

MINUTES OF JOINT MEETING

Committee on Form and Scope of County Government Committee on Administration and Legislature

February 15, 2006

A joint meeting of the Charter Revision Commission's Committees on Administration and Legislature ("A&L") and on Form and Scope of County Government ("F&S") met at 8:00 a.m. on February 15, 2006 in a meeting room of the County Legislature. Present were Committee members Ed Rath, Chair (F&S), Grant Hamilton (F&S), James L. Magavern, Chair (A&L), and Michael Risman (A&L). Also present by invitation were Brian White, Assistant County Attorney, and Tim Minter, law student.

The Committees met to prepare for the presentation of their county manager report to the full Commission on February 16. The major unresolved issue in the report was the term of office of the county manager. After considerable discussion it was resolved to recommend that:

1. The office of county manager should be subject to rigorous qualifications of training and experience, for example, a master's degree in public administration, 10 years experience in public sector management, and possibly accreditation by the International City/County Managers Association.
2. The county manager should be required to prepare an annual management plan, based upon the annual plans for the various departments and consistent with a rolling four year strategic plan subject to annual performance evaluation in June each year by a review board

made up of the county executive and the majority and minority leaders of the county legislature.

3. The county manager should be appointed by the county executive pursuant to a national search process led by a search committee made up of representatives of the county legislature as well as the county executive, and subject to confirmation by the county legislature in the same manner as in the case of department heads.

4. The county manager should be appointed for a term expiring upon the expiration of the term of the appointing county executive, subject to termination as provided below.

5. To assure direct accountability of the executive branch to the voters, and to assure against a worst case scenario of a county executive and county manager unable to work together, the county executive should be empowered to terminate the county manager with or without cause by written notice to the manager and the county legislature stating the reasons for termination, subject to the manager's right to severance pay as provided below. As in the case of department heads, whose appointments are subject to confirmation by the legislature, approval of the county legislature would not be required for termination of the county manager.

6. The county manager should have a contract of employment providing for severance pay if he or she is not re-appointed upon expiration of the term of the appointing county executive or is terminated without cause.

Mr. Magavern reported that a new law student, Meredith Conner, had joined Professor Greiner's seminar. After discussion, the Committees determined to request Ms. Conner to review best practices and prepare a proposal for management planning, reporting and evaluation, including a rolling four year strategic plan and annual management plans.

It was noted that Mr. Duquin will prepare a budget neutral or cost saving staffing plan for the offices of county executive and county manager.

The Committees determined to request law student Jennifer Hyatt to expand her study of term limits and salary limits to include all other county officers, as well as county legislators.

In order to review and respond to the discussion by the full Commission of the Committee's county manager proposal on February 16, the Committees will conduct a joint meeting on Tuesday, February 21, at 10:30 a.m.