

## **MEETING: INSPECTOR GENERAL COMMITTEE**

I. **CALL TO ORDER:** October 6, 2011, at 1:38 p.m., in the Commission Chambers, 6<sup>th</sup> Floor, Governmental Center, West Palm Beach, Florida.

## **II. ROLL CALL**

### **MEMBERS:**

Judge Edward Rodgers, Chair  
Manuel Farach, Esq., Vice Chair – Arrived later  
Robin N. Fiore, Ph.D.  
Ronald E. Harbison, CPA  
Carey Haughwout, Esq., Public Defender  
Michael McAuliffe, Esq., State Attorney  
Bruce E. Reinhart, Esq. - Absent

### **STAFF:**

Robert Beitler, Esq., Office of the Inspector General  
Leonard Berger, Esq., Assistant County Attorney  
Joe Doucette, Chief of Administration, Office of the Inspector General  
Richard Radcliffe, Executive Director, League of Cities  
Sheryl G. Steckler, Inspector General, Palm Beach County  
Barbara Strickland, Deputy Clerk, Clerk & Comptroller's Office

Judge Edward Rodgers stated that a quorum was present. He said that the meeting's purposes were information sharing about functions of the Inspector General (IG) Committee (IGC) and the Commission on Ethics (COE), the relationships between the groups, and conflict identification/resolution.

## **III. PRESENTATION OF ORDINANCE CHANGES REGARDING IG COMMITTEE RESPONSIBILITIES BY ASSISTANT COUNTY ATTORNEY LENNY BERGER**

Assistant County Attorney Leonard Berger said that the IGC functions were as follows:

- General duties were to select an inspector general, to decide whether to retain him/her, to receive periodic IG reports, and to participate in the IG's removal process.

### III. - CONTINUED

- Staff assistance was available to the IGC from the County human resources (HR) department under the IG ordinance provisions.
- Designated members of the COE, the county attorney's office, and HR had negotiated the employment contract of Ms. Steckler for a four-year term for Board of County Commissioners' (BCC) approval.
- The IGC would determine whether to retain the IG for an additional four years.

(CLERK'S NOTE: Manuel Farach joined the meeting.)

- Any IGC decision of not retaining Ms. Steckler should be announced six months before the term ended.
- A non-retention notice should be issued no later than Dec 28, 2013.
- The IGC was responsible for filling any vacancy pursuant to the selection process as soon as feasible under the ordinance. An IG staff member was allowed to serve as interim IG.
- The IGC would convene every six months to receive the IG's report that should contain a six-months' review and the IG's plans, goals, and objectives.
- The IG could be removed for cause by ordinance for neglect of duty, abuse of power or authority, discrimination, or ethical misconduct.
  - The BCC, the IGC, or a funding entity would initiate the removal process by finding cause for removal with a supermajority vote. A funding entity was any entity other than the County or one of the municipalities that contracted with the IG whose services with the IG amounted to 25 percent of the IG's budget.
  - Any municipality was permitted to petition by resolution for removal. Any petition submitted to the IG's office would be forwarded to the IGC for its determination of merit for removal.

### III. - CONTINUED

- The initiating entity's removal notice and specific charges were due at least 60 days prior to removal hearings held by the IGC, the BCC, and by the funding entity. The IG was permitted to speak at the hearings.

Mr. Berger said that:

- The COE had selected the IG and had performed as its staff while the IG ordinance underwent revisions.
- In the event of a removal procedure, the present IG staff serving as COE staff could create uncomfortable situations.
- The next six-month review agenda could contain an item regarding the County's HR staff possibly assisting the COE in any removal process.
- The one-step removal process that was originally designed to ensure as much functional independence as possible had evolved into two steps that would cause a slightly more difficult course.
- As the hiring entity, the IGC had the authority to determine in December 2013 whether to continue the IG's employment for another four-year term.
- Evaluation procedures and review parameters concerning Ms. Steckler's performance would benefit from the assistance of a staff to develop six-month reports that gauged the progress of the IG's Office.

State Attorney Michael McAuliffe stated that the two-step process to initiate removal was designed to act as a check so that any covered entity did not have an open path to act if the IG's actions proved merely unpopular or controversial.

Ms. Steckler commented that peer reviews and accreditation reviews of the IG would occur every three years.

Commissioner Ronald Harbison said that the IGC would demonstrate its resourcefulness by gathering the information needed and then assigning tasks to HR's staff and others not yet identified.

### **III. - CONTINUED**

Judge Rodgers stated that the IGC would appreciate receiving Mr. Berger's additional guidance.

### **IV. RICHARD RADCLIFFE (LEAGUE OF CITIES) MUNICIPAL UPDATE**

League of Cities (LOC) Executive Director Richard Radcliffe stated that the BCC performed an annual budgetary review every July, as specified by ordinance.

Mr. Radcliffe reported that:

- The LOC members had conferred with the IG and had distributed materials to local municipal officials.
- The IG bureaucratic structure that was once unfamiliar had evolved and gained acceptance among city officials.
- The County had created a unique system of checks and balances that set an example for the State and for the country.

Judge Rodgers said that area municipalities' officials were invited to attend review meetings to dispel doubt and to learn more about the IG's duties and the committee's functions.

### **V. INSPECTOR GENERAL COMPLAINT PROCESS OVERVIEW**

Ms. Steckler said that the steps taken to investigate complaints were as follows:

- Each incoming complaint received a number and became a public record.
- A process outlined in the accreditation manual was followed for complaints related to municipalities.
- Complaints about IG staff members or the IG's office in general were documented and conveyed to the general counsel for joint review with the IG.

## V. – CONTINUED

- Personal complaints about the IG were handled by the general counsel and the IGC.
- A strategic plan would be written with input from stakeholders that measured the success of reforms. A December 2012 release date was anticipated for the plan and for the IG's annual report.
- Complaint review procedures for the IGC would be developed.

## VI. IG COMMITTEE DISCUSSION

Mr. McAuliffe commented that any recommendations for internal procedures surrounding the IG's removal would be appropriately assigned to County staff or COE staff acting as IGC staff. Procedures could be tailored for giving notice to the IG of the precise steps involved, he said.

Commissioner Robin Fiore stated that Mr. Berger's office may be the most appropriate entity to conduct complaint reviews. Commissioner Harbison said that staff should not be involved in HR's functions, and that the IGC possessed the ability to create protocols required to achieve due process. Mr. McAuliffe commented that the grand jury report was a critical part of the IGC and the COE in the creation of a consensus set of benchmarks for measuring performance.

## VII. ADJOURNMENT

**At 2:16 p.m., the chair declared the meeting adjourned.**

APPROVED:

  
Chair/Vice Chair