

**RESOLUTION 2009 - 21**

A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS, MARYLAND TO AMEND THE CHARTER OF THE TOWN OF ST. MICHAELS FOR THE PURPOSE OF MAKING TEXTUAL CHANGES TO ARTICLE II, SECTION §C-5 REGARDING THE DAY OF THE MONTH IN JUNE ON WHICH A REGULAR TERM OF A COMMISSIONER EXPIRES; ARTICLE II, SECTION §C-10 REGARDING THE DAY OF THE MONTH IN JUNE ON WHICH A NEWLY ELECTED COMMISSIONER TAKES OFFICE AND THE OFFICERS OF THE COMMISSION ARE ELECTED; AND ARTICLE II, SECTION §C-10 REGARDING THE ELIGIBILITY OF AN APPOINTED COMMISSIONER TO SERVE AS PRESIDENT OF THE COMMISSION - PROVIDING THAT THE TITLE OF THIS RESOLUTION SHALL BE DEEMED A FAIR SUMMARY.

WHEREAS, it is the desire of the Commissioners of the Town of St. Michaels (the "Commissioners") to update and amend the Charter of the Town of St. Michaels by making certain textual changes regarding the day of the month in June of in which a regular term of a Commissioner expires and the day of the month in June in which a newly elected Commissioner takes office so that said dates shall correspond with the Commission's regular meeting days; and

WHEREAS, it is further the desire of the Commissioner to amend the Charter to allow an appointed Commissioner to serve as President of the Commission.

SECTION 1:

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that certain sections of the Code of the Town of St. Michaels, Article II, § C-5 (Number of Commissioners; selection; terms) shall be amended as follows, with new language shown in *italics* and underlined and with deleted language shown in (parenthesis) and with a ~~strikethrough~~:

§ C-5. Number of Commissioners; selection; terms.

All legislative powers of the Town shall be vested in a body designated as "The Commissioners of St. Michaels," consisting of five Commissioners who shall be elected as hereinafter provided and who shall hold office for a term of four years or until their succeeding Commissioners take office, except when a Commissioner is filling a vacancy. A Commissioner appointed or elected to fill a vacancy, as provided in § C-35 of this Charter, may hold office for a term of two years or less. The regular term of Commissioners shall expire on the second (~~Tuesday~~) Wednesday in the month of June following the election of their successors. Commissioners holding office at the time this Charter becomes effective shall continue to hold office for the term for which they were elected until the succeeding Commissioners take office under the provisions of this Charter. The legislative body of the Town, consisting of five Commissioners, shall sometimes hereafter be referred to as "the Commissioners," or "the Commission."

SECTION 2:

AND BE IT FURTHER RESOLVED BY THE COMMISSIONERS OF THE TOWN OF ST. MICHAELS that certain sections of the Code of the Town of St. Michaels, Article II, § C-10 (Officers of the Commission) shall be amended as follows, with new language shown in *italics* and underlined and with deleted language shown in (parenthesis) and with a ~~strikethrough~~:

§ C-10. Officers of the Commission.

The newly elected Commissioners shall take office on the second (~~Tuesday~~) Wednesday in the month of June following a regular election. At the ~~June first~~ first regular meeting *in June of each year*, the five Commissioners shall have an election of officers. The five Commissioners shall choose one of their number for the positions of President, Vice President and Treasurer; the newly elected officers shall serve a term of one year or until successors have been duly elected and take office. (~~A Commissioner appointed to fill a vacancy shall not serve as President.~~)

SECTION 3:

AND BE IT FURTHER RESOLVED BY THE COMMISSIONERS OF THE TOWN OF ST. MICHAELS that to the extent that any Section of the Charter of the Town is in conflict with the provisions of Sections 1 and 2 of this Resolution, such Section or Sections be and hereby are repealed to the extent of such conflict.

SECTION 4:

AND BE IT FURTHER RESOLVED, that the Town Clerk/Manager shall give notice of the adoption of the aforesaid amendment to the Charter of the Town of St. Michaels by posting this resolution on the bulletin board in the Town Office for a period of at least forty (40) days following the adoption of this resolution, and by publishing a fair summary of said amendment to the Charter in a newspaper of general circulation in the Town not less than four (4) times at weekly intervals within a period of forty (40) days after the adoption of this Resolution.

SECTION 5:

AND BE IT FURTHER RESOLVED that the date of the passage of this Resolution is the 16<sup>th</sup> day of December, 2009, and that this Charter Amendment, as hereby adopted by the Commissioners of St. Michaels, shall become, and be considered, a part of the Charter of the Town of St. Michaels in all respects on the 25<sup>th</sup> day of January, 2010, unless on or before the 40<sup>th</sup> day following its passage (the 25<sup>th</sup> day of January, 2010), there shall be presented to the Commissioners of St. Michaels by registered mail, a Petition signed by twenty percent (20%) or more of the qualified voters of the Town, requesting that the proposed Charter Amendment be submitted on referendum to the voters of the Town, with each person signing any such Petition indicating thereon both his name and his residence address, and otherwise meeting the requirements of Maryland Code (1957, as amended, Article 23A, Section 13; and in the event of the proper and timely presentation of such a Petition, a time for submitting the proposed Charter Amendment on referendum to the voters of the Town shall be specified by The Commissioners of St. Michaels.

INTRODUCED, at the public meeting of the Commissioners of St. Michaels on the 18th day of November, 2009, at 6:30 o'clock p.m. in the meeting Room of the Town Office, 300 Mill Street, St. Michaels, Maryland.

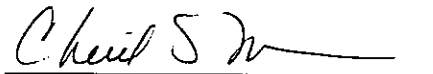
HAVING BEEN PASSED, by a yea and nay vote of the Commissioners of St. Michaels at the public meeting of The Commissioners of St. Michaels on the 16<sup>th</sup> day of December, 2009, at 6:30 o'clock p.m. in the meeting room of the Town Office, 300 Mill Street, St. Michaels, St. Michaels, Maryland.


Brady	-	<u>yea</u>
Clark	-	<u>yea</u>
Dinkel	-	<u>yea</u>
Hunt	-	<u>yea</u>
Snyder	-	<u>yea</u>

I HEREBY CERTIFY that the above Resolution was passed by a yea and nay vote of the Commissioners of St. Michaels on the 16<sup>th</sup> day of December, 2009.

ATTEST:

THE COMMISSIONERS OF ST. MICHAELS

  
Cheril S. Thomas, Town Clerk/Manager

By:  (SEAL)  
Michael W. Brady, President

I HEREBY CERTIFY that an exact copy of the above Resolution was posted from the 17<sup>th</sup> day of December, 2009, at 8:30 o'clock a.m., to the 25<sup>th</sup> day of January, 2010, at 4:30 o'clock p.m., on the bulletin board of the Town Office, 300 Mill Street, St. Michaels, Maryland; and that a fair summary of the aforesaid Resolution, including the date of its passage and its effective date of the Charter Amendment therein contained, and the fact that the proposed Charter Amendment may be submitted on referendum to the voters of the Town by filing a Petition containing the signatures, names and addresses of twenty (20%) or more of the qualified voters of the Town, has been published at least once each week for four (4) consecutive weeks following the passage of said Resolution within forty (40) days of the passage thereof, in a newspaper having general circulation in the Town.

By:  (SEAL)  
Cheril S. Thomas, Town Clerk/Manager