

**COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND**

2017 Legislative Session

Legislative Day No. 26

**Resolution No. 145-2017**

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION APPROVING BYLAWS FOR THE WICOMICO PARTNERSHIP FOR FAMILIES AND CHILDREN.

WHEREAS, the County Council, on September 16, 1997, adopted Resolution No. 484, establishing a Local Management Board pursuant to Section 8-301 of the Human Services Article of the Annotated Code of Maryland, to be known as the Wicomico Partnership for Families and Children; and

WHEREAS, Resolution 484 also enacted Bylaws for the management and operation of the Wicomico Partnership for Families and Children; and

WHEREAS, The County Council approved updates to the Bylaws of the Wicomico Partnership for Families and Children by Resolution Nos. 522, 533, 551, 576, 612, 162-2009 and 100-2015; and

WHEREAS, it has now been deemed necessary to amend the Bylaws of the Wicomico Partnership for Families and Children to comply with the State of Maryland Policies and Procedures Manual for Local Management Boards.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, that the Bylaws of the Wicomico Partnership for Families and Children, in substantially the same form attached hereto as Exhibit A, are hereby approved and shall supersede any prior versions.

Done at Salisbury, Maryland, this 21<sup>st</sup> day of November, 2017.

ATTEST:


  
\_\_\_\_\_  
Laura Hurley,  
Council Administrator

COUNTY COUNCIL OF  
WICOMICO COUNTY, MARYLAND

  
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John T. Cannon,  
Council President

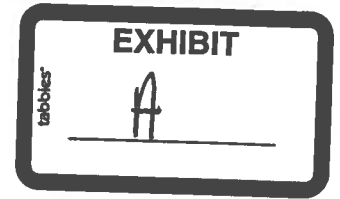
Certification

This Resolution was Adopted , Adopted with Amendments, , Failed, , Withdrawn,  by the County Council on November 21, 2017.

Certified by   
\_\_\_\_\_  
Laura Hurley, Council Administrator

## By-Laws of Wicomico Partnership for Families & Children / Local Management Board

### Article I Name



This Board shall constitute the Wicomico County Local Management Board (LMB), for Wicomico County, Maryland as mandated originally by Article 49D, Section 11, of the Annotated Code of Maryland and shall also be known as the Wicomico Partnership for Families and Children, hereinafter as the "LMB." Herein further established via:

- The establishment of Local Management Boards (LMBs) was originally provided for in Article 49D that was enacted in 1990 and sunset on June 30, 2005.
- In response to the sunset of Article 490, Executive Order O 1.01.2005.34 was issued on June 9, 2005 establishing the Children's Cabinet and the Governor's Office for Children (GOC).
- During the 2006 legislative session, the General Assembly passed Senate Bill 294/House Bill 301 that re-codified the LMBs. As of March 24, 2006, Executive Order O 1.01.2005.34 was amended by Executive Order O 1.01.2006.03. House Bill 301 was signed into law on May 2, 2006, re-establishing LMBs in Article 49D. The law became effective on October 1, 2006.
- Effective October 1, 2007, Article 49D was reorganized and re-codified as Title 8 of the Human Services Article of the Maryland Annotated Code.

### Article II

#### Mission Statement

To promote a safe, healthy and stable environment for all Wicomico County children and families by achieving a comprehensive system of education, health and human services whose effectiveness and responsiveness addresses the needs of children and families through public and private interagency collaboration.

### Article III

#### Function or Purpose of the LMB

##### **Section 1. Service System**

The LMB will be a structure for the County to implement and maintain an efficient system of services for children, adolescents and families. Responsibilities include the following: interagency planning for results, needs assessment goal setting, resource allocation, planning and contracting, and implementing and monitoring state funded or supported interagency services to children and their families in Wicomico County. The LMB is responsible for designing and implementing strategies needed to achieve desired results.

**Planning for Results:**

1. For a complete discussion of this function please refer to the Policies and Procedures Manual for LMBs (Section II, Subsection Planning for Results), which includes the following.
  - i. Child Well-Being Result (Themes, Result Areas, Indicators)
  - ii. Results Based Accountability (RBA) which is basis for:
    1. Community Partnership agreement with the children's cabinet,
    2. Clear impact Scorecard program for reporting all Boards and programs and Board agreements or contracts with Vendors;
  - iii. Population Accountability and Performance accountability
  - iv. Community Engagement

**Section 2. Duties and Responsibilities of LMB****A. Each LMB shall:**

1. Monitor programs and contracts for performance and compliance;
2. Designate staff to fully execute the Community Partnership Agreement (CPA) and other grants awarded from the Governor's Office for Children (GOC) and/or the Children's Cabinet Interagency Funds (CCIF), within budgetary limits;
3. Ensure policies and procedures are in place as required;
4. Notify GOC in writing of any LMB changes, including, but not limited to LMB name, address, phone number, LMB point of contact, Board chair, etc. Notification of changes shall be sent to the Deputy Director of GOC via email as soon as the change is known.
5. Designate a point of contact for the LMB as a means of communication with GOC.
6. The LMB shall designate an individual to attend or participate by phone in LMB meetings with GOC. The meeting provides a regular forum for communication between GOC and the LMB about expectations, changes in policies and regulations, best practices, highlights of LMB work, and other pertinent information.
7. LMB's are the neutral convener in each jurisdiction to stimulate action by State and local government, public and private providers, business and industry, and community residents to build an effective system of services, supports, and opportunities that improve outcomes for children, youth, and families. The LMB plans, coordinates, implements, and manages a local interagency service delivery system for children, youth and families.
8. The LMB is responsible for participating in the development and the implementation of a strategic plan and the development and expansion of the local community-based service delivery system for children and their families.
9. Shall operate according to written practices, rules and/or protocols.
10. Shall adopt Wicomico County personnel, procurement, finance and policies.
11. Shall make its policies and procedures accessible to its community partners.
12. Is responsible for designing and implementing strategies needed to achieve desired results.

13. In accordance with the policies of Wicomico County, contract with the State and vendors to achieve desired results.

B. Other key roles and responsibilities the LMB include:

1. Strengthening the decision-making capacity at the local level;
2. Designing and implementing strategies to achieve clearly defined results for families and children;
3. Maintaining standards of accountability for locally agreed upon results for children and families;
4. Influencing the allocation of resources across systems as necessary to accomplish the desired results;
5. Coordinating children and family services within the jurisdiction to eliminate fragmentation and duplication of services and to establish non-categorical services;
6. Creating an effective system of services, supports, and opportunities that improve outcomes for all children, youth, and families;
7. Operating based on locally agreed upon principles concerning service delivery and the community's commitment to its families and children;
8. Representing local residents, communities, and State and local government.

C. Administrative functions of LMB may include, but are not limited to:

1. Development of community needs assessments;
2. Development, review and implementation of a strategic plan;
3. Local Care Team Staffing
4. RFP/NOFA development, review and implementation;
5. Contract monitoring and evaluation

## **Article IV**

### **Membership**

#### **Section 1. Composition**

LMB may be composed of public, private, and community representatives who share the responsibility for implementing a community-based, interagency, family-focused service delivery system for children, youth and families in Wicomico County.

The LMB will be comprised of a minimum of 5 and no more than 15 members, it is recommended that 51% be public sector and 49% be private sector as defined below.

#### **A. PUBLIC SECTOR MEMBERS**

LMB has core *ex officio* members which may include a senior representative or the department head of the:

1. Local health department;
2. Local office of the Department of Juvenile Services;
3. Local Behavioral Health Administration
4. Local school system; and
5. Local department of social services.

Additional Public Sector members may include representatives from the following departments:

6. Wicomico County Council;
7. Wicomico County State's Attorney;
8. Wicomico County Sheriff's Office Department
9. Wicomico County Parks & Recreation Department
10. Wicomico County Department of Corrections; and
11. Any other Department/ Government agency deemed necessary.

**B. PRIVATE SECTOR MEMBERS**

i. Private Sector members may include representatives from business organizations; civic and neighborhood organizations; community collaborative groups; private providers of employment, vocational services or other human services; and religious

Communities and other individuals involved with children and family issues, such as a member of the early care and education community, etc.

ii. At-large members include parents, youth, and private providers, representatives from advocacy groups, racial/ethnic and cultural diversity, and local communities within the County.

C. All members are expected to contribute to the development of a comprehensive service delivery system.

D. Geographical & ethnic diversity will be considered in the selection of membership to insure diverse perspectives are represented.

**Section 2. Appointment of Members**

The members shall be appointed by the County Executive and confirmed by the County Council in accordance with Section 315 A of the Wicomico County Charter. The County Executive, with the concurrence of the County Council, Director of Board, shall also designate the Chairperson of the LMB. The members of the LMB Board shall serve without compensation. Appointments shall follow the fiscal year, commencing on July 1 and ending on June 30th of third year.

**Section 3. Term, Vacancy and Removal**

Members of the LMB shall be appointed for terms of three years or until their successors are duly appointed and qualified. Each member, other than the public sector members, shall be eligible for appointment to two consecutive three-year terms. After a minimum of one year period not on Board, a person may reapply for reappointment. Public sector members shall be eligible for unlimited reappointment. Any vacancies occurring in the LMB membership shall be filled in the same manner as specified in Section 2 above. The County shall have the authority to remove any member of the LMB when, in its discretion, the best interests of the community shall be served thereby. When a member leaves his or her employment with that agency, the resulting vacancy shall be filled by another representative of the agency. A letter noting the change in personnel shall be sent to County Executive and LMB Director to maintain an accurate roster of members.

**Section 4. Resignation**

Members must submit a letter of resignation to the Chair of the LMB and the Wicomico County Executive.

## Article V

### Officers

#### Section 1. Chair

The LMB will have a Chair, who shall be appointed as specified in Article IV, Section 2 and who shall have the following duties. The Chair will preside at all meetings of the full board; appoint chair people for board committees in consultation with the Director; ensure the proper records (e.g. minutes, agendas) are established and maintained; speak on behalf of the LMB, and act as a leader for the board in its effort to achieve the goals outlined in these By-laws. The Chair will serve one three-year term, the term may be extended for one year under special circumstances.

#### Section 2. Vice-Chair

The Vice-Chair shall be elected bi-annually by the LMB. The Vice-Chair shall assist the Chair as requested and will perform the duties of the Chair in case of the Chair's absence. Special responsibilities include: review membership attendance and commitment to duties in compliance with by-laws; and coordinate ad-hoc committees for board membership recruitment, annual friend of the children award, and others as assigned. The Vice-Chair will serve a one year term and may be reelected for an additional two one-year terms.

#### Section 3. Treasurer

The Treasurer will be elected bi-annually by the LMB. The Treasurer manages the Board's review of, and action related to, LMB financial responsibilities. The Treasurer works directly with the fiscal specialist and Director in developing reports and recommendations to the Board and County Council. They ensure that appropriate financial reports are made available to the board. Reports are made quarterly to Board on key financial events, trends, concerns, and assessment of financial health. The Treasurer chairs the Finance Committee and prepares agendas for meetings in consultation with the fiscal specialist and Director. The Treasurer will serve no more than two two-year terms.

#### Section 4. Committee Chairs

Executive Committee, Finance Committee, Results Committee, and Ad-Hoc Committees.

#### Section 5. Mid-term Vacancy

In case of a mid-term vacancy in the office of Vice-Chair or Treasurer, a special election will be held to fill the position.

## Article VI

### Meeting

#### **Section 1. Meetings**

The LMB will meet at least quarterly to oversee the implementation of an effective system of services, supports, and opportunities that improve outcomes for children, youth, and families. Quarterly meetings of the members shall be held on dates as determined by the Chair by July 1.

Special or emergency meetings of the members may be called at any time for any purpose or purposes by the Chair or by a majority of the Board. A minimum of 24 hours' notice shall be provided in writing for such special or emergency meetings. Business transacted at all special or emergency meetings of members shall be confined to the purpose or purposes stated in the notice of the meeting.

#### **Section 2. Attendance**

Members are expected to attend (75%) of all scheduled meetings per year. Public sector members (Article IV, Section 1 A) may send a designated proxy who shall remain informed of all LMB business. Non-Public Sector members who fail to attend three consecutive regular monthly meetings in a calendar year, unless such absence is excused by the Board, will be dismissed from the Board and notified by letter.

#### **Section 3. Voting and Quorum**

- A. At all meetings of members, every member shall have one (1) vote. Public sector representatives, as defined in Article IV, Section 1 A, may vote either in person or by proxy appointed by an instrument in writing subscribed by such members, bearing a date specific to the meeting prior to said meeting, unless said instrument provides for a longer period. Such proxy shall be dated but need not be sealed, witnessed or acknowledged. All members or designated proxy must be present to cast a vote.
- B. A quorum is required in order to constitute an official meeting. A quorum shall consist of at least 51% of total Board membership; and 25% of *ex-officio* members of the Board. A meeting in which a quorum of both groups is not satisfied cannot be considered an official meeting, and no decisions or votes from the meeting can be considered binding unless and until a majority of the voting members have ratified any actions considered.
- C. The LMB Board shall maintain minutes to document attendance and the business conducted at the meetings.
- D. All questions shall be decided by a majority of the votes cast at a duly constituted meeting.

## Article VII

### Conflict of Interest

#### **Section 1. Prohibited**

No member of the LMB shall participate in a matter with respect to which a conflict of interest may exist. It is the responsibility of every LMB member to declare any such interest in a matter before the LMB prior to the commencement of discussion.

#### **Section 2. Definition**

A conflict of interest shall be defined as:

- A. Participation as an agent on behalf of the LMB in any matter which, to their knowledge, would have a direct financial impact on them, their spouses or dependent children, or an entity with which they are affiliated, as distinguished from financial impact on the public generally.
- B. Holding or acquiring of any substantial interest in an entity that has or is negotiating a contract with the LMB.
- C. Employment by an entity that has or is negotiating a contract under discussion with the LMB
- D. The representation of any party for a contingent fee before the LMB.
- E. The solicitation of any gifts or acceptance of any gifts of a value greater than \$25 from any person or firm that has or is negotiating a contract with the LMB, except when such gifts would not present a conflict of interest as determined by the Wicomico County Ethics Commission. For purposes of this section, "gift" includes the transfer of anything of economic value, regardless of form, without adequate and lawful consideration.
- F. Misuse of the prestige of their office for their own economic benefit.
- G. Misuse of confidential information acquired in their official position for their own economic benefit or that of another.

#### **Section 3. Procedure**

Prior to the discussion of any matter over which the LMB has jurisdiction or on which it will vote, the following procedures will be followed:

- A. The member shall declare their interest in the matter, or
- B. Any person present at a meeting may raise a possible conflict of interest of any member and provide reasons for the claim. If a question arises concerning the existence of a conflict of interest, the matter shall be referred to the County Attorney for referral to the Wicomico County Ethics Commission Rules & Procedures.



- C. After an interest has been disclosed or raised and determined, the project or proposal shall be presented by a representative who is not a voting member of the board. The voting member shall leave the room and shall not be present for the motion, discussion, and vote on the matter.

**Section 4.** Officers, employees, and members of the Board of Directors of the LMB/ vendors/subcontractor(s)/sub grantee(s) cannot be paid consultants to the organization, its member agencies, or its contractors and grantees.

**Section 5. Ethics Chapter of the Wicomico County**

Members of the LMB shall be subject to the provisions of the Wicomico County Charter and Code.

**Article VIII**

**Confidentiality**

The LMB shall maintain the confidentiality of children and families served and not disclose the name or other identifying information about the child and/or family, including in its written or electronic correspondence with GOC or with others.

**Article IX -**

**Staff**

As an instrumentality of the county, the LMB Director and staff shall be hired, evaluated and dismissed in accordance with the provisions of the Wicomico County Charter and the personnel policy of the county. A Director and sufficient staff will be employed by the County to fully execute the Community Partnership Agreement (CPA) signed with the State, within budgetary limits. Such provisions are as follows:

**Section 1. Director.**

The following guidelines apply with regard to the hiring, evaluation, and dismissal of the LMB Director. LMB Director shall be employed in compliance with the Wicomico County Charter, and all other applicable laws, resolutions, and regulations of the county.

- A. Hiring The LMB Director shall be appointed by the County Executive, subject to the confirmation of the county council in accord with Article III, Section 315 A. of the County Charter. In making this appointment, [ the County Executive shall seek and consider the advice and recommendation of the LMB Executive Committee].
- B. Evaluations All evaluations of the LMB Director shall performed pursuant to Wicomico County personnel procedures. The LMB Director evaluations shall be conducted by the Director of Administration with input from the LMB Board.

- C. Discipline/dismissal All disciplinary procedures and the dismissal of the LMB director shall be taken pursuant to Wicomico County personnel procedures. Namely, dismissal may be recommended to the Director of Administration by the LMB or any other interested person. Final decision and institution of dismissal shall be solely upon the written order of the County Executive. Prior to any final determination of dismissal, the County Executive is encouraged to seek the advice and evaluation of the LMB Executive Committee.

## **Section 2. Staff**

The following guidelines apply with regard to the hiring, evaluation, and dismissal of the LMB staff.

Any LMB personnel other than the Director shall be considered staff. Staff positions shall be before the LMB prior to the commencement of discussion.

## **Article X**

### **Committees**

#### **Section 1. Committees**

The Board may, by resolution passed by a majority of the whole Board, designate one or more committees.

#### **Section 2. Standing Committees**

The Standing committees may consist of the Executive Committee, Finance Committee, and Results Committees (up to four) as determined necessary by the Board.

#### **Section 3. Executive Committee**

The LMB shall have an Executive Committee. The Chair of the LMB shall serve as the Chair of the Executive Committee. The members of the Executive committee shall consist of the Chair of the LMB, the Vice Chair, the Treasurer, and the chairs of the Results Committees. It shall be the duty of the Executive Committee to handle emergency matters, oversight of strategic planning.

#### **Section 4. Finance Committee**

The LMB will have a Finance Committee. The Treasurer of the LMB will serve as the chair of the Finance Committee. It shall be the duty of the Finance Committee to review the financial status of the LMB, be knowledgeable of funding resources, and recommend fund development strategies to support the overall resource needs determined to achieve goals set out in the five-year strategic plan, and such other related matters as may be assigned by the LMB from time to time.

## **Section 5. Results Committees**

The Results Committees will be representative of the State results for child well-being that the LMB Board has decided to focus on for Wicomico County families and children. The Result Committees may develop a strategic plan for their result area for inclusion in the three-year plan upon approval by the full LMB, and will participate in implementation of strategies through program planning and review, public outreach, monitoring achievement of outcomes, resource development, and other responsibilities in planning for results.

The LMB Chair, in consultation with the Director, will appoint a committee chair from the current board to serve one three-year term. The committee chair will also be a member of the Executive Committee.

The committee chair will facilitate quarterly meetings of committee and insure minutes of each meeting are recorded and copies given to the LMB staff liaison. They will also represent the committee to the Board by presentation of reports/recommendations from the committee to Board.

## **Article XI**

### **By-Laws & Amendments**

The Board shall review the by-laws at least every three (3) years to ensure that the by-laws are current and meet the needs of the LMB. The by-laws are revised as needed to reflect actual practice.

Amendments to the Bylaws may be proposed by any member of the LMB and must be submitted in writing and read at a regular full Board meeting. The proposal to amend the Bylaws and the text of the amendment must be included in the notice of the following regular full Board meeting, at which time the Board shall vote on the proposed amendment. Such amendments, if approved per vote following guidelines in Article VI, Section 3, shall be submitted by the County Executive for approval by the Wicomico County Council for approval by Resolution. No amendment shall take effect unless approved by the County Council.

## **Article XII**

### **Miscellaneous**

1. Fiscal Year: The fiscal year shall be from July 1 to June 30.
2. The LMB is subject to Wicomico County's policies and procedures for personnel, procurement, finance and accounting. The LMB shall recommend revisions to those polices as necessary to reflect changes in the LMB Policies & Procedures Manual and other applicable federal, State, and/or local laws, regulations and policy.
3. Indemnification: The LMB is part of the Wicomico County Government, therefore, its agents, officers, employees and volunteers are insured under the Wicomico County Government's insurance so long as the LMB agents, officers, employees and volunteers act within the scope of their employment.

*By-laws adopted pursuant to Resolution Number 484, dated September 16, 1997, amended by Resol. No. 522, dated December 5, 2000; Resol No. 533, dated December 4, 2001; Resol. No. 551, dated October 15, 2002; Resol. NO. 576, dated June 15, 2004; and Resol. No. 612, dated August 1, 2006; Resol. NO. 162, dated December 15, 2009.*