

Open Work Session

Letter of Support for Proposed Change to the State Education Article on Budget/Reporting Requirements for the Wicomico County Board of Education

January 19, 2021

Mrs. Acle said this Legislation is already State Legislation, so this would be a Bill correction. She explained, the other Counties with an Executive form of Government have had this since the inception of the Executive form. She said Wicomico formed their Executive form of government after the State Bill was written, so this would be adding Wicomico to the already existing State Legislation.

Mr. Holloway asked if this is basically a housekeeping measure, to which Mrs. Acle responded, correct.

Mr. McCain said he would like to ask that question to the Board of Education folks. He clarified, he would like to ask them if they consider this a housekeeping measure since this is already being done, to which Mrs. Acle responded, this is really for the citizens. She suggested they could have a Public Hearing. Mr. McCain clarified, the Board of Education folks are here today to address this, so his question is to them.

Dr. Donna Hanlin, Superintendent of Schools; Mr. Micah Stauffer, Chief Finance and Operations Officer; and Mr. Jesse Reid, Comptroller, then came before Council. Dr. Hanlin said she is not familiar with this being just a housekeeping measure. She said she made her comments earlier today, and she believes there are five other Counties in the State that have some sort of requirement, but they vary from County to County in terms of what is requested. She clarified, her point is that she knows the Legislation is not necessary, and part of it is already in the law.

Mr. Reid said it is in the law for Anne Arundel County, but only in Anne Arundel County, to which Mrs. Acle responded, Prince George, Montgomery, Howard, and Cecil are also in Council's Brief Book. Mr. Dodd asked if those Counties all have County Executive forms of government, to which Mrs. Acle responded, yes. Dr. Hanlin said, again, they are worded differently, and there are different requirements from system to system, but the one that is most similar to what Mrs. Acle is proposing is Anne Arundel.

Mr. Holloway asked why Dr. Hanlin is opposed to transparency? He said he does not understand that, to which Dr. Hanlin responded, she is not opposed to transparency, just the opposite. She clarified, all she is saying is that these reports already exist. Mr. Holloway said Dr. Hanlin handed out these detailed transition reports by period, but all it has is the name of a company and the amount, but it has nothing about what was bought, it just says supplies and materials. He said his experience in the past of trying to get information from the Board of Education is that the last time he asked for information, he was told he could come to the office and sit in front of the computer, but he could not print out the information he wanted, the Board could not print out the information he wanted, and he could not get copies of it. He said it just seems that when somebody asks questions, there is no answer sometimes. He said he does not know how anybody can vote against transparency, whether it is the Board of Education, the County Council, the County Executive's Office, or any other organization in Wicomico County.

Mr. Stauffer said he just wants to reiterate what Dr. Hanlin has already said. He said, by this going forward, it is going to be very redundant in that the same information is already located on their website for the entire community to see. He added, also, they already come to the Council any time they have to ask for a transfer between categories because it is what COMAR says they have to do.

Mrs. Acle said this is not to cause any kind of contention. She said we are simply wanting Wicomico County to have the ability as the other Counties with an Executive form, and this will put them there and make it Legislation. She clarified, it is already existing, this is just a Bill correction.

Mr. McCain said Mrs. Acle said "we" are requesting this. He then asked who "we" is, to which Mrs. Acle responded, the citizens of the County. Mr. McCain asked, the citizens are requesting this? He said Mrs. Acle is requesting this, to which Mrs. Acle responded, she is bringing this up that Wicomico County is not added to the already existing Legislation. She said it makes it clear that the citizens will receive more transparency. She said she represents citizens, not the government. Mr. McCain responded, Mrs. Acle keeps saying "we," but this will not create more transparency because transparency exists.

Mr. Davis asked, with the new transparency, if it says upkeep of grounds, would it go into specifically saying exactly what upkeep of grounds would do, to which Mrs. Acle responded, yes.

Mr. Reid said initially they did have more detail, but they ran into some confidentiality issues with contract pricing, so they had to keep it high level, and that is why it is the way it is, to which Mrs. Acle responded, she completely understands as they do the same thing with the County.

Mr. Cannon said he can always agree with transparency requests, but he does not believe they should create such redundancy such as this is suggesting. He said they could send a letter to the State requesting that every single check the Department of Education writes has to come across this table first, and that is transparency if they really want transparency, but what is really being efficient and effective, he thinks, is allowing them to do their job as they are doing. He said he has been on the portal, and he knows, if someone needs the information, it is out there, and they stated this as well. He said he would rather they be sitting here having a discussion about COVID and what they are going to do about virtual learning as opposed to a letter about trying to create a redundancy in budget requirements. He said he does not think this is necessary.

Mr. Cannon said he also has a concern that the letter that was in the Brief Book has two signature lines; one is Mr. John Psota's, the Acting County Executive, and one is the Council President. He clarified, he likes that format, but they do not have a letter of endorsement from the County Executive at all, and the County Executive is not in favor of this, so he does not see how Council is going to send a letter to the State of Maryland, especially given the fact that the letter suggests Mr. Psota is in favor of this when he is not. Mrs. Acle then asked, how do they know Mr. Psota is not in favor of it, to which Mr. Cannon responded, he talked to Mr. Psota yesterday. Mr. Davis said Council needs to hear that from Mr. Psota. Mr. Cannon said, if Council wants, they can table this and have this discussion in two weeks, but he just spoke to Mr. Psota yesterday, and he said very clearly that he is not in favor of this. He said Mrs. Acle has had conversations with Mr. Psota, and he thinks Mr. Psota shared that with her as well, to which Mrs. Acle responded, no, he did not. She said Mr. Psota has never shared that with her, but if that is

how he feels, he can let citizens know he is not in favor of further transparency. Mr. Cannon said Mrs. Acle can put words in Mr. Psota's mouth all she wants, but the reality is that Mr. Psota's perception of what this intends to do, Mr. Psota feels is unnecessary.

Mr. Gene Malone, Chairman of the Wicomico County School Board, came to the podium. He said he thinks they are very transparent as they stand now, but the issue to him with this whole discussion is it is based on transparency, yet the way this is being handled is not very transparent. He said the way to have handled this would have been to say the Council has a Resolution they would like to send to the Legislature, and ask to talk about it and have a workgroup maybe with a couple Councilmembers, a couple Board Members, and the Superintendent's team, and talk through this and see if it is necessary. He said this was not ever proposed to them, other than being notified on Friday that it would be on the Work Session Agenda. He said, in the interest of transparency, it is ironic that the whole presentation was not very transparent, so those are his comments as Chairman of the School Board. He said they appreciate the collaboration, and they have a strong partnership, but he would like to work through these issues in small groups and then bring it forward, and then it is up to Council what they want to do.

Mrs. Acle said, if the School Board meeting is open and they allow comment or citizen comment, she thinks that would be a good time for that.

Mr. McCain said he thinks what Mr. Malone said was put very well, and he certainly agrees with that. He said also, this was added to Council's Agenda, and was not in their original Brief Book, so it got added on Friday for Council as well, and he has not had adequate time to reach any kind of comfort level with it.

Mr. Dodd said there was another item they were going to put on the Agenda by another Councilmember, but they were asked to take it off, so that does happen occasionally when some things are added on. He said he thinks maybe they thought there was a rush for time.

Mr. Hastings said, if he remembers correctly, they talked about this a little bit last year, but it would be nice to maybe have, just as Mr. Malone suggested, a group to figure this out over the next year. He said there may be ways they can make things more transparent without getting themselves to the level of being at risk of exposing too much information. He clarified, just like parts of the Council meetings are not for full public consumption, it is the same thing with other information, so transparency is kind of a double edge there. He suggested maybe that is something they could do in the long-term.

Mrs. Acle said this may be something that the citizens need to approach the State Legislators with if this is something they want, and maybe go that direction.

Mr. Cannon said, as an at-large representative, he honestly has not had one person come up to him and say they need to have more transparency over the Board of Education. He said he just has not had that.

Mr. Dodd said he thinks all Councilmembers would prefer to see transparency, and he thinks everyone is trying to do their best. He said Mr. Cannon brought up a good point, and he is not confident that he knows which way Mr. Psota will go, as he has not talked to him, so he does not know if Mr. Psota would support this or not. He said he would have liked to have seen Mr. Psota here at the meeting.

Mr. Holloway said there is no law or rule that says the Executive has to support it for Council to send it. He said, in the past, that is what they have always tried to do to have cooperation from the County Executive's Office, but there is nothing written anywhere that he knows anything about. He then asked Mr. Taylor if that is correct, to which Mr. Taylor responded, as far as he is aware, that is not needed. Mr. Holloway said Council can send a letter if they want without Mr. Psota or the County Executive, and Mr. Psota can send a letter without Council if he wants, so he does not see that this is anything to make a difference on whether to have a consensus vote for this or not, to which Mr. Cannon responded, it does make a difference in the General Assembly. He clarified, if they have a letter or any type of proposed Legislation going to Annapolis, if they do not have coordination between the Legislative Body and the Executive Body in their own County, they are not going to look at it twice.

Mr. Holloway said this is already a Bill, and all this does is add housekeeping, as he said before. He said he understands what Mr. Cannon is saying, and he agrees with him on that fact, but there is nothing that says Council cannot send it anyway. He clarified, it might not go anywhere when it gets there, but there is nothing written that says Council cannot send a letter without cooperation from the County Executive.

Mr. Dodd said he is going to ask for a consensus, starting with Mr. Cannon, to which Mr. Cannon responded, no; Mr. Hastings, no; Mrs. Acle, yes; Mr. McCain, no; Mr. Davis, yes; Mr. Holloway, yes; and Mr. Dodd, yes.

Mr. McCain asked how this letter is going to be addressed? He clarified, they have set a precedent now where Councilmembers are individually opposing letters when the Council sends them. He then asked if the Councilmembers who do not support this should write "opposed" on the letter, to which Mr. Holloway responded, he thinks Mr. McCain is referring to his opposition on another letter. He said Mr. McCain can write anything on this letter he wants, he gives him permission.

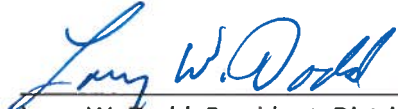
Mr. Cannon suggested that any letters that come into the Brief Book should not have the County Executive's signature line together with the Council President's signature line unless they have a letter of endorsement from the Executive Branch. Mr. Dodd said he agrees with that, and he thinks that should be on all matters. There was no further discussion.

Signatures on next page

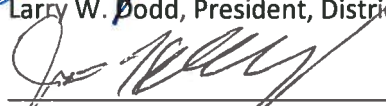
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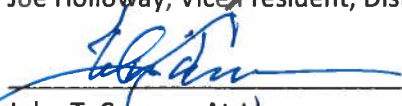
January 19, 2021



Larry W. Dodd, President, District 3



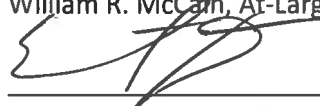
Joe Holloway, Vice President, District 5



John T. Cannon, At-Large



William R. McCain, At-Large



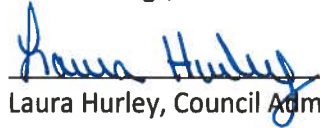
Ernie Davis, District 1



Nicole Acle, District 2



Josh Hastings, District 4



Laura Hurley, Council Administrator