Chair Cordy and Chair Michaels must do the open meetings law training within 90 days of appointment.
  - c. Training should be done at the outset of term.
  - d. Ethics training will be held by the director of the Ethics Commission (real-time training).
- 5. Open Meetings law prohibits electronic meetings of quorum. – Christine Wellons.
  - a. Unless administrative matter, substantive issues should not be discussed by the CRC as a body over email.
  - b. Any comments to drafting need to be sent directly back to the Commissioner without copying all, to avoid any Open Meetings Act violations.
- 6. General Overview of first term – Chair Michaels.
  - a. Next meeting will be to develop a list of ideas to consider.
  - b. Develop assignments of who will work on what issues.
  - c. Council President Glass will meet with the CRC at the next meeting.
  - d. County Executive Elrich would also like to meet with the CRC, likely in December.
  - e. CRC will keep open invitation for other Councilmembers to meet.
  - f. In November and December, the CRC will aim to narrow down its topics.
  - g. By February, the CRC should plan to have a preliminary vote on positions for the report.
  - h. A draft of the Report of the Charter Review Commission will be completed in March.
  - i. In April, the CRC will take a vote on the final report.
- 7. Reports
  - a. The first Charter Review Commission Report will be due May 2024 and the next one 24 months later.
  - b. The Report can contain a majority and minority report.
  - c. Marcela Samuels brought up concerns that last Council did not take up any issues after all the work of the CRC.
    - i. Chair Michaels stated that he has met with the previous Chair to discuss this issue.
    - ii. This is part of why the Council President wants to come and meet with the CRC.
    - iii. Changes can be proposed by both Council and the County Executive for the CRC to investigate.
  - d. How well attended are the CRC listening sessions.
    - i. Depending on topic, previous listening sessions have been widely attended.
    - ii. COVID and topics limited some discussion for previous charter session.
    - iii. Using the Community Advisory Boards will hopefully help increase participation.
- 8. Next meeting – Chair Michaels
  - a. Will be held at 8AM due to Council President Glass's schedule.
  - b. The CRC will start brainstorming issues – Debates will be held at later meetings.
- 9. Future meetings
  - a. They can be hybrid if needed.
  - b. Currently held on the 2<sup>nd</sup> Wednesday of every month. The Chair called a vote on the preferred meeting times:

- i. 8:00 Vote – Dylan Pressman, Howard Denis, Marvin Lynch, Jeffrey Naftal, Sherry Brett-Major, David Nachtsheim, and Marcela Samuels.
- ii. 8:30 Vote – Chair Michaels, Vice-Chair Cordy and Cece Grant.

Motion to adjourn made at 9:18 AM – Adjourned by Chair Michaels.