
WHEREAS, the County Executive has requested that this body consider placing before the voters an amendment to the St. Charles County Charter that will adjust the qualifications to serve as a member of executive staff and requiring the Director of Administration to be a County resident; and

WHEREAS, it is in the interests of County residents to provide for the largest pool of highly qualified applicants for certain heads of County departments, especially for those department heads who are required to maintain certain professional licensure and/or demonstrate certain highly technical expertise; and
WHEREAS, in order to create this larger pool of highly qualified applicants, it is necessary to remove the residency requirement; and

WHEREAS, the County Executive has requested that this body consider placing before the voters an amendment to the St. Charles County Charter that will adjust the qualifications to serve as a department head, removing the residency requirement for the Director of the Finance Department, the Director of the Information Systems Department, and the County Counselor; and

WHEREAS, the Council has considered the County Executive’s request and has determined to so send this matter to the voters for their consideration of whether to amend the County Charter; and

WHEREAS, Article IX, Section 9.012 of the St. Charles County Charter states that the Charter of St. Charles County may be amended by ordinance adopted by the County and submitted to the voters at an election and approved by a majority of those voting on the proposition.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The following amendments to the St. Charles County Charter consisting of amendments to Article III, § 3.900, and Article IV, § 4.603 and § 4.1504 shall be submitted to the voters of St. Charles County as set forth in Section 2, and if the voters so enact such provisions by a majority, such amendments shall be, upon certification of the election results, thereafter a part of the Charter of this County:
A. The following amendment to Article III, § 3.900 of the St. Charles County Charter shall be submitted to the voters of St. Charles County, and if the voters so enact such provisions by a majority, such amendments shall replace the current Article III, § 3.900 as follows:

3.900. Director of Administration.

In addition to any other executive staff, there shall be a professionally qualified Director of Administration who shall be appointed by and may be removed by the County Executive. Appointment shall be on the basis of executive and administrative qualifications. The administrator shall be the principal managerial aide to the County Executive and shall perform such duties as may be assigned to him by the County Executive. Subject to the direction of the County Executive, duties shall include supervision of all departments, offices and agencies of the executive branch, advice to the County Executive on all administrative matters and performance of other duties as assigned by the County Executive or this Charter.

3.900.1. Residency. To serve as Director of Administration a person shall establish residency in the County within one hundred twenty (120) days after assuming office.

B. The following amendment to Article IV, § 4.603 of the St. Charles County Charter shall be submitted to the voters of St. Charles County, and if the voters so enact such provisions by a majority, such amendments shall replace the current Article IV, § 4.603 as follows:
4.603. **Qualifications.** To serve as County Counselor, a person shall:

4.603.1. Shall not at the time of assuming office, and during the term in office, hold any other remunerative office with the United States, the State of Missouri, St. Charles County, or any political subdivision of the State. This Subparagraph shall not apply to membership in the military forces of the United States, the State militia, or notaries public; and

4.603.2. Shall take an oath or affirmation to support the Constitution of the United States and the Constitution of the State of Missouri, to abide by this Charter and to faithfully perform all of the duties of the office; and

4.603.3. Have been a licensed practicing attorney in Missouri for at least five (5) years; and

4.603.4. Shall not engage in the private practice of law except with regard to court appointed pro bono appointments mandated by state and federal courts; and

4.603.5. Shall establish residency in the County within one hundred twenty (120) days after assuming office.

C. The following amendment to Article IV, § 4.1504 of the St. Charles County Charter shall be submitted to the voters of St. Charles County, and if the voters so enact such provisions by a majority, such amendments shall
replace the current Article IV, § 4.1504 as follows:

4.1504. Each department head shall:

4.1504.1. Within one hundred twenty (120) days of appointment, be a resident of St. Charles County, except that this residency requirement shall not apply to the Director of the Finance Department or the Director of the Information Systems Department; and

4.1504.2. Have knowledge of the principles and practices of administrative organization; and

4.1504.3. Be familiar with the functions for which he is responsible; and

4.1504.4. Have at least three (3) years of executive or administrative experience.

Section 2. The questions concerning the amendment of Charter Article III, by amending Section 3.900, and Charter Article IV, by amending Sections 4.603 and 4.1504, shall be submitted to the voters in the following form:

COUNTY CHARTER QUESTION
COUNTY OFFICERS AND DEPARTMENTS

SHALL THE ST. CHARLES COUNTY CHARTER BE AMENDED BY PROVIDING FOR THE ADJUSTMENT OF QUALIFICATIONS TO SERVE AS DIRECTOR OF ADMINISTRATION BY ADDING A RESIDENCY REQUIREMENT, AND AS DIRECTOR OF THE FINANCE DEPARTMENT, DIRECTOR OF THE INFORMATION SYSTEMS
DEPARTMENT, AND THE COUNTY COUNSELOR BY REMOVING THE RESIDENCY REQUIREMENT?

YES □

NO □

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed to the question, place an “X” in the box opposite “No”.

Section 3. The Chair of the Council is authorized to transmit a certified copy of this ordinance to the St. Charles County Election Authority and to direct him to place the propositions set out in Section 2 on the April 6, 2021, ballot.

Section 4. The Election Authority is authorized and directed to take all necessary steps and execute all necessary documents to implement this ordinance and place the ballot question set forth above on the April 6, 2021, ballot.

Section 5. Such change or changes to the St. Charles County Charter approved pursuant to this ordinance by the qualified voters of St. Charles County shall be in full force and effect upon approval of the voters and certification of the election.

Section 6. This ordinance shall be in full force and effect from and after the date of its passage and approval.
DATE PASSED

CHAIR OF THE COUNCIL

ATTEST:

COUNTY REGISTRAR

Exec.Ballot issue.adjusting qualifications for certain County Department Directors 3.0.clean.1-21.F