

**A RESOLUTION PERTAINING TO APPOINTMENT TO FILL A VACANCY IN THE  
CALVERT COUNTY BOARD OF EDUCATION**

**WHEREAS**, the Honorable William J. Phalen, Sr., was selected by the voters of Calvert County to serve a four-year term as an At-Large representative on the Calvert County Board of Education and served as its President at the time of his passing;

**WHEREAS**, Mr. Phalen was first appointed to the Board of Education in 1993, was active in the Maryland Association of Boards of Education ("MABE"), serving as its President in 2007, and received the Willis Award for outstanding boardmanship from MABE in 2009;

**WHEREAS**, Maryland Annotated Code, Education Article, Section 3-301(e)(2), directs the Board of County Commissioners of Calvert County, Maryland (hereinafter, the "Board of County Commissioners") to appoint a new member to fill any vacancy on the County Board of Education for the remainder of that term and until a successor is elected and qualifies;

**WHEREAS**, the law requires the successor for an At-Large position be: (1) a resident of the County; and (2) registered voter of the County for at least two years prior to the beginning of their term of office; and

**WHEREAS**, the Board of County Commissioners has determined that it shall appoint a successor from the well-qualified residents of the County, with whom they entrust the development of Calvert County's greatest asset, our children.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners that, in accordance with the powers and duties set forth in Maryland Annotated Code, Education Article, Section 3-301, and upon, careful consideration of the importance and significance of this appointment, that the Board of County Commissioners selects former County Commissioner Pat Nutter of Owings, Maryland to complete the unexpired term of William J. Phalen, Sr. as an At-Large representative on the Calvert County Board of Education;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland, that, in the event any portion of this Resolution is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Resolution shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Resolution, or unless deletion of the valid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Resolution;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein; and

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective upon recordation and publication of a fair summary.

**DONE**, this 15<sup>th</sup> day of September, 2020, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.


Aye: 5


Nay: 0

Absent/Abstain: 0

**ATTEST:**


**BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND**

  
Rachel M. Distel, Clerk

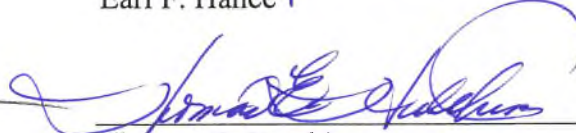
  
Kelly D. McConkey, President


  
Mike Hart, Vice President

Approved for form and legal  
sufficiency by:

  
Earl F. Hance

  
John B. Norris, County Attorney

  
Thomas E. Hutchins

  
Steven R. Weems

T:\Johns Shared\Resolutions and Ordinances\CAO\BOE.Appointment.090920.docx

Received for Record..... 9/15 2020  
at 3:10 o'clock..... 3 M. Same day  
recorded in Liber KPS No. 61  
Folio 339 COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

