

## **TALKING POINTS FOR CHARTER**

### **QUESTIONS & ANSWERS**

**by Orrie Eihacker, Charter Commission Member**

#### **BACKGROUND: WHAT IS A COUNTY CHARTER?**

A charter is a tool that enables county government to organize itself by setting up the basic structure and organization of county government. A charter specifies the powers and authority of the county government. It prescribes procedures for the use of county powers. A charter also makes it clear who has what power among various agencies and officers of the county. Thus, a Charter establishes responsibility and accountability in the exercise of those powers.

Montgomery County does not currently have a Charter. Montgomery County is organized under a structure that has been relatively unchanged since the 1700's. Only nine other counties in the state use this structure.

#### **HOW DID THE IDEA OF A CHARTER FOR MONTGOMERY COUNTY COME ABOUT?**

The Board of Supervisors decided that it was time to look into the idea of having an elected county executive. State law says that In order to set up a new elected position, the county needs to have a Charter. In March of this year our Board of Supervisors voted to set up a commission, composed of volunteer community members, to study the idea of a Charter so that we could have an elected county executive. State law also allows a county to have a charter to re-organize its government. The Board also decided to have the commission study the idea of including a county legislature in the Charter.

#### **WHY HAVE AN ELECTED COUNTY EXECUTIVE?**

Right now, the 15-member Board of Supervisors run the county. They work very hard, but they have to oversee a nearly \$100 million budget with numerous departments and employees, as well as represent their own towns. We need an elected county executive so that there is one leader. elected by the voters of the county as a whole, to run the county. The Board of Supervisors has hired county administrators in the past. However, a hired administrator has to answer to each of the 15 members of the Board of Supervisors. If there is a disagreement, the Board of Supervisors can fire the administrator, even if people think that he or she was doing a good job. An elected County Executive answers to you, the voter. You, the voter, get to decide if the elected County Executive stays on; each time there is an election.

## WHAT DOES A COUNTY EXECUTIVE DO?

The Charter says that the county executive is responsible for the "proper administration of all County affairs placed in his or her charge". The County executive acts on and enforces laws that the legislature enacts. He or she is the is responsible for preparing a budget. He or she appoints department heads, subject to the approval of the legislature. The County Executive will be responsible for setting the direction of the county for the future.

## CAN THE COUNTY EXECUTIVE VETO BILLS?

Yes, the charter gives the county executive the authority to veto bills that are voted on by the legislature. The legislature can override the veto with a 2/3 vote. The County executive also has line item veto authority over the budget.

## WHAT IS THE TERM OF THE COUNTY EXECUTIVE? ARE THERE TERM LIMITS?

The County executive would be elected for a four-year term, and could serve no more than three full terms.

## WHAT ABOUT THE BOARD OF SUPERVISORS?

Right now, the county has a 15 member Board of Supervisors, consisting of the Town Supervisors, and three members from the City of Amsterdam. Two things happen with this arrangement. First, the Town Supervisors have two jobs. They have to supervise their towns, and also sit on the Board of Supervisors where they have to look at countywide issues. Sometimes this causes conflicts between the interests of the towns, and the interests of the county as a whole. Second, because the towns have different populations, the Board of Supervisors has to use a weighted voting system. This means that towns with a higher population get a higher weighted vote than towns with lower populations. It can look as if Supervisors from smaller towns have less of a say in county affairs than Supervisors from larger towns.

## THE SOLUTION: A COUNTY LEGISLATURE

Because of these problems, the Board of Supervisors asked the Charter Commission to look into the idea of a County Legislature. The Commission found that a County Legislature would solve some of these very basic problems. County Legislators would be elected only to serve in the County Legislature. Their only job would be to run the county and to try to solve problems that affect the county as a whole. Also, each Legislator would have one vote. No more weighted votes. This is because they would be elected from new voting districts. These new voting districts will each have about an equal number of residents. This means a much more fair system of representation for all of the residents of Montgomery County.

### WHAT IS THE TERM OF A COUNTY LEGISLATOR AND ARE THERE TERM LIMITS?

The Legislators will be elected for three-year terms. There is a limit of four terms (12 years). Also, when a Legislator who has served four terms has been out of office for one term, he or she may run again.

### WHAT HAPPENS TO MY TOWN SUPERVISOR?

You will still have your Town Supervisor. The County Charter does not change the towns at all. The towns will continue to have elected town supervisors. The advantage now is that your Town Supervisor can focus fully on town business.

### WHAT ABOUT THE CITY AND THE VILLAGES?

There will be no change at all. The County Charter does not affect the city and the villages.

### WHAT HAPPENS NEXT?

The Board of Supervisors must first review the Charter. If they agree, it will be on the ballot in November 2012. In order to pass, a majority of the residents of the city and a majority of the residents of the towns must vote in favor. If it passes, there will be elections for the County Executive and the County Legislature in November 2013. The Charter will go into effect on January 1, 2014.