

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2014 Legislative Session

Legislative Day No. 07

Resolution No. 33-2014

Introduced by: The President of the Council

A RESOLUTION APPROVING BYLAWS FOR THE SCHOOL BUILDING COMMISSION.

WHEREAS, the School Building Commission was established in 1953 to determine the best means of carrying out a school building program; and

WHEREAS, the Wicomico County Board of Education and the County Council of Wicomico County have cooperated in the re-establishment of a School Building Commission to serve as an advisory board to the County and the Board of Education in the areas of school building construction and management; and

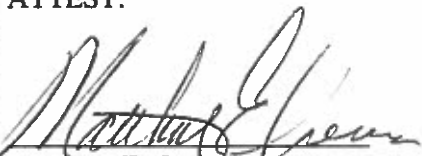
WHEREAS, the County Council, on November 16, 2010, as evidenced by Resolution 162-2010, adopted the Wicomico County School Building Commission Bylaws; and

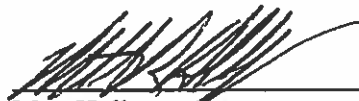
WHEREAS, the School Building Commission now desires to amend the Bylaws to clarify the establishment and membership, duties and functions, officers, and meetings for the School Building Commission.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of Wicomico County, Maryland, that the Wicomico County School Building Commission Bylaws, attached hereto as Exhibit A, are hereby approved.

ATTEST:

COUNTY COUNCIL OF
WICOMICO COUNTY, MARYLAND

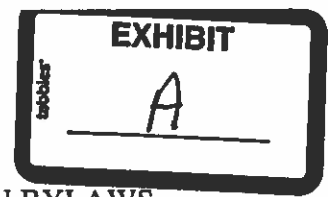

Matthew E. Creamer,
Council Administrator


Matt Holloway,
Council President

CERTIFICATION

This Resolution was Adopted , Adopted with Amendments , Failed , Withdraw by the County Council on April 1, 2014.

Certified by 
Matthew E. Creamer, Council Administrator



WICOMICO COUNTY SCHOOL BUILDING COMMISSION BYLAWS

Section 1. ESTABLISHMENT AND MEMBERSHIP.

- A. The Wicomico County School Building Commission is hereby created and established as an advisory board to the County and the Board of Education in the area of school building construction.
- B. The Wicomico County School Building Commission shall consist of nine (9) voting members.
- C. The appointed or reappointed members shall serve a term of three (3) years or until a successor is appointed. Terms shall commence on July 1.
- D. One member shall be from the County Council. One member shall be from the County Executive's office. One member shall be from the Wicomico County Superintendent's Office. One member shall be from the Board of Education. Five (5) members, who are approved by the School Building Commission, shall be appointed by the County Executive and confirmed by the County Council.
- E. Vacancies occurring prior to expiration of a term shall be filled in the same manner as the original appointment.
- F. Staff members from the Wicomico County school system and the Wicomico County government are also available as needed to provide the necessary input to the Commission.
- G. The Wicomico County School Building Commission shall review and consult with staff, in an advisory capacity, concerning any plans for construction, specifications, or final acceptance for any construction projects funded through the County's Capital Program and bond issues.

Section 2. DUTIES AND FUNCTIONS.

The Commission shall perform the following duties and functions:

- A. Advise the Wicomico County Board of Education in planning, design and building construction, renovation and systemic maintenance projects.
- B. Review building designs, specifications and contracts prepared by the architects, engineers and/or contractors and provide advice on the best technical and most practical approaches for the benefit of Wicomico County and the County school system.
- C. Receive and review status reports on current contracts and changes thereof.

- D. Make recommendations to Wicomico County Board of Education, the County Council and County Executive concerning planning, design and building construction, rehabilitation and maintenance projects in the County school system.
- E. Members may be asked to serve on other task forces or committees related to school construction.

Section 3. OFFICERS.

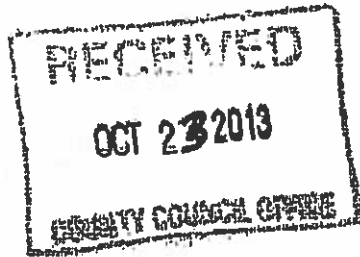
- A. The officers of the Commission shall be a chairman, a vice chairman and a secretary. The officers shall be elected from the Commission's membership. The election shall be at the August meeting of the Commission and the officers shall serve for a term of one (1) year, beginning August 1, or until their successors are elected and qualified.
- B. The Chairman shall preside at all meetings of the Commission. He/she shall represent the Commission at all activities where his/her presence is desirable or necessary.
- C. The vice-chairman shall perform the duties of the chairman in the chairman's absence or incapacity, and in case of the resignation or death of the chairman, the vice-chairman shall perform such duties as are imposed upon the chairman until such time as the Commission shall elect a new chairman.
- D. The secretary shall be designated by the Commission to record the minutes of each meeting and maintain such other records as may be from time to time designated by the Commission.
- E. Should the office of the chairman or vice-chairman become vacant, the Commission shall select a successor from its at large membership at the next regular meeting and such selection shall be for the unexpired term of said office.

Section 4. MEETINGS.

- A. The Commission shall hold meetings on a monthly basis. Special meetings may be called on an as-needed basis for the purpose of reviewing matters as provided in Section One, paragraph G, or for other time sensitive issues.
- B. Five voting (5) members of the Commission shall constitute a quorum at every meeting. A voting member can appoint another voting member as his or her proxy.
- C. The Commission may recommend the removal of any voting member who fails to regularly attend Commission meetings.

Section 5. RULES AND REGULATIONS.

The Commission may adopt reasonable rules and regulations as necessary to accomplish its purpose and to conduct its business.



110 Covered Bridge Lane
Fruitland, MD 21826

October 12, 2013

Mr. Mat Holloway
President, Wicomico County Council
P. O. Box 870
Government Office Building
125 North Division Street
Salisbury, MD 21803 - 0870

Dear Mr. Holloway:

The School Building Commission met in our regular monthly meeting on August 27, 2013. During this meeting we reviewed our by-laws, and voted for our officers for the upcoming year. I was reelected as chairman and Mat Drew as vice-chairman.

We have been discussing the makeup of the Commission and presented the following revisions for discussion:

Our Current membership is as follows:

Mr. Hugh Livingston, Chairman

Mr. Matthew Drew, Vice Chairman

Mr. Marvin Long - Member

Mr. Mat Holloway - County Council

Mr. Joe Holloway - County Council

Dr. John Fredericksen - Wicomico County Board of Education (Superintendent)

Dr. Cathy Townsend - Wicomico County Board of Education (Assistant Superintendent)

Mr. Donald L. Fitzgerald - Wicomico County Board of Education

Ms. Kim Hudson - Wicomico County Board of Education

The makeup of the School Building Commission; as per Section 1, paragraph D of the bylaws approved by the County Council on November 16, 2010 Resolution 162-2010:

"Four (4) members of the Commission shall be appointed by the County Executive and confirmed by the County Council, two of whom shall be members of the County Council. Four (4) members shall be from the Board of Education, appointed by the Board of Education. One (1) Member shall be a joint appointment by the County and the Board of Education."

- Wicomico County Council – 2 members from the council membership
- Wicomico County Council – 2 appointed members
- Wicomico County Board of Education – 4 appointed members
- Joint Appointment County Council and Board of Education – 1 member

Based on the above, we currently have 7 members that are appointed from unknown sources (are they appointed by the County Council, the Board of Education, or a joint appointment?). It is probably safe to assume that Dr. Fredericksen, Dr. Townsend, Ms. Hudson and Mr. Fitzgerald are Board of Education appointees. Mr. Livingston, Mr. Drcw, and Mr. Long were existing members prior to the formulation of the bylaws.

Issues:

1. It is difficult for members of the County Council to attend our meetings on a regular basis.
2. The School Building Commission is underserved by members of the community with technical / building experience. We currently have one opening?
3. The current 3 members of the School Building Commission from the community are not identified as being County, Board, or joint appointments making it difficult to determine the mix of membership.
4. No membership from the County Executive's office.

Suggestion:

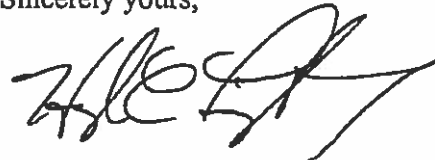
Revise the bylaws to change the mix of the Building Commission membership as follows:

- One member from the County Council
- One member from the County Executive's office
- One member from the WCBOE Superintendent's office
- One member from the Board of Education
- Five members who are approved by the Building Commission and submitted to the County Council for approval

These suggestions were approved by the Commission during our August meeting and we are submitting them to the County in hopes that the current by-laws can be revised accordingly.

Thank you for your consideration and should you have any questions, please do not hesitate to contact me.

Sincerely yours,



Hugh C. Livingston, Jr.

cc: Mr. Brian Foret
Wicomico County Board of Education
101 Long Avenue
Salisbury, MD 21804