

# **Chevy Chase Village ad hoc Charter Revision Committee**

Meeting Notes  
January 29, 2015

## **In Attendance**

### Committee Members

Ms. Patricia Baptiste of Grafton Street, Committee Chair

Mr. Robert Goodwin of Bradley Lane

Ms. Mary Sheehan of West Kirke Street

Mr. Peter Yeo of Grafton Street

### Village Staff

Ms. Shana Davis-Cook, Village Manager

The first meeting of the committee was called to order by Committee Chair Patricia Baptiste just after 7:30 p.m.

The committee discussed various edits being made to the existing Village Charter by Village Counsel (see attached summary). Committee members recommended the following additional edits/changes:

- Change font to Times New Roman, 12 point.
- Provide increased specificity of police powers (see Greenbelt charter as an example).
- Ask Counsel to verify if there are additional sections/content that should be added to the Charter that are not included in the Charter template used by the Towns of Kensington and Somerset, due to the increased authority and oversight that the Village has within its boundaries that these municipalities do not.
- In determining whether to require that eligible voters must be either “domiciled” or “reside” in the Village 30 days prior to the election, the committee deferred to Counsel for the best approach to insure residents of the Village are able to vote and use the terminology that best accomplishes this objective.
- Ensure all references within the Charter are gender neutral, including changing the titles of “Chairman” to “Chair”, and “Vice Chairman” to “Vice Chair”.

- Ensure all powers assumed by the Village through its ordinances are included in the new general and specific powers sections, including, environmental and urban forest oversight.

The following policy proposals were discussed. Further discussion of these matters will take place at the committee's next meeting once the reformatted Charter is provided by Counsel. Ultimately, the committee will forward its list of recommended policy considerations to the Board with recommendations for each:

- 1. Reduce Board of Managers from 7 to 5 members.** Committee members supported maintaining the Board at seven members to achieve representation from the east and west sides of the Village. It was feared that reducing the number might result in and limiting opportunity for community representation. The committee did not support requiring representation from each side of the Village.
- 2. Re-name the “Board of Managers” the Village “Council”.** After some discussion the committee was of two minds and will continue the discussion at a later meeting.
- 3. Reschedule Board election to take place just prior to the Annual Meeting.** Although discussed at length, this matter will require additional conversation. Committee members did agree, however, that an effort to connect the election scheduling with the Annual Meeting seemed worthwhile, however, an effort should be made to preserve a day or period of time when polls would be open to continue the traditional ‘Election Day’ process where voters can meet their neighbors and cast their ballot. Consideration was given to holding the election on the Saturday immediately preceding the Annual Meeting, with an announcement of the successful candidates by the Election Supervisors during the Annual Meeting.
- 4. Eliminate requirement for residents to obtain an absentee ballot in person.** In order to encourage “early voting”, the committee agreed that all efforts should be made to make it easier for voters to obtain an absentee or early voting ballot. The committee deferred to staff/Counsel for appropriate language to achieve this goal.
- 5. Removal procedure for sitting Board Members.** There was unanimous support for this new section. The committee defers to Counsel for drafting language, provided the action to remove a member requires the affirmative vote of five members of the Board.

6. **Increase “domicile” requirement for Board candidates from 30 days to one year prior to the election/appointment.** It was noted that there is a conflict in the existing Charter with one reference requiring that candidates for the Board reside in the Village for six months prior to the election (Sec. 77-4 (a)) and another reference that refers to 30 days (Sec. 77-5 (d)). Additionally, it was noted that the operating term should be “domicile” not “reside” in the requirement for Board candidates.
7. **Delete mandatory referendum requirement for general (non-emergency) borrowing, but allow that a referendum may be conducted.** The committee agreed to maintain this provision as currently written which requires a referendum for all borrowing.
8. **Voter eligibility (age and legal status).** The committee discussed whether to reduce the minimum voter age from 18 to 16 and whether non-US citizens should be allowed to vote in municipal elections. The committee decided against these changes for local elections.
9. **Review of the general referenda section (currently Sec. 77-9A).** The current provisions are unclear as to who is eligible to call for referenda under this provision (Board vs. eligible voters). The section also states that referenda are scheduled to coincide with the annual Board election. If the section is revised to make it clear that only the Board can call for referenda, then the scheduling does not need to coincide with the election, but can be held at the Board’s discretion. If the voters can call for referenda, then limiting the scheduling to the annual election would be appropriate, and procedures for doing so (including the number of signers required) would needed to be added to this section. The committee will ask Counsel to provide information on how this is conducted in other municipalities for further discussion at a later meeting.

Additionally, in discussing the Board appointment provision, the committee noted that the Election Supervisors Ordinance (Chapter 26 of the Village Code) does not state that candidates for appointment to the Board must file a Certificate of Candidacy and Financial Disclosure Statement when they submit their statement seeking appointment. This ordinance should be revised for consistency with the requirements for candidates seeking election to the Board. Ms. Davis-Cook will work with Counsel to draft this amendment.

The meeting concluded around 9:05 p.m.

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	<b>Policy Decisions to Consider</b>	<b>Current Sec.</b>
1.	Reduce Board of Managers from 7 to 5 members, consisting of a Chairman, Vice Chairman, Treasurer, Assistant Treasurer and Secretary.	77-4 (a)
2.	Re-name Board of Managers, Village “Council”	77-4 (a)
3.	Reschedule Board election to take place just prior to the Annual Meeting; with the polls closing when the meeting begins so the Election Supervisors can count the ballots during the Annual Meeting and announce the results toward the end of the meeting.	77-5 (b)
4.	Removal procedure for sitting Board members; reasons including, failure to uphold oath of office, malfeasance, misfeasance, etc.	N/A
5.	Increase “domicile” requirement for Board candidates from 30 days to 6 months prior to the election/appointment.	77-5 (d)
6.	Eliminate requirement for residents to obtain an absentee ballot in person.	77-5 (g)
7.	Delete mandatory referendum requirement for general (non-emergency) borrowing, but allow that a referendum <u>may</u> be conducted.	77-9

	<b>Editing Currently Underway by Staff/Counsel</b>	<b>Current Sec.</b>
1.	New Table of Contents.	New section
2.	New Section Numbering, deletion of unnecessary brackets and general streamlining of language and terms.	Throughout
3.	Reordering of sections following the Somerset and Kensington model.	Throughout
4.	Removal of the municipal boundaries. A reference will be inserted that the boundaries are maintained in the Village office. We will also look into a re-survey of the boundaries to verify they are correct.	77-2
5.	A listing of the Village Board’s general and specific powers will be included.	New section
6.	Remove all definitions except Village and County	77-3
7.	Remove reference to “Chief Executive Officer” from the Board Chairman’s “duties”.	77-4(b)
8.	“Reside” will be changed to “domicile” when referring to candidates, eligible voters, and sitting Board Members.	77-4, 77-5
9.	Specify Board term, beginning and end date.	New section
10.	Delete section RE: voting machines.	In 77-5 (i)
11.	Delete “penalties” section in its entirety.	77-5 (j)

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12.	Delete instructions to County Council re: municipal share of road tax.	77-6 (d)
13.	Delete.	77-6 (e)
14.	Relocate reference to how municipal earned revenues may be used under the new “powers” section. – Add funds can be spent for any public purpose	77-6 (f)
15.	Include new section for Power to Hire a Village Manager, including powers and responsibilities delegated to the Village Manager as the Chief Executive Officer of the Village.	New section
16.	Include new section for Power to Hire an Attorney.	New section
17.	Create new separate section for Power to Hire a Police Chief (remove reference to hiring police officers) making clear the chain of command and authority.	77-6 (g)
18.	Delete Procurement section (presently defers to the Procurement Ordinance, Chapter 24 of the Village Code).	77-7
19.	Delete reference to “newspaper of general circulation” in the noticing requirements for a special assessment hearing.	77-8 (d)
20.	Allow scheduling of general referenda to be made at the Board’s discretion, not coinciding with the Board election. Clarify that this section refers to referendum called by the Board, not by the eligible voters.	77-9A
21.	Indicate that the process for amending the charter is controlled at the state-level, not the municipal level (which is contrary to how code ordinance amendments are managed) as a useful reference for residents.	New section
22.	Update borrowing powers generally to conform to current law	77-10
23.	Delete	77-11
24.	Delete or amend	77-12
25.	Revise	77-13