

TOWN OF SMITHSBURG, MARYLAND

RESOLUTION 2019-07

**A RESOLUTION TO AMEND THE CHARTER OF THE TOWN OF SMITHSBURG
TO REMOVE DESIGNATION OF TOWN CLERK-TREASURER
AS A DEPARTMENT HEAD**

RECITALS

WHEREAS, the Charter of the Town of Smithsburg, Section 31-42 establishes the designation of the Town Clerk-Treasurer as a department head; and

WHEREAS, the Mayor and Council of the Town of Smithsburg desire to remove the Clerk-Treasurer from being designated as a department head; and

WHEREAS, the Mayor and Council have determined that it is in the best interests of the citizens of the Town to remove the designation of the Clerk-Treasurer as a department head;

NOW THEREFORE, be it resolved by the Mayor and Council of the Town of Smithsburg, pursuant to Article XI-E of the Maryland Constitution, and Section 4-301 *et seq.* of the Local Government Article of the Maryland Code, that the Charter of the Town of Smithsburg be and the same is hereby amended as follows:

1. **The Charter of the Town of Smithsburg, Section 31-42 thereof, entitled *Same; Duties and responsibilities*, be and is hereby amended by revising section 31-42, to read as follows:**

THE CLERK-TREASURER SHALL REPORT DIRECTLY TO THE TOWN MANAGER AND SHALL BE RESPONSIBLE FOR THE PROPER ADMINISTRATION OF ALL FINANCIAL AFFAIRS AND RECORD KEEPING OF THE TOWN. ((The Clerk-Treasurer shall be considered a department head and be responsible for the proper administration of all financial affairs and record keeping of the Town.)) The Clerk-Treasurer shall have the following duties and responsibilities:

- (1) **Attend all Council meetings, absent compelling circumstances.**
- (2) **Arrange for the taking of minutes at all Town Council meetings and keep a full and accurate account of the proceedings of the Town Council.**
- (3) **Acquire and maintain liability and proper insurance on all Town properties as well as any other insurances necessary for the proper and efficient operation of the Town and/or for the benefit of the Town employees.**
- (4) **Ascertain that all taxable property within the Town is assessed for taxation.**

- (5) **Have custody of all public moneys belonging to or under the control of the Town, except as to funds in the control of any set of trustees and have custody of all bonds and notes for the Town.**
- (6) **Do such other things in relation to the fiscal or financial affairs of the Town as directed by the Town Manager or as the Mayor or the Council may require or as may be required elsewhere in this Charter.**

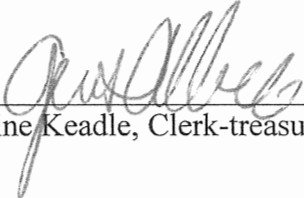
BE IT FURTHER RESOLVED that any provision of the municipal Charter that is inconsistent with the amendment herein, be and is hereby repealed to the extent of the inconsistency.

BE IT FURTHER RESOLVED that the Mayor shall give notice of the adoption of this Resolution proposing to amend the Municipal Charter pursuant to Section 4-304(b) of the Local Government Article of the Maryland Code.

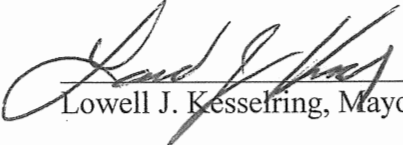
BE IT FURTHER RESOLVED that pursuant to Maryland Law this Resolution to amend the Charter of the Town of Smithsburg shall become effective on the fiftieth (50th) day after its adoption.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE
TOWN OF SMITHSBURG, MARYLAND



Justine Keadle, Clerk-treasurer



Lowell J. Kesseling, Mayor

Date of Introduction: 10/11, 2019
Date of Adoption: 10/11, 2019
Effective Date: 11/20, 2019

PREPARED BY:
SALVATORE & MORTON, LLC
TOWN ATTORNEYS

CAPITAL LETTERS = addition to Charter
((double parentheses)) = provision to be repealed from Charter