

**OFFICIAL MEETING MINUTES
OF THE
INSPECTOR GENERAL COMMITTEE**

**WORKSHOP
PALM BEACH COUNTY, FLORIDA**

SEPTEMBER 23, 2013

**MONDAY
10:11 A.M.**

**COMMISSION
CHAMBERS**

I. CALL TO ORDER

II. ROLL CALL

Committee Member Robin N. Fiore, Ph.D., Chair
Committee Member Patricia L. Archer, Vice Chair – Arrived later
Committee Member David Aronberg, Esq., State Attorney
Committee Member Daniel Galo, Esq.
Committee Member Carey Haughwout, Esq., Public Defender
Committee Member Michael S. Kridel, CPA
Committee Member Salesia Smith-Gordon, Esq. – Absent

STAFF:

Gina A. Levesque, Commission on Ethics Intake Manager
Brad Merriman, Assistant County Administrator
Sheryl G. Steckler, Palm Beach County Inspector General
Leilani Yan, County Human Resources Recruitment and Selection
Manager

ADMINISTRATIVE STAFF:

Barbara Strickland, Deputy Clerk, Clerk & Comptroller's Office

III. INTRODUCTORY COMMENTS

Chair Robin Fiore stated that anyone wishing to speak should submit a comment card to the Commission on Ethics Intake Manager, Gina Levesque. She requested that electronic devices be muted.

III. – CONTINUED

Chair Fiore requested committee consensus following the discussions surrounding the Inspector General's (IG) contract renewal and the December 26, 2013, decision deadline discussions.

Assistant County Administrator Brad Merriman stated that:

- The IG Committee (IGC) had sought assistance from the County Human Resources (HR) and Administration departments to develop an instrument to rate the IG's performance.
- The IGC was directed to review the IG ordinance, the IG's current contract, and the standards as outlined by the Association of Inspectors General as general reference materials.
 - Leilani Yan, HR Recruitment and Selection Manager, was responsible for creating a draft evaluation document (draft).
 - Comments and changes would be incorporated into a final version at the IGC's direction.
 - Each of the draft's data elements contained narrative portions on individual rating elements.
 - A simplified rating system was used.
- He and Ms. Yan agreed that the IG should complete a self-evaluation for the IGC to review and compare to the IGC's standards.
- The draft was created solely for the IGC's use.

Committee Member Carey Haughwout commented that the draft appeared comprehensive in scope and focus. She requested suggested methods for IGC members to collect the needed information.

(CLERK'S NOTE: Committee Member Patricia Archer joined the meeting.)

IV. APPROVAL OF INSPECTOR GENERAL (IG) COMMITTEE MEETING MINUTES

IV.a. Workshop: August 26, 2013

Chair Fiore requested that her title be corrected to Vice Chair.

MOTION to approve the minutes as amended. Motion by Carey Haughwout, seconded by Patricia Archer, and carried 6-0. Salesia Smith-Gordon absent.

V. Continued Discussion Regarding Renewal Criteria for IG Contract

V.a. Presentation of Criteria by Assistant County Administrator Brad Merriman

Assistant County Administrator Brad Merriman stated that:

- The IGC members could consider scheduling personal visits with the IG when the IG's self-evaluation had been completed.
- Individual visits presented opportunities for dialogue and in-depth questions.

Chair Fiore suggested that the IGC meet after the IG's self-evaluation was completed. She said that the IG's April 2013 strategic plan should be reviewed so that questions could be formed.

Committee Member Michael Kridel stated that:

- He had visited the IG's office for the purposes of meeting the staff and discussing the IG's strategic plan and performance statistics.
- He had reviewed the metrics published on the IG's Web site.

[] [] []

V. – CONTINUED

- Specific strategic-plan goals and objectives should be included in the draft.
 - Some IG objectives, such as turnaround time from case inquiry to closing, were easily measured with metrics.
 - Departmental and individual performance measurements should be reviewed as well.

Ms. Archer said that:

- She agreed that the IG's self-evaluation should contain statistics and data related to management-review information that included the following:
 - goals and objectives attained in both the previous contract period and the entire contract period, showing completed and ongoing contracts; and,
 - measurable goals and objectives for the upcoming contract period.
- Employee turnover percentages for the prior three years should be reported in the evaluation as a managerial oversight item, to include:
 - overall employee turnover percentages to date;
 - total numbers of employee terminations; and,
 - total numbers of resignations.
- A public comments section with space for contributors' names and addresses should be incorporated into the draft.
- The HR staff should plan to assemble the IG's reviews and public comments prior to the IGC meeting when members presented their comments for group discussion.

V. – CONTINUED

Mr. Merriman said that:

- The IGC members' comments were public records.
- Performance evaluation-ratings' scales were designed for those who did not have the direct daily supervisory-employee relationships that County employees experienced, as reflected on employee performance reviews.
- The input from the IG and the public comments made at meetings would assist the evaluation process.

Chair Fiore commented that the evaluation draft's narrative sections allowed human efforts to be considered along with quantifiable factors. She requested an expanded explanation of the phrase, "operates with self-control," used in the draft.

Ms. Yan explained that the phrase originated from the County Office of Inspector General Core Values, Professionalism section of the IG's Web site.

Mr. Kridel commented that the words implied performance with objectivity rather than with emotion.

Mr. Merriman said that the draft's phrase would be reworded.

Chair Fiore stated that:

- The IGC's procedural steps should begin with a decision process for renewing the IG's contract by the December 2013 deadline.
- The process would be a model for retention evaluations of Commission on Ethics executive directors.
 - The IG's self-evaluation would initiate the process.
 - A detailed narrative and specifics were related to the evaluation questions formed by the IGC.

V. – CONTINUED

- Each IGC member was responsible for independent data collection as preparation for the next group discussion.
- County HR guidance could be requested concerning the draft's inclusion of measurements of the IG's office management.

Mr. Merriman said that general management issues could be incorporated into a separate section of the draft at the IGC's direction.

Ms. Archer suggested that the IGC ask the IG for specific information on goals, objectives, and employee turnover figures. She said that the IGC would be better equipped to evaluate management skills with items including recent data surrounding funding allocations for administration, and lawsuits.

Committee Member Daniel Galo said that:

- The draft's matrix provided space for whatever information the IGC members chose to evaluate.
- The IG's self-evaluation form was identical to the IGC's evaluation form.
- The matrix should be adopted and followed by:
 - a scheduled IG self-evaluation presentation and question-answer session;
 - a meeting to gather public comment; and,
 - a final meeting to discuss IGC conclusions.
- Page 4 of 8 of the matrix's self-control terminology should be modified, and page 1 of 8 should include management criteria.

MOTION to accept the matrix as provided with modifications as discussed to perform as the basic contract renewal document. Motion by Daniel Galo, and seconded by Michael Kridel.

V. – CONTINUED

Ms. Haughwout said that if the IGC owned some oversight responsibility, a separate column in the matrix should be designated to record comments about expectations that were met and those that needed improvement.

Mr. Galo said that comments about expectations would be of interest to the general public.

SUBSTITUTE MOTION to accept the matrix as provided with modifications, as discussed, to perform as the basic contract renewal document, with the addition of a fourth column titled, "Needs Improvement." Motion by Daniel Galo, and seconded by Carey Haughwout.

Chair Fiore clarified that the motion was for adoption of the draft instrument with the two changes on pages one and four as discussed, and with the addition of a fourth column titled, "Needs Improvement."

UPON CALL FOR A VOTE, the motion FAILED 3-3. Patricia Archer, David Aronberg, and Robin Fiore opposed. Salesia Smith-Gordon absent.

MOTION to approve the matrix with the corrections on page one of eight and on page four of eight, and to change the matrix' middle column title from "Does Not Meet Expectations" to "Needs Improvement." Motion by Patricia Archer, seconded by David Aronberg, and carried 5-1. Daniel Galo opposed. Salesia Smith-Gordon absent.

Mr. Merriman said that he would provide a revised draft of the matrix the next day. Chair Fiore said that the next stage was the IG's presentation of her written report.

General Sheryl Steckler invited IGC members to visit her office, so that she could gain a clearer sense of the IGC's expectations.

Ms. Haughwout said that:

- An opportunity should be available for IGC members to ask the IG questions in a public forum since all could benefit from hearing others' questions.

V. – CONTINUED

- A public forum could draw comments from public officials, from County Administration, and possibly from agencies that had been audited.

Mr. Merriman summarized the IGC's proposed decision process as follows:

- Complete the self-evaluation.
- Complete the individual IG visits.
- Schedule a meeting to collect public input, and ask questions of the IG based on the self-evaluation and public comments.
- Make recommendations at a final meeting.
- Post an Internet survey in a separate process to gather additional public comments.

Chair Fiore outlined Ms. Haughwout's suggested process as follows:

- The IG submitted her report.
- The IGC members made personal visits to General Steckler's office.
- A public meeting of interested parties, including audited agencies, was scheduled.

Mr. Merriman said that a notice would advertise the date and the agenda for the general public's knowledge.

Chair Fiore stated that the committee would decide which public officials would be invited to offer specifics and professional reports. Mr. Merriman said that a general meeting notice would appear on the County's Web site meeting list, and that a specific notice could be sent to the IG's jurisdictions.

General Steckler said that the notices would be sent to the 38 municipalities' officials, the Children's Services Council, and the Solid Waste Authority.

V. – CONTINUED

MOTION to receive the Inspector General’s report, schedule a meeting and invite agencies, citizens, and public officials for purposes of offering feedback and collecting inputs to complete the evaluation, with optional visits of committee members made to the Inspector General’s office prior to the meeting. Motion by Carey Haughwout, and seconded by Patricia Archer.

Mr. Galo summarized the motion as follows:

- The IGC would schedule another public meeting.
- Invitees would include public entities, citizens, and all other entities under the IG’s jurisdiction.
- Public input gathered concerning the IG’s performance under contract, and the IG’s self-evaluation, would be used to prepare the IGC’s matrix and for subsequent discussion.

Ms. Haughwout suggested that the public meeting notice contain information that the IGC’s discussion topics could be viewed electronically, prior to the meeting.

UPON CALL FOR A VOTE, the motion carried 6-0. Salesia Smith-Gordon absent.

Chair Fiore said that the IGC members did not appear to favor taking an additional Internet survey prior to another meeting.

(CLERK’S NOTE: See continued Item V.a. discussion on Page 10.)

V.b. Public Comment

V.b.1.

DISCUSSED: IG Contract Renewal.

Iris Scheibl said that IGC members should visit the IG’s office prior to preparing their evaluations. She suggested that a four-year strategy should be developed in February 2014 after criteria were created. She said that contract employees were generally renewed, unless cause existed.

V.a. – CONTINUED

Mr. Merriman stated that the IGC could create a public meeting advertisement, noting that attendees were invited to submit comments two weeks prior to the meeting. Chair Fiore said that advance public comments were unwelcome because the IGC lacked staff to manage a paper volume.

Mr. Galo said that the meeting notice should mention that public comments could be mailed in lieu of personal attendance, and Ms. Haughwout added that every opportunity should be made for citizens to participate in this public meeting.

MOTION to schedule jurisdictional and public meetings at different times to encourage public input, with the jurisdictional meeting convening earlier than the general public meeting. Motion by Patricia Archer, and seconded by Michael Kridel.

Ms. Archer said that the IG's self-evaluation review could be accomplished by the IGC prior to a lunch break.

Mr. Galo said that the self-evaluation and the review should be considered after all public comments were heard since some public comments could generate discussion questions.

Ms. Haughwout said that General Steckler should be granted a response period following agenda items.

Mr. Galo added that General Steckler could be allowed time to respond to any elements of the meeting's jurisdictional and public comment segments.

Chair Fiore stated that:

- Any expectation of General Steckler's verbal response to specific public comments in that venue seemed unfair. An option for the IG to submit a written response should be established.
- The public meeting would commence with jurisdictional and public comments, followed by questions of General Steckler, and general discussion or clarifications supplied by the IGC.

V.a. – CONTINUED

- The meeting would last approximately six hours.
- Approximately two hours would be allowed for jurisdictional comment, two hours for public comments, one hour for General Steckler's discussion and clarifications, and one hour for an IGC general discussion and clarifications.
- The meeting could begin at 1:00 p.m. and include 15-minute breaks, with public comments scheduled after 4:00 p.m.

Chair Fiore asked Ms. Levesque to reserve the Board of County Commissioners' chambers from 1:30 p.m. to 7:30 p.m. on November 21, 2013. She requested suggestions for the contract renewal decision meeting date, and Ms. Levesque stated that the chambers meeting room was available on December 9, 10, and 13. Following discussion, Chair Fiore stated that December 9, 2013, would be the meeting date for the contract renewal discussion.

Chair Fiore announced the meeting times as follows:

- November 21, 2013, 1:30 p.m. to 7:00 p.m. Workshop; and,
- December 9, 2013, 9:30 to 12:00 noon, IG Contract Renewal.

AMENDED MOTION to include adding to the November 21, 2013, public meeting notice, language saying that written public comments would be received prior to the meeting. Motion by Carey Haughwout, and seconded by Daniel Galo.

Ms. Haughwout suggested that a County office be designated to receive the mailed comments.

Mr. Merriman said that a separate County mailbox could receive the public comments. He said that a requirement for senders' names and addresses was optional.

Chair Fiore stated that names and addresses on public comments were required to validate them and eliminate duplications. She said that e-mail addresses could not be validated in the same way as mailing addresses.

V.a. – CONTINUED

Mr. Merriman said that both e-mail messages and paper sent to postal mailboxes could be accepted at the IGC's direction. Mr. Galo said that either medium should be accepted.

Chair Fiore added, at Ms. Haughwout's inquiry about postal-mailed validation standards, that senders should be county residents with addresses that could be verified.

Mr. Merriman said that HR was unprepared to perform address validations. Mr. Galo said that the IGC should accept all public comments and then make independent determinations of the messages' validity at its discretion.

SECOND AMENDED MOTION to include accepting the public comments by any venue provided that they contained names, addresses, and telephone numbers. Motion by Carey Haughwout, and seconded by Patricia Archer.

Mr. Aronberg commented that the IGC would review submissions and assign credibility at its discretion.

Mr. Merriman said that the public-comments notice language would emphasize that all e-mail submissions became public records.

UPON CALL FOR A VOTE, the motion carried 5-1. Robin Fiore opposed. Salesia Smith-Gordon absent.

After a brief discussion, Chair Fiore announced that the general consensus was for a November 21, 2013, deadline date to accept public comments.

Mr. Merriman summarized HR's staff responsibilities as follows:

- Changes to the draft document would be made and returned to the IGC within 48 hours.
- Meetings' scheduling issues would be coordinated with Ms. Levesque as needed, and a meeting notice that would act as a public notice and an invitation-type notice to the jurisdictions would be created.

V.a. – CONTINUED

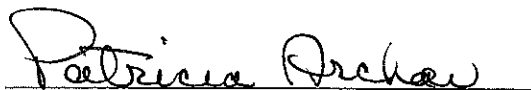
- Language in the November 21, 2013, notice for both the public and the jurisdictions would highlight that written public comments were accepted until the day of the meeting.
- E-mailed public comments would be printed and delivered to the IGC for its review. In addition, copies of the IGC's November 21, 2013, meeting minutes would be distributed prior to its December 9, 2013, meeting.
- Technical means would be identified to store information electronically for the IGC members' retrieval in formats compatible with their electronic equipment's capabilities.

Chair Fiore confirmed with General Steckler that the accreditation report was posted to the IG's public Web site.

VI. ADJOURNMENT

MOTION to adjourn. Motion by Patricia Archer, seconded by Daniel Galo, and carried 6-0. Salesia Smith-Gordon absent.

At 12:00 p.m., the chair declared the meeting adjourned.


Chair/Vice Chair

APPROVED: **DEC 09 2013**