

ARTICLE II--ELECTED COUNTY EXECUTIVE

SECTION 2.01 COUNTY EXECUTIVE.

The County Executive shall be the chief executive officer of the County. The County Executive shall first be elected at the 2010 general election and shall hold office for a term of four years commencing on the first day of January 2011. Any candidate for election as County Executive shall have been an elector of the County for at least two years immediately prior to filing of the declaration of candidacy, shall be nominated and elected in the manner provided for county officers by general law and this Charter and during the entire term of office shall remain an elector of the County. The County Executive shall not, except as authorized by the Council, hold or accept other employment or public office.

[Effective January 1, 2010; Article II, Section 2.01 amended by the electors on November 4, 2014]

SECTION 2.02 COMPENSATION.

The initial salary of the County Executive shall be one hundred seventy-five thousand dollars per year. The salary may be changed by ordinance at any time before a primary election for the office of County Executive, but no change shall be effective until the commencement of the ensuing term.

[Effective January 1, 2010]

SECTION 2.03 POWERS AND DUTIES.

The County Executive shall have all the powers and duties of an administrative nature under this Charter and such powers and duties of an administrative nature, except as otherwise provided herein, as are vested in or imposed upon boards of county commissioners by general law. Such powers and duties include, but are not limited to, the following:

(1) To appoint, suspend, discipline and remove all County personnel, including those appointive officers provided for in Article V hereof and except those who, as provided by general law, are under the jurisdiction

of officers, boards, agencies, commissions and authorities of the County other than the board of county commissioners, and except those who are appointed by the Council pursuant to Section 3.09(1) of this Charter or by the Prosecuting Attorney.

(2) To appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities as are or may hereafter be created by or pursuant to this Charter, and such officers and members of boards, agencies, commissions and authorities as are provided by general law to be appointed by boards of county commissioners. If the Council shall fail to act on the question of such an appointment by the County Executive within sixty days of the date that the County Executive submits such appointment to the Council for its consideration, that appointment shall be deemed confirmed without further action by the Council. The County Executive and the Council shall use good faith efforts to reflect the diversity of the people of the County in appointing such officers and members.

The County Executive may appoint interim officers to serve as any departmental director, as Inspector General, or in any position outlined in Article V of this Charter without confirmation by the Council for a period not to exceed 120 days. An interim appointment may continue beyond 120 days by extension or reappointment or another person may be successively appointed to the same position on an interim basis only if confirmed by the Council prior to the expiration of the initial interim appointment.

(3) To advocate for the interests of the County with other levels of government and to advocate for and promote cooperation and collaboration with other political subdivisions.

(4) To approve or veto any ordinance or resolution as provided in Section 3.10 of this Charter.

(5) To serve, in person or by his or her delegate, as a member of the County Budget Commission and of the County Board of Revision.

(6) To execute contracts, conveyances and evidences of indebtedness on behalf of the County.

(7) To attend meetings of the Council and take part in the discussion of all matters before the Council.

(8) To introduce ordinances and resolutions for consideration by the Council and otherwise to make recommendations for actions to be taken by the County.

(9) To submit to the Council prior to the beginning of each biennium, a proposed operating budget for the upcoming biennium, which shall contain at least the following:

- (a) A statement of estimated revenues from all sources, including fund balances from the preceding biennium;
- (b) A statement of proposed expenditures, shown by department, office, agency, authority, board and commission, and by activity, character and object;
- (c) A schedule of estimated revenues and proposed expenditures for each County department, office, agency, authority, board and commission, on a monthly basis; and
- (d) A summary of the contents of the proposed operating budget.

(10) To submit to the Council prior to the beginning of each biennium a capital improvements program, which shall contain at least the following:

- (a) The capital improvements scheduled for, or proposed to be undertaken within that biennium, along with the estimated cost of each improvement and the proposed or established method of financing;
- (b) A summary of the detailed contents of the program for the current biennium; and
- (c) The capital improvements projected for the five years next succeeding the current biennium.

(11) To submit a written message to the Council accompanying the proposed operating budget and capital improvements program explaining the budget both in fiscal terms and in terms of work to be done, outlining the proposed financial policies of the County for the current biennium and describing the important features of the budget. The message shall include any proposals for major changes in financial policies and in expenditures, appropriations and revenues as compared with the preceding biennium and the reasons for such proposals, and an itemization and explanation of each proposed capital improvement.

(12) To conduct collective bargaining with any recognized employee bargaining unit, administer uniform personnel procedures for all County employees, and to provide quarterly reports to the Personnel Review Commission regarding the County's collective bargaining strategies and approved contracts.

(13) To submit to the Council annually a five-year financial forecast for the general operating funds of the County.

(14) To employ and supervise such number of deputies, assistants and employees as shall be reasonably necessary to assist the County Executive in carrying out the duties of the office.

[Effective January 1, 2010; Article II, Sections 2.03(9), (10) and (11) amended by the electors on November 6, 2012; Article II, Sections 2.03(2) and (12) amended by the electors on November 5, 2013]

SECTION 2.04 VACANCY.

In the event the office of the County Executive becomes vacant by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason, the President of Council shall succeed to the office of County Executive on an interim basis. If a vacancy occurs in the first or second year of a four-year term, the interim succession shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the principal term. If a vacancy occurs in the third or fourth year of a four-year term, the interim succession shall extend until the next countywide general election, at which time the position

shall be filled for the next four-year term. The interim succession of the President of Council to the office of County Executive as provided herein shall create a vacancy in the membership of County Council and in the position of President of Council. Upon the occurrence of a vacancy in the position of President of Council, the Vice-President of Council shall assume the position of President, and the Council shall elect a member to serve as Vice-President. The Council seat vacated by the former Council president shall be filled in the manner described herein.

[Effective January 1, 2010]

SECTION 2.05 INVESTIGATIONS BY COUNTY EXECUTIVE.

The County Executive may, at any time and without notice, cause the administrative affairs or the official acts and conduct of any official or employee of any County office, department or agency over which the Executive has authority to be examined. The County Executive, or any person appointed by the Executive to conduct such an examination, shall have the same power to take testimony, administer oaths and compel the attendance of witnesses and the production of papers, books and evidence and refer witnesses to the Prosecuting Attorney to be punished for contempt as is conferred upon Council by this Charter. Subpoenas may not be issued pursuant to this section except by resolution adopted by a two-thirds vote of Council.

[Effective January 1, 2010]