

FREDERICK COUNTY, MARYLAND

BY-LAWS

FREDERICK COUNTY COMMISSION ON DISABILITIES



These bylaws were adopted by the Frederick County Commission on Disabilities (COD) on 11 September 2017. They replace all previous versions and amendments of the COD's bylaws.

FREDERICK COUNTY COMMISSION ON DISABILITIES BYLAWS

ARTICLE I: NAME

Name: The name of this organization shall be the Frederick County Commission on Disabilities (hereinafter referred to as “COD”).

Establishment: Established on August 10, 1993 by vote of the Board of County Commissioners.

ARTICLE II: PURPOSE, AUTHORITY, DUTIES AND RESPONSIBILITIES

- A. Purpose: The purpose of the COD shall be to advise the County Executive and other elected officials on matters regarding compliance with the Americans with Disabilities Act (ADA), related legislation, and other issues under COD’s purview.
- B. Authority: The COD shall have such authority as may be conferred on it by the County Executive.
- C. Duties and Responsibilities: The COD shall have the following duties and responsibilities:
1. Review programs and services for people with disabilities, including identifying unmet needs and gaps in service.
 2. Identify, analyze, and evaluate barriers to programs and services for people with disabilities.
 3. Review reports and publications of government agencies providing services to people with disabilities.
 4. Advocate on behalf of citizens with disabilities.
 5. Review federal, state, and local legislation that concerns or would affect people with disabilities.
 6. Study ways to maximize the use of facilities and services available to people with disabilities.
 7. Participate in or conduct meetings to provide direct communication among people with disabilities, private and public organizations, and with the general public regarding programs and services for people with disabilities.
 8. Advise the County Executive of sources of state and federal funding for services and programs for people with disabilities.
 9. Make recommendations to the County Executive for procedures, programs and legislation to promote the well-being of people with disabilities.

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10. Make recommendations to the County Executive about the County's contribution to programs and services to people with disabilities.
11. Advise the County Executive, as well as County divisions, departments, and agencies of the duties and responsibilities imposed by federal and state laws affecting people with disabilities.
12. Submit an annual report by December 31 each year to the County Executive that includes:
 - (a) the status of services and programs for people with disabilities in the County;
 - (b) recommendations for the more effective delivery of services and programs to people with disabilities; and
 - (c) annual budget and policy priorities for delivery of services to people with disabilities.

ARTICLE III: MEMBERSHIP

- A. Members: The COD is composed of nine residents of Frederick County appointed by the County Executive, subject to confirmation by the County Council.
 1. A citizen who is a registered voter may apply for appointment to the COD by writing a letter of interest to the County Executive with a statement of his/her qualifications and desire to serve. Open positions may be advertised in accordance with Frederick County policy.
 2. Members are appointed for overlapping terms of three years and serve until a successor is appointed. Members serve without compensation.
- B. Appointments, Terms, Resignations and Vacancies:
 1. In order to receive a recommendation from the COD to the County Executive, all candidates for appointment are interviewed by the COD's Chairperson and other members of the Executive Committee or their representatives. Prospective candidates must attend at least one COD meeting prior to being eligible for an interview with the Executive Committee. If the Executive Committee recommends an appointment to the COD at the next full meeting, a quorum must be present and approval must be by a majority vote of those members present and voting. If then approved by the County, candidates will receive written notification of their appointment from the County Executive's office.

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2. Terms for all members begin on July 1 and end on June 30 of the third succeeding year.
3. Any member may resign his/her appointment at any time by submitting a letter of resignation to the County Executive with copies to the COD Chairperson and County Staff Liaison. The resignation becomes official at the following full meeting of the COD upon declaration of vacancy by the Chairperson.
4. Vacancies on the COD are filled for the unexpired term of the departing member. The person appointed to fill the vacancy would then have to reapply for consideration of appointment to a regular term of three (3) years.

C. Responsibilities:

1. Members are expected to attend COD meetings on a regular basis, as well as attend any special events, such as forums, etc. the COD may host.
2. Members are expected to actively participate in at least one committee.
3. If a voting member is absent for two consecutive meetings, the member shall be contacted to determine said member's interest. If a member is absent for three consecutive meetings without a reasonable excuse, such member's tenure shall be voted upon by the COD and notice given to the County Executive.
4. Members are expected to volunteer at community events the COD may agree to participate in.

ARTICLE IV: OFFICERS

- A. Officers of the COD: COD Officers shall consist of a Chairperson, Vice-Chairperson, and Recording Secretary. The COD will also have a Treasurer as an officer in the years that the county has approved a budget for the COD.
1. Only members of the COD shall be eligible to serve as officers.
- B. The Corresponding Secretary of the COD shall be the COD's County staff liaison, and will serve without vote. Specific duties include:
1. Attending all meetings of the full COD.
 2. Maintaining current, accurate copies of all documents of the full COD.
 3. Maintaining the membership roster and terms of office of each COD member.
 4. Maintaining a list of all committees and their members.

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5. Arranging interviews for potential COD members and forwarding applications of recommended persons for appointment to the Frederick County Executive
 6. Filing and disseminating reports, documents and other correspondence on behalf of and as directed by the COD, and preparing such documents if directed by the COD Chair.
 7. Maintaining a record of all monthly COD meetings.
 8. Administering all awarded County funds.
- C. Terms of Officers: Officers of the COD shall serve for one year from July 1 through June 30. However, the Chairperson shall not serve more than two consecutive terms as the Chairperson.
- D. Election of Officers: Nominations for Officers will be presented by a nominating committee in April of each year, and at such times as may be deemed necessary. At the time the election is held, nominations may also be made from the floor after the Nominating Committee makes its report.
1. In all cases where more than one person has been nominated for a single position, the election shall be by ballot. In cases where only one person has been nominated for a position and nominations have ceased, the Chairperson may conduct the election by voice vote if so desired.
 2. In the event of a ballot election, balloting for election of Officers shall take place in the following order: Chairperson – first, Vice Chairperson – second, Recording Secretary – third, and if the position is needed, Treasurer – fourth.
 3. No member shall hold more than one office at a time.
 4. Elections will be held in May with the new officers taking their positions on July 1.

ARTICLE V: COMMITTEES

- A. The COD shall have the following committees:
1. Executive Committee
The COD's Officers named in Article IV, Section A, shall serve as the Executive Committee.
 - a. The Executive Committee shall have authority over the affairs of the full COD between the monthly meetings of the full COD, consistent with the directives of the full COD, these bylaws, and any such Regulations, Rules of Procedures and all other applicable laws, codes and ordinances.

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- b. The Executive Committee shall be accountable to the full COD for its actions, and any action so taken by the Executive Committee shall be reported to the COD before or at the next regular meeting of the COD.
- c. The Executive Committee shall have the power to adopt rules governing its own proceedings and shall establish its own meeting day, time and place, which will be provided to all members of the COD. A record shall be kept of all Executive Committee meetings by the Recording Secretary.
- d. Any COD member may attend the meetings of the Executive Committee, but will not be involved in the interviews of potential COD members.

2. Nominating Committee
There shall be a Nominating Committee as provided in Article IV of the bylaws.
3. Other Committees
Other committees may be established by the Chairperson or COD as deemed necessary.

B. Appointment of Committees:

1. Committee Chairpersons – Every Committee shall have a Chairperson or Co-Chairperson who shall be appointed by the Chairperson of the COD. Only members of the COD or the County staff liaison shall be appointed as Committee Chairpersons.
2. Committee Members – Members of Committees shall be appointed by the Chairperson of the COD, but no member volunteering to serve on any Committee shall be denied such appointment. All members of the COD shall be eligible to serve as members of the Committees. Interested members of the general public may serve on committees at the discretion of the COD Chairperson.

Article VI – Duties of Officers

A. Duties of the Chairperson:

1. Preside over all full COD meetings and events
2. Except as provided in Article VI, Section B (2) below, appoint members of the Standing Committees.
3. In consultation with, and upon the recommendations of the Standing Committee members, appoint Standing Committee Chairpersons.
4. Establish Special Committees; appoint members and Chairpersons, in consultation with the Committees' members.

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5. Receive and ensure appropriate distribution of applications for membership and interview new member applicants.
 6. Serve as the official spokesperson for the COD.
 7. Serve as the ex-officio member of all Standing and Special Committees.
 8. Send meeting reminders to COD members by email at least five days prior to the next full COD meeting.
 9. Perform such other duties as the full COD or Executive Committee may direct.
- B. Duties of the Vice Chairperson:
1. Carry out the duties of the Chairperson in his/her absence.
 2. Appoint members of the Nominating Committee
 3. Serve as the ex-officio member of no more than three committees.
 4. Other duties as may be assigned by the Chairperson
- C. Recording Secretary:
1. Record minutes of all regular and special meetings of the COD, and will Provide the minutes to the Chair and Correspondence Secretary at least one week prior to the next regular meeting of the full COD.
- D. Treasurer (in years the COD has a budget):
1. Monitor COD expenditures.
 2. Raise an objection if any action pending before the COD requires an expenditure of funds the COD does not have funds to cover or is not within the approved budget.
 3. Report the status of the budget to the full COD at all meetings and to the Executive Committee.
 4. Receive requests for money from the Standing and Special Committees of the COD, and advise the full COD of the request at its next scheduled meeting for action, or by email if there is an immediate need before the next meeting of the full COD
 5. Other duties as may be assigned by the Chairperson.

ARTICLE VII: MEETINGS

- A. Regular Meetings:
1. The COD shall meet on the second Monday of every month except August and December, unless that day is a Federal Holiday and the County is closed. If the County is closed, the COD will meet on the second Tuesday instead.
 2. The meeting date, time and place are subject to change by a majority vote of the membership at any COD meeting or at the discretion of the Chairperson.

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3. At the discretion of the Chairperson, a portion of the meeting may be designated as closed to all except members and Corresponding Secretary or other designated County staff liaison in his/her absence, but only to the extent authorized by the Maryland Open Meetings Act.
4. Public meetings of the COD must be held in places accessible to the public.
- 5.. All full COD meetings shall be conducted consistent with the requirements of the Maryland Open Meetings Act.
6. The Executive Committee shall determine the means by which the public and media shall be notified of Public Meetings of the COD, consistent with the Maryland Open Meetings Act.
7. Each member will be notified by email at least five (5) days prior to every full COD meeting. In emergency situations, a reasonable attempt will be made to notify all members. If the notice is by telephone, an accurate phone log will be maintained.
8. Committee reports – including committee votes/actions/positions within its assigned purview – will be approved and validated by voice votes of the full COD at its monthly meetings, with the exception of those items extracted for special consideration and recorded COD vote.

B. Special Meetings:

1. Special meetings of the COD may be called at any time by the Chairperson, on at least 10 days notice to the membership, or upon vote of a majority of the members of the COD.
2. All calls for Special Meetings of the full COD shall be in writing, signed by the ordering authority, and shall contain the date, time, place of the meeting and include an agenda for the meeting.
3. No business other than that stated on the agenda may be conducted at any Special Meeting of the full COD.

C. Quorum for Regular or Special Meetings:

1. A quorum of the COD at regular meetings shall consist of 50% of the number of current members, plus one member. If an item before the COD must have immediate resolution, the Chairperson has the right to act on behalf of the COD. Members shall be notified of these actions at the next regular meeting.
2. A quorum for Standing and Special Committees is a majority of the membership for each committee.

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Article VIII: Limitations and Restrictions (Except as otherwise noted)

1. Except for the Chairperson, no member or staff person shall represent or speak on behalf of the COD, unless duly authorized by the Chairperson or by a two-thirds vote of those COD members present and voting.
2. No Committee, Special Committee or member may take any position, make any public statement, testify or otherwise act on any matter as an official entity or representative of the COD unless the position, statement, testimony, or action has been previously approved by two-thirds vote of those COD members present and voting. In cases where the issue is of considerable urgency or importance, the approval of the Executive Committee shall suffice.
3. No Standing or Special Committee member may spend or commit to spending COD funds, unless such expenditures are within the fiscal limits of the CODs' approved budget; and is also approved by a two-thirds (2/3) vote of the full COD. Spending must be consistent with any policy adopted by the full COD for approval of expenditures of funds. In cases where the matter is of considerable urgency or importance, the approval of the Executive Committee shall suffice. Upon justification, items may be added to the budget provided revenues are available to offset costs.
4. No business requiring a vote may be conducted except in the presence of a quorum.

ARTICLE IX: PARLIAMENTARY PROCEDURE

The proceedings of this COD shall be conducted in accordance with Robert's Rules of Order, except to the extent that it is inconsistent with these bylaws or other rules adopted by majority vote of the COD.

ARTICLE X: AMENDMENT

- A. Any amendments proposed to these bylaws shall be submitted in writing to the members 30 days prior to a regularly scheduled meeting of the COD. It shall be specifically identified as an item on the agenda in the notice of the next regularly scheduled meeting and shall be voted on at the meeting. Amendments to the bylaws shall require a two-thirds majority of the COD. Members who are unable to be present at a meeting where amendments of the bylaws are on the agenda, may vote by written proxy.
- B. Before the COD takes formal action on the proposed amendments, the COD will forward the proposed amendments to the Office of the County Attorney for review and comment.

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- C. Following the COD's action on the proposed amendments, the COD will forward the approved amendments to the County Executive for approval.

ARTICLE XI: VOTING BY EMAIL

When a matter arises that requires immediate decision by the COD, the Chairperson may canvass the members of the COD and solicit their votes by email. In such cases, the result of any vote and the vote of each member shall be reflected in the minutes for the next meeting.

Amended: 03/05/2001, 11/14/2005, 05/11/2009, 11/12/2013, 11/14/2016, 6/26/2017,
9/11/2017