COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

Bill No. 11-61 (As Amended)

Introduced by: Council Member Guthrie

Legislative Day No. 11-28 Date: December 13, 2011

AN ACT to repeal and reenact, with amendments, Subsection B, of Section 9-176.2, Meetings; quorum; absences; to repeal in its entirety Subsection A(4), of Section 9-176.3, Powers and duties; and to repeal and reenact with amendments, Subsection A(10), of Section 9-176.3, Powers and duties; all of Article XXVIIA, Harford Cable Network Board, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended; to establish a majority of voting members of the Board as constituting a quorum; to eliminate as a Board responsibility the requirement that the Board ensure that the County Auditor conduct an annual financial audit of the Harford Cable Network; to establish a yearly job performance evaluation of the Executive Director of the Harford Cable Network by the Council Administrator; and generally relating to the Harford Cable Network Board.

By the Council, December 13, 2011

Introduced, read first time, ordered posted and public hearing scheduled

on: January 10, 2012

at: 7:00 PM

By order: Pamela Mason, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 10, 2012, and concluded on January 10, 2012.

Pamela Mason Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter Deleted from existing law. Underlining indicates Language added to bill by amendment. Language Lined through indicates matter stricken out of Bill By amendment.

Bill No. 11-61
As Amended

1 **Section 1.** ***Be It Enacted By The County Council of Harford County, Maryland,*** that
2 Subsection B, of Section 9-176.2, Meetings; quorum; absences; is hereby repealed and reenacted,
3 with amendments, and that Subsection A(4), of Section 9-176.3, Powers and duties; is hereby
4 repealed in its entirety, and Subsection A(10), of Section 9-176.3, Powers and duties, is hereby
5 repealed and reenacted with amendments, all of Article XXVIIA, Harford Cable Network Board,
6 of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils
7 and Agencies, of the Harford County Code, as amended, all to read as follows:

8 **Article XXVIIA. Harford Cable Network Board**

9 **§ 9-176.1. Establishment; membership.**
10 **A.** There is a Harford Cable Network Board.
11 **B.** The Board is an agency of the County Council.
12 **C.** The Board consists of at minimum 15 members appointed by the County Council:
13 **(1)** 7 citizen representatives, 1 appointed by each Council member;
14 **(2)** A representative of Harford Community College recommended by the President of Harford
15 Community College;

16 **(3)** A member of the County Council, who is an ex officio, nonvoting member;

17 **(4)** A citizen representative recommended by the County Executive;

18 **(5)** A representative of Aberdeen recommended by the City Council;
19 **(6)** A representative of Bel Air recommended by the Town Commissioners;
20 **(7)** A representative of Havre de Grace recommended by the City Council;
21 **(8)** A representative of each cable franchise serving Harford County.
22 **D.** The Board members must:

1 **(1)** Except for the representatives of each cable franchise serving Harford County, be county
2 residents;

3 **(2)** Insofar as possible, be representative of the county's population with respect to race, gender,
4 political affiliation, and geography; and

5 **(3)** Insofar as possible, represent a balance between individuals who are consumers and
6 individuals with knowledge and experience relevant to cable television.

7 **E.** The terms of the County Council member, the 7 citizen representatives appointed by the
8 Council members, and the representatives of each cable franchise serving Harford County, are
9 coterminous with the term of the County Council.

10 **F.** The terms of the remaining members are 4 years and are staggered as required by the terms
11 provided for those members on January 1, 1992.

12 **G.** At the end of a term, a member continues to serve until a successor is appointed and qualifies.
13 **H.** A member who is appointed after a term has begun:
14 **(1)** Serves for the remainder of the term and until a successor is appointed and qualifies; and
15 **(2)** Is eligible for reappointment.
16 **I.** A vacancy on the Board shall be filled in the manner of original appointment.
17 **§ 9-176.2. Meetings; quorum; absences.**
18 **A.** The Board shall meet at least 6 times a year, at the times and places it determines.

19 **B.** [Eight voting members of the Board are a quorum.] A MAJORITY OF VOTING MEMBERS
20 OF THE BOARD SHALL CONSTITUTE A QUORUM.

1 **C.** Unless the absences are explained to the satisfaction of the Board, a member with unexcused
2 absences for 3 or more consecutive Board meetings is deemed to have resigned, and the Board
3 shall notify the County Council of the resignation. Within 60 calendar days after receiving the
4 notice, the Council shall appoint a replacement for the member.

5 **§ 9-176.3. Powers and duties.**
6 **A.** The Board shall:
7 **(1)** Submit a report of its activities to the County Council by ~~March 31~~ JULY 1 of each year;
8 **(2)** Coordinate the public, educational, and governmental access programming of Harford Cable
9 Network;

10 **(3)** Promote the participation of organizations and individuals in the county in creating
11 programming that concerns people, events and issues of interest to the county;

12 [**(4)** Ensure that a financial audit of Harford Cable Network is conducted annually by the
13 County Auditor;]

14 [**(5)**] (4) Ensure that all revenue received by Harford Cable Network is turned over to the
15 County Treasurer to be accounted for and expended in accordance with county budgetary
16 procedures;

17 [**(6)**] (5) Select a Chair from among its voting members, the Chair shall only be permitted to
18 vote when the Chair's vote will break or create a tie vote;

19 [**(7)**] (6) Select a Vice-Chair and Secretary from among its voting members;

1 [**(8)**] (7) Consult the County Council Attorney or another attorney designated by the Council
2 Attorney for any legal advice it requires;

3 [**(9)**] (8) Through the Chair, be responsible for the general supervision of Harford Cable
4 Network employees;

5 [**(10)**] (9) Through the Chair, meet with the Council Administrator [at least twice a year]
6 YEARLY to discuss the job performance of the Executive Director of Harford Cable
7 Network; and

8 [**(11)**] (10) Through the Chair, conduct jointly with the Council Administrator the annual
9 performance evaluation of the Executive Director.

10 **B.** The Board may:
11 **(1)** Accept any gift, grant, or appropriation for Harford Cable Network purposes;
12 **(2)** Adopt regulations to carry out the purposes of this Article;
13 **(3)** Adopt bylaws governing the conduct of its business;
14 **(4)** Adopt guidelines for public access to and use of Harford Cable Network, including
15 reasonable fees for access and use;

16 **(5)** Subject to the county budget, employ staff; and
17 **(6)** Take any other lawful action necessary for the proper control, operation, and development of
18 Harford Cable Network.

19 **C.** Regulations, bylaws, and guidelines adopted under Subsection B of this section are not
20 effective until approved by the County Council.

1 **D.** Changes in the pay or classification of Harford Cable Network employees proposed by the
2 Board shall not be forwarded to the Department of Human Resources until approved by the
3 County Council.

4 **§ 9-176.4. Employees.**

5 Harford Cable Network employees are county employees and shall be in the classified service
6 established under Chapter 38 of this Code.

7 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the
8 date it becomes law.

EFFECTIVE: March 13, 2012

The Council Administrator does hereby certify that fifteen (15) copies of this Bill are immediately available for distribution to the public and the press.

_____
Council Administrator

HARFORD COUNTY BILL NO. 11-61 (As Amended)

Brief Title Harford Cable Network

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Pamela Meister
Council Administrator

Date January 10, 2012

ENROLLED

Billy Boniface
Council President

Date January 10, 2012

BY THE COUNCIL

Read the third time.

Passed: LSD 12-3

Failed of Passage: _____

By Order

Pamela Meister
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 11th day of January, 2012 at 3:00 p.m.

Pamela Meister
Council Administrator

BY THE EXECUTIVE

David R. Craig
COUNTY EXECUTIVE

APPROVED: Date January 13, 2012

BY THE COUNCIL

This Bill No. 11-61 As Amended having been approved by the Executive and returned to the Council, becomes law on January 13, 2012.

EFFECTIVE DATE: March 13, 2012

Pamela Meister
Pamela Meister
Council Administrator