

## PREAMBLE

We, the people of Cumberland County, Maine, in recognition of the dual role of the County as an agency of the State and a unit of local government, and in order to avail ourselves of self determination in County affairs to the full extent permissible under the Constitution and laws of the State of Maine and the United States of America, by this Charter confer upon the County the following powers, subject it to the following restrictions, and prescribe for it the following procedures and governmental structures except as otherwise proscribed by law:

### I AUTHORITY

- 1.1 Name:** The name of the County as it operates under this Charter shall continue to be Cumberland County, Maine, (hereafter "County").
- 1.2 Nature and Legal Capacity:** From the time this Charter takes effect, the County shall continue to be an agency of the State and a body politic and corporate and shall be vested with all rights and powers of local self-government which are now, or hereafter may be, provided by the Constitution and laws of Maine and this Charter. In addition, it shall be vested with all the residual rights and programs from the Federal Government that are available either directly or through the State.
- 1.3 Boundaries:** The external boundaries of the County are prescribed by state law and can only be changed by the State legislature.
- 1.4 Elected Positions:** Pursuant to the Constitution and laws of the State of Maine [Section 3, article 4 of Administration], the County shall have an elected Board of County Commissioners and the following elected official positions. If authorized by State law, any and/or all of these elected official positions may be permanently transferred to appointed, professional positions by a majority vote of the County electorate.
- 1.4.1** Sheriff (listed in state constitution)
  - 1.4.2** Judge of Probate (listed in state constitution)
  - 1.4.3** Register of Probate (listed in state constitution)
  - 1.4.4** District Attorney (required in state statute)

### 2 POWERS AND DUTIES

**2.1 General Grant of Powers:** The County shall have those powers, duties and functions granted or allowed by the Constitution and laws of the United States of America or the State of Maine as fully as if each power were comprised in that general authority and were specifically granted by this Charter. The County shall have the necessary general police powers to assist its citizenry with their safety, health, education and general welfare and it shall avail itself of any and all powers invested by home rule to the advantage of its citizens. In addition, it may utilize all the laws, statutes and options available to private enterprise that are not in conflict with State Statutes. All these powers are to be interpreted broadly.

**2.2 Transfer of Powers:** Whenever a governmental, public or non-profit entity requests a transfer of any or all privileges, powers, authority or functions to or from the County, the Board of County Commissioners (hereafter "Board") may in its sole discretion arrange for a cooperative transfer based upon a contractual or governmental agreement. This Charter recognizes that various Governmental Entities and Special Districts of the County also have rights, powers and functions within the County.

**2.3 Intergovernmental Cooperation:** The Board may, in the best interest of the County citizens, contract for one or more functions of the County to be performed in cooperation with or transferred to one or more governmental, public or private entities.

**2.4 Division of Powers:** This Charter establishes the separation between legislative and administrative functions of the County government:

**2.4.1 The Board** shall create and adopt Bylaws, administrative codes and policies for the County.

**2.4.2 The County Manager** shall be responsible for the execution of those orders.

**2.5 Construction of Services:** The powers granted by this Charter shall be construed broadly in favor of the Charter form of government enabling the County to implement programs and services for other governmental entities, non profit organizations and its citizens directly while avoiding the creation of special districts or other legal entities to accomplish these programs.

### **III BOARD OF COUNTY COMMISSIONERS**

#### **3.1 Composition:**

**3.1.1 Number of County Districts:** Within forty five (45) days of receipt of the most recent decennial US Census data, the County Commissioners shall determine the number of Districts based upon the following requirements:

The total number of County residents; the number of County Citizens per District being no more than 40,000 or less than 35,000; and there being an odd number and a minimum number of Districts. There shall be a single Commissioner representing each County District.

**3.1.2 Construction of Districts:** Within fifteen (15) days of determining the number of Districts, the County Commissioners shall request that the State Apportionment Commission prepare, according to their process, a description of each of the determined number of geographical districts to ensure the division of the County into contiguous and nearly equal populated areas. Each decennial apportionment shall start as a new construct within the County's boundaries and with each District following existing municipal boundaries insofar as is possible. The creation or elimination of Districts shall not disqualify a standing Commissioner from serving out a term

**3.2 Terms:** Each County Commissioner elected shall serve three (3) years, beginning on the First day of January after his or her election, and continuing after such term until his successor is elected and qualified. The terms shall be reasonably staggered. No Commissioner may serve more than three (3) consecutive terms.

#### **3.3 Qualifications:**

**3.3.1 Residence:** An individual is eligible to be nominated and elected to the Office of County Commissioner only when they are a resident of the District from which nominated and a registered voter of the County.

**3.3.2 Non-residence:** The office of any member of the Board shall become immediately vacant when the commissioner ceases to be a resident of the district from which elected, except as provided in Section 3.1.2, or a registered voter of the County or for any other cause as provided by this Charter or by the Constitution and laws of the State.

**3.3.3 Ineligible:** Upon election, a County Commissioner is immediately ineligible to serve in any other elected or appointed office as provided by this Charter or by the Constitution and laws of the State, except as follows:

**3.3.3.1 Dual Offices:** No one shall hold elective or appointive office in two governmental entities if money and/or resources are exchanged between them except where clearly authorized by the Bylaws or pursuant to an agreement under the Inter-local Cooperation Act.

**3.3.3.2 Time Restriction:** For a trailing period of 18 months, no former Commissioner shall hold any compensatory or appointed County position and must obtain written authorization from the County Manager approved by the Board to be employed by an organization having any business relationship with the County.

**3.4 Vacancies:** If a seat on the Board becomes vacant more than eight (8) months prior to the next regular election, the Board shall appoint a qualified person (as defined in Section 3 above) to fill the vacancy until the next general election, at which time a qualified person will be elected to fill the remainder of the term. The person appointed to fill the vacancy shall be a resident of the same district as was his or her predecessor.

**3.5 Exclusion:** After due process of formal charges, a hearing and a upon a finding that a Commissioner-elect is not entitled to a seat because of a failure to meet the State qualifications for office (age, citizenship), the County District inhabitancy, or that the Commissioner-elect was not "duly elected," the Board, by a simple majority vote, may deny the Commissioner-elect a seat on the Board.

**3.6 Censure and Expulsion:** After due process of formal charges, a hearing and upon a formal vote on a resolution agreed to by a majority plus one of the full Board, Commissioners may be involuntarily removed from office before the normal expiration of their Charter terms by an "expulsion" from the Board of Cumberland County Commissioners. The Commission may determine the Rules of its Proceedings, punish a Commissioner for non-attendance, disorderly behavior and moral turpitude, and, with the concurrence of a majority plus one of the full Board, expel the offending Member.

**3.7 Compensation:** Changes in salaries and available benefits of all commissioners shall be set by the Board and approved by a majority plus one vote of a full Finance Committee; said salary shall constitute full compensation for all services. Reimbursement for reasonable expenses incurred in performance of their duties may be allowed upon formal review and approval by the Board.

**3.8 Powers of the Board:** The Board shall be the policy determining body of the County. The Board may exercise all the powers singularly and/or jointly granted to the County and by this Charter, by local governmental entities, public and nonprofit entities or by its voters.

**3.8.1 Specific Powers:** The Board shall appoint by a majority of a full Board and remove by a majority plus one vote of a full Board:

**3.8.1.1** The County Manager, Treasurer, Register of Deeds, Auditor and Commissioner's Attorney, as well as such of those offices set forth in Section 1.4 that may become appointive.

**3.8.1.2 Other Appointments:** In conjunction with the County Manager the Board may confirm the Manager's appointments and shall follow the process as prescribed in the Bylaws in order to perform its policy functions and oversight.

**3.8.1.3 Finance:** In order to ensure transparency, the Board shall require the highest professional standards for accounting and for the comprehensive annual financial report as prescribed in the Bylaws.

**3.8.1.3.1 Budgets:** The County Manager shall present to the Board the full annual County budget for their review (per section 5.5.1), oversight, and

endorsement prior to a public presentation. This shall include the review of all the budgetary requests including salaries and the final budgetary determinations and appropriations for all County governmental operations. Ratification of the budget shall require a majority vote of a full Board.

**3.8.1.3.2 Revenues:** The Board shall apply for available public and private grants to assist the needs of citizens, to provide required services and to fund capital improvements; they shall establish and charge reasonable fees and assessments to offset the costs of essential services and pursuant to State law, they shall appropriate funds as necessary to support their budget and pay debt service.

**3.8.1.3.3 Financial Instruments:** The Board is authorized to utilize any and all financial instruments that create an advantage for serving its citizens.

**3.8.1.3.4 Audit:** The Board shall cause an independent post-audit by a certified public accountant of any and all government operations of the County annually and as the Board deems necessary.

**3.8.4 Other:** The Board may investigate the affairs of County Government, and shall be the judge of the election and qualifications of its members.

**3.8.5 Committees:** The Board may create and abolish such committees as it deems necessary to assist in the performance of its duties, may appoint the membership necessary and may serve as ex officio committee members. A committee shall be a Standing Committee or an Ad Hoc Committee. All committees shall have a clearly written charge and have their budgets approved by the Board. Annually, the Board shall review and vote to authorize each Ad Hoc Committee or by default it shall be abolished.

**3.8.5.1. Standing Committees:** Standing Committees are named County committees that may have an ongoing operating and capital budgets; their governance is described and referenced in the Bylaws.

**3.8.5.2 Ad Hoc Committees:** Ad Hoc Committees are temporary committees developed for the County by its Board or Administration that perform limited, singular assignments generally of limited duration, less than 18 months. They have neither an ongoing operational nor a capital budget and are not part of the Bylaws.

**3.9 Board Organization:** At the annual Board organizational meeting, determined by the Bylaws, the Board shall elect from among its members a chairman and a vice-chairman to serve as such at its pleasure. The chairman shall preside over the meetings of the Board, have a vote on all questions before it, and have authority to preserve order at all Board meetings. The Rules of the Board meeting shall be determined in the Bylaws.

**3.9.1 Bylaws:** The Board shall prepare Bylaws that sets forth the County's rules of governance, their procedures and rules for change. At least decennially, Bylaws shall be formally reviewed by an independent group of the electorate selected by the Commissioners, one per District.

**3.9.1.1 Bylaw Changes:** The adoption, amendment or repeal of a Bylaw shall require a reading at two (2) formal Commission meetings and the majority plus one vote of a full Board.

**3.9.2 Rules:** The Board shall adopt Board rules of parliamentary procedure and create Board sub-committees as shall be necessary for the orderly transaction of its business.

**3.10 Meetings:**

**3.10.1 Regular Meetings.** The Board shall meet regularly and publicly in the County at least once each month. The Board shall provide for the manner, time and place for holding all regular Board meetings, except a regular meeting shall be scheduled and held in each Commissioner's district at least biennially.

**3.10.1.2 Quorum:** A majority of a full Board constitutes a quorum and the required number of votes to act upon a motion, except as set forth herein. A lesser number or the County Manager may only adjourn the meeting to another place and time.

**3.10.1.3 Special Meetings.** Special meetings may be held on call of the chairman or three (3) or more members of the Board. Upon call for a special meeting, adequate public notice shall be given of the time, place and purpose of the meeting in accordance with the procedures established by the Board's Bylaws.

Actions of the Board at special meetings on matters not included in the notice of the meetings shall not be effective until approved at a regular meeting or at a special meeting for which the action was included in the notice.

**3.10.1.4 Emergency Meetings:** An emergency meeting of the Board may be called at the Chair's discretion; if Commissioners are not able to physically attend, the communications and votes of such may be transmitted by any electronic device. A complete record of the meeting, the Chair's justification for such action, and a recorded roll call vote shall be expressed, vetted and read into the record of the next formal Board meeting.

**3.10.1.5 Non-meetings:** Chance meetings or planned social gatherings of the Board members, at which no discussion, action, vote, or poll of County business is taken, do not constitute public meetings; however a reasonable public calendar of such events must be presented at the following Board meeting.

**3.11 Bonding:** The Board shall designate which officers and employees shall be bonded and fix the amount and approve the form of the bond.

**3.12 Records.** The Board of County Commissioners shall cause a public record of its proceedings to be kept in accordance with the Bylaws; a written copy of such records shall be available to the public prior to the next formal meeting and maintained by the County Clerk. The individual votes on a question before the Board shall be recorded.

#### **IV ADMINISTRATION**

**4.1 General Provisions:** All functions and duties required of the County or County officials (see 2.1) by this Charter shall be the responsibility of the Board of County Commissioners. Duties and functions shall be distributed among such standing committees, departments, offices and agencies as the law, the Board or this Charter may establish. The standing committees, departments, offices and agencies shall exercise their functions under the direction and the supervision of the County manager, subject to the approval and control of the Board of County Commissioners or through its committee structure. The Board has the obligation to use its powers to operate the County in an optimal businesslike manner and to provide services that are in the best interest of its citizenry in total.

#### **4.2 County Manager**

**4.2.1 Administration.** The County Manager shall carry out the Board's policies and be delegated with the entire County's management functions, including planning, organizing, staffing, direction and control; in addition, the County Manager is responsible for the preparation of and enforcement of personnel policies, administrative codes and Bylaws as created by the County

Commissioners. The County manager shall assume responsibility for all County appointed/professional positions and may delegate such by the agreement of the Board.

The County manager shall be appointed solely on the basis of his executive and administrative qualifications.

#### **4.2.2 Other Authority.**

**4.2.2.1 Overall Supervision:** Each administrative department and appointed standing committee of the County shall be subject to overall supervision of the County Manager and shall include whatever offices and positions the Board of County Commissioners deems necessary in that department.

**4.2.2.2 Appointments:** All administrative officers and employees of the County other than elective administrative officers and those designated in Section 3.8.1.1 shall be appointed by the County Manager. The qualifications for such an appointment or position shall be on a professional basis and may be prescribed by the County Commissioners.

**4.2.2.3 Organizational Structure:** The functions of each administrative officer and employee of the County shall be on whatever functional basis the Manager in conjunction with the Board of County Commissioners prescribes.

**4.2.3 Administrative Code.** The County Manager shall prepare an administrative code which shall set forth the committee and departmental organization of the government and the nature and scope of each together with all required rules and procedures for their operation. The administrative code shall be submitted to the Board for review, amendment and adoption. Once adopted the code shall remain in force until such time as it may be formally amended or repealed by said Board. At least decennially, the administrative code shall be formally reviewed by an independent group of the electorate selected by the Commissioners, one per District.

**4.2.3.1 Administrative Code Changes:** The adoption, amendment or repeal of a Code shall require a majority plus one of a full Board.

**4.3 Organizational Structure:** The Board in conjunction with the County Manager may from time to time establish additional administrative departments, combine any two or more administrative departments into a single such department, separate departments thus combined, abolish any administrative department and prescribe the duties and functions of any administrative department. A function of the County prescribed by State law but not allocated to any County officer or agency shall be allocated to such department or committee of the County as the Board shall determine.

## **V FINANCE**

### **5.1 General Provisions:**

**5.1.1 Budget:** The Board of County Commissioners is responsible for the review of the County Managers preliminary budget and for the preparation and presentation of the proposed annual operating budget and capital program for the consideration of the County finance committee.

**5.1.2 Financial Instruments:** The Board is authorized to use any and all financial instruments that are in the best interests of its citizens.

**5.2 Fiscal Year:** The fiscal year of the County shall be January 1<sup>st</sup> through December 31<sup>st</sup> or as determined in the Bylaws.

**5.3 Budget Authority:** The County Commissioners shall have the authority to appropriate money according to their budget.

**5.3.1 Budget Process:** There shall be an annual County budget process that is transparent to the electorate. It shall be as detailed as necessary to ensure a knowledgeable understanding by the electorate of the entire County's expenditures and revenues; it shall be described in the Bylaws and shall receive the oversight of the Finance Committee. As required by State law, a copy of the accepted final budget document shall be filed with the State.

**5.3.2 Budget Authorization:** Upon receipt of the FC's provisional Budget and within fifteen (15) business days, the Commission shall meet to adopt their final budget. The Board may reinstate any and all of the proposed FC's changes by a recorded majority vote of a full Board; the Board shall provide written definitive reasons to the public for their reversions.

**5.3.2 Unauthorized Budget:** In the event the budget is not authorized before the start of a fiscal year, the County shall, until a final budget is adopted, operate on an interim budget which shall be no more than 80% of the previous year's budget.

#### **5.4 Operating Budget**

**5.4.1** Each County department and Standing Committee shall submit to the County Manager a detailed budget as may be required for the ensuing year's operation, plus such additional information as may be required by the County Manager.

**5.4.2** The County Manager shall compile all budget requests, prepare a preliminary budget, including revenue estimates therein and submit the same to the Board of Commissioners for their review and approval.

**5.4.3** Prior to the Commissioners adopting their budget, they shall upon notification of the Finance Committee hold one or more public hearings in the County on the Manager's preliminary budget.

**5.4.4** After said hearing(s), the Commissioners shall review the preliminary budget as submitted by the County Manager, together with the Manager's recommendations, and shall make such additions, deletions or changes as they deem necessary to insure the proper fiscal function of County government.

#### **5.5 Finance Committee (FC)**

**5.5.1 Committee Membership:** Municipally elected officials of each Commissioner District may appoint two (2) municipal officials from that District to serve on the FC for a three (3) year term; an official shall not serve more than two consecutive terms. No governmental entity shall have more than one member unless it serves more than one half ( $\frac{1}{2}$ ) of a District's population. A District Commissioner may fill a FC vacancy occurring 120 calendar days prior to the commencement of the Board's fiscal year with a municipal official from his/her District. A FC vacancy shall immediately occur when a serving individual is no longer an elected municipal official.

**5.5.2 General Procedures:** The County Commissioners shall present their proposed budget to their Finance Committee (FC) with dispatch and at least 90 calendar days prior to the end of their fiscal year. The budget shall also present a 3 year estimated revenue projection. The County, through the Board, shall provide the Committee with all the reasonable resources necessary to scrutinize the budget, transparency being the imperative. The FC shall act on the budget with dispatch and take action no later than the tenth (10<sup>th</sup>) business days prior to the beginning of the County's fiscal year or the Board's proposed budget shall be considered endorsed.

### **5.5.3 FC Budget Process and Authority.**

**5.5.3.1 Finance Committee Meetings:** On the call of the County Commissioners or at least 90 calendar days prior to the commencement of the fiscal year, the FC shall meet. The FC shall select a chairman from its full membership. It shall also appoint such other officers as it may deem necessary and create such sub-committees as may more readily effectuate its duties.

**5.5.3.2 Meeting Requirement:** The FC shall meet at least monthly to review the proposed Board budget or until they create a provisional budget.

**5.5.3.3 Provisional Budget:** After debating the Board's proposed budget, the FC may amend it by a majority vote of a full Committee; the changes shall be limited to gross department amounts and shall relate solely to the proposed appropriations paid by County taxes.

**5.6 Emergency Appropriations:** Emergency appropriations shall be made by the Board of County Commissioners only with the concurrence of a majority of a full Finance Committee. The chairman of the FC shall call a special meeting within seven (7) business days of Board action to formally ratify the FC's concurrence; non-action by the FC is ratification. If concurrence of the appropriation is not received, then the Commission must go through the formal process as described in Section 5.3.2.

**5.7 Capital Programs:** The County Manager shall be responsible for the preparation and presentation of a five year, informational projection of the capital program; it shall accompany the proposed annual capital budget in the presentation to the County Commissioners and to the County Finance Committee.

#### **5.7.1 Borrowing**

**5.7.1.1 Revenue Securities:** The Board shall have the authority to issue revenue bonds, notes or other securities and financial instruments that are totally project remunerated and shall not negatively affect the County's tax rate; each project shall be run as a profit center. The Board of County Commissioners may issue any form of tax, grant or bond anticipation certificate or note as authorized by 30 M.R.S.A. §401-A, or by the Constitution or general laws of the State.

**5.7.1.2 Tax Securities:** Annually, the Board of County Commissioners shall have the authority to issue tax supported bonds, notes or other securities and financial instruments of the County up to 1/10 of a mil based upon the County's property valuation, or greater upon approval of the electorate in a County-wide referendum. The Board of County Commissioners may issue any form of tax, grant or bond anticipation certificate or note as authorized by 30 M.R.S.A. §401-A, or by the Constitution or general laws of the State.

**5.8 Taxing Authority:** The County shall have all taxing authority prescribed by the State Constitution and in addition the communicative authority to present that information to its electorate.

**5.9 Transfer of Appropriations:** To the extent permitted by its appropriation and within the last three months of each fiscal year, on request of the manager, the Board of Commissioners may transfer any unencumbered balance of an appropriation or portion thereof to another account, department, office, or agency of the County unless such funds were derived from income restricted to the specific purpose for which they were originally appropriated; year end balances may be used to pay down debt if authorized by the Board of County Commissioners.

## VI ELECTIONS

**6.1 Nominations and Elections of County Officers:** Except as this Charter provides to the contrary, the manner of nominating and electing County officers and the filling of vacancies shall be the manner now or hereafter: prescribed by the laws of the State for nomination and election of County officers in general.

**6.2 Partisan Elections:** No provision of this Charter or orders adopted under its authority shall alter the partisan nature of the nomination and election of the elected Officers except as they may be amended by the laws of the State.

**6.3 Nomination and Election of County Commissioners:** The manner of nominating and electing candidates for County Commissioner shall be the manner now or hereafter prescribed by the laws of the State for the conduct of partisan nominations and elections.

**6.4 Elections on County Referenda:** Except as this Charter or State law provides to the contrary, the manner of conducting an election on referendum questions concerning the County shall be as prescribed by the laws of the State for an election in the County on any proposition.

## VII GENERAL PROVISIONS

**7.1 Effective Date:** This Charter will become law thirty (30) days after the Governor has proclaimed that it was approved by a majority of the legal voters in the County voting on the adoption thereof.

**7.2 Amendments:** This Charter may be amended pursuant to the laws of the State of Maine but only by a majority of the County voters during the November General Election.

**7.3 Codification:** Every 10 years the governing documents shall be re-codified (i.e. Charter, Bylaws, administrative codes and policy documents).

**7.4 Charter Review:** The Charter shall be formally reviewed by a Charter Commission at least every twenty five years.

**7.5 Severability:** If any part of this Charter is finally determined by a court of competent jurisdiction to be unconstitutional or invalid the remainder thereof shall remain in full force and effect.

## VIII TRANSITION PROVISIONS

**8.1 Board:** The County Commissioners in office at the time this Charter becomes effective shall remain in office for the remainder of their terms as members of the Board prescribed by the Charter; provided, however, that the powers, duties and compensation of said members shall be as set forth in this Charter. (Their elected term may assist with "staggering" the terms for the new Commissioners).

**8.2 Other Elected County Officers:** Except for the Offices of District Attorney, Sherriff, Judge of Probate, and Register of Probate on the expiration of any other elected County Officer's term or the vacancy of said office, those offices shall become appointed.

**8.3 First Election:** At the general election [Date], additional commissioners from those districts created by this Charter and unrepresented by the current membership of the Board shall be elected. The nomination and election of said new commissioners shall be in accordance with the provisions of State law relating to the election of County Commissioners except that candidates

shall be nominated only by petition and all those so nominated shall appear on the ballot without party designation.

**8.4 First Meeting:** On [Date], at 7:30 p.m., the Board of County Commissioners shall meet at the County Courthouse. The newly elected Commissioners from Districts shall draw lots to determine the length of their initial terms, one of whom shall serve for only two (2) years. Thereafter the Board shall:

**8.4.1** Elect a Chairman, and Vice-Chairman.

**8.4.2** Appoint a Temporary County Manager pending a permanent appointment.

**8.4.3** Adopt such orders or resolution necessary to effect the transition of Government under this Charter.

**8.4.4** Take such other action as may be deemed necessary by the Board or required by this Charter.

**8.5 First Budget:** The budget process detailed herein shall be followed for the new fiscal year.

**8.6 Validity:** The foregoing sections of this Article shall be omitted in the final printed copies of this Charter after adoption, but this shall not impair the validity of acts under these sections.

#### **8.7 Transition to New Charter Governance.**

**8.7.1 Effect on County Regulations:** All existing orders, regulations, rules and resolutions of the County shall remain operative except where inconsistent or in direct conflict with this Charter or repealed or amended by the Board of County Commissioners.

**8.7.2 Existing Contracts and Bonds:** All rights, actions, proceedings, prosecutions and contracts of the County or any of its departments, pending or unexecuted when this Charter goes into effect and not inconsistent herewith, shall be enforced, continued or completed in all respects as though begun or executed hereunder. All outstanding bonds issued by former governments including the Board of County Commissioners of Cumberland County and all special districts or authorities abolished or altered under this Charter are obligations of the County government; however, payment of such obligations and the interest thereon shall be made solely from and charged solely against funds derived from the same sources from which such payment would have been made had this Charter not become effective.

**8.7.3 Existing Legislation:** All legislation affecting the County consistent with this Charter and in force when it takes effect shall continue to be effective within the County until amended or repealed.

#### **8.8 Continuance of Officers, Employees**

**8.8.1 Rights and Privileges Preserved.** Nothing in this Charter except as otherwise specifically provided shall affect or impair the rights or privileges of persons who are County officers or employees at the time of its adoption.

**8.8.2 Continuance of Office or Employment.** Except as specifically provided by this Charter, if at the time this Charter takes full effect a County administrative officer or employee holds any office or position which is or can be abolished by or under this Charter, he or she shall continue in such office or position until the taking effect of some specific provision under this Charter directing that he or she vacate the office or position.