

**OFFICIAL MEETING MINUTES
OF THE
PALM BEACH COUNTY INSPECTOR GENERAL COMMITTEE WORKSHOP
PALM BEACH COUNTY, FLORIDA**

DECEMBER 9, 2013

**MONDAY
9:37 A.M.**

**COMMISSION
CHAMBERS**

I. CALL TO ORDER

II. ROLL CALL

MEMBERS:

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

STAFF:

Debbie Brooks, Executive Assistant, Office of Inspector General
Wayne Condry, Director, County Human Resources
Brad Merriman, Assistant County Administrator
Sheryl G. Steckler, County Inspector General
Leilani Yan, Recruitment and Selection Manager, County Human Resources

ADMINISTRATIVE STAFF:

Julie Burns, Deputy Clerk, Clerk & Comptroller's Office

III. INTRODUCTORY COMMENTS

Chair Robin Fiore stated that General Sheryl Steckler had indicated that she would likely not be seeking renewal of her contract, which would run through the end of June 2014. She said that the Inspector General Committee (IGC) would be meeting today as the Inspector General Search Committee (IGSC) to implement a new inspector general search process. She requested that electronic devices be muted, and that anyone wishing to speak should complete a comment card.

IV. APPROVAL OF SEPTEMBER 23, 2013, MINUTES

Chair Fiore said that page 8, second paragraph from the bottom of the page, should be amended to read, "She stated that the committee should discuss which public officials would be invited."

MOTION to approve the September 23, 2013, minutes as amended. Motion by Patricia Archer, seconded by Michael Kridel, and carried 5-0. Daniel Galo and Carey Haughwout absent.

V. SEARCH FOR NEW INSPECTOR GENERAL

V.a. Review of Inaugural Search Process – Brad Merriman, Leilani Yan

Leilani Yan, Recruitment and Selection Manager, County Human Resources (HR) said that:

- The selection process would be similar to the 2009 inspector general selection process, which ran concurrently with selecting the Commission on Ethics executive director.
 - Advertisements were created and reviewed by the IGSC with finalization in January 2010. Twenty different advertisement sources were utilized on a national, state, and local level, and a diverse audience was targeted.
 - Applications from the applicant pool were sorted and prescreened for minimum qualifications.

V.a. – CONTINUED

- Staff had recommended that the application packet include a disclosure of professional conduct form.
- After receiving the sorted and prescreened application packets, the IGSC members each provided a list of top-ten applicants based on a review of application materials. The top-ten applicants were compiled into a frequency table for discussion of shortlisting applicants at the next IGSC meeting.
- Between identifying the shortlist and conducting the interviews, staff had drafted an interview procedure, developed interview questions and a written exercise, and performed criminal background checks.
- Prior to being interviewed, the applicants were given a job description with a request that two professional references be provided by a date certain.
- Nine applicants were interviewed on May 4-5, 2010. The interviews were conducted in a public, offsite meeting format; however, an alternative location could be chosen.
- A first-ranked applicant was selected. A second-ranked applicant had been selected if the first-choice was not eventually hired.
- The search and interview timeframes could be compressed. Interviews could begin by the end of March 2014 or early April 2014.

General Steckler stated that she would remain until the end of June 2014 unless extenuating circumstances existed. She added that if an early vacancy was necessary, the IGSC could appoint a member of the Office of Inspector General (OIG) within 10 days.

Commissioner Salesia Smith-Gordon suggested revising the interview questions or adding nonpublic questions to provide a general idea of what would be asked and what would be contained in the written exercise.

V.a. – CONTINUED

Ms. Yan said that previous questions would be revised, and new ones would be developed.

Commissioner Smith-Gordon said that she supported the criminal background check. She suggested that staff consider adding questions about the existence of civil lawsuits.

Commissioner Michael Kridel commented that some of the best interview questions came from the person exiting the position.

Ms. Yan stated that HR staff had included General Steckler in search process communications, and that she had reviewed all previous HR materials.

Chair Fiore said that the IGSC's consensus was to request input from General Steckler.

State Attorney David Aronberg suggested implementing a process to inform the IGSC that a candidate would be declining an interview before an invitation was sent.

Ms. Yan responded that applicants could be notified that the IGSC would be shortlisting the candidate pool. She added that the applicants declining interviews could be given a date certain to respond.

General Steckler said that:

- Out-of-state applicants may not know about the State's active public records law, and that all government activity was governed by the Sunshine Law.
- Candidates may decline interviews if current employers were not informed beforehand that they would be publicly conducted.
- The job advertisement could include that interviews would be open and transparent.

Ms. Yan said that once the advertisement date had closed, candidates were sent letters about the State's public records law and were advised that the IGSC members would not be accepting communications from the applicant pool.

V.a. – CONTINUED

Commissioner Smith-Gordon said that she supported diversity in the applicant pool.

Ms. Yan said that the prior advertisement included using the County's and the federal government's job and career Web sites, the Association of Certified Fraud Examiners, the American Institute of CPAs, and the Institute of Internal Auditors.

Commissioner Smith-Gordon suggested that HR staff consider adding the National Bar Association to the list. Chair Fiore suggested using the linkedin.com Web site.

Assistant County Administrator Brad Merriman said that the County reimbursed out-of-town applicants for their travel expenses if they were not offered the position, or if they were offered it and accepted. He said that reimbursement was not given if it was offered but not accepted.

V.b. Credentials and Experience for Palm Beach County Inspector General – Inspector General Steckler

General Steckler said that ordinance section 2-424 stated the minimum qualification, selection, and term of office for the inspector general.

Vice Chair Archer read the following minimum qualifications for the inspector general:

- Has at least ten years of experience in any one or a combination of the following fields:
 - As a federal, state or local law enforcement officer/official;
 - As a federal or state court judge;
 - As a federal, state or local government attorney with expertise in investigation fraud, mismanagement, and corruption;

V.b. – CONTINUED

- As an inspector general, certified public accountant, or internal auditor;
- As a person with progressive supervisory and managerial experience in an investigative public agency similar to an inspector general's office;
- Has managed and completed complex investigations involving allegations of fraud, theft, deception, or conspiracy;
- Has demonstrated the ability to work with local, state, and federal law enforcement agencies and the judiciary;
- Has a four-year degree from an accredited institution of higher learning;
- Has not been employed by the County, any municipality, or any other governmental entity subject to the authority of the inspector general office during the two-year period immediately prior to selection, unless such employment has been with the Office of Inspector General, Palm Beach County, Florida.
- Highly qualified candidates will also have audit-related skills and/or hold one or more of the following professional certifications at the time of selection: certified inspector general, certified inspector general investigator, certified inspector general auditor, certified public accountant, certified internal auditor, or certified fraud examiner.

General Steckler said that:

- The requirement regarding not being employed by the County was limited to the 41 entities that were under the inspector general's jurisdiction.

V.b. – CONTINUED

- Item V.a. contained the County's original position description, and item V.b. contained her revision under the title, Nature of Work.
- The only certification that has occurred since the ordinance was written was that the OIG was now accredited.
- Thirteen to fourteen other inspector general offices were accredited by the Florida Department of Law Enforcement.
- Staff would go through reaccreditation at the end of 2014.

Ms. Yan said that the latest job description revision would be considered the class specification for the position.

Chair Fiore said that IGSC action on the position description was unnecessary.

Vice Chair Archer said that the review criteria for the contract renewal should be included in the advertisement or job description.

Mr. Merriman said that staff could link the review criteria to the job description. Chair Fiore added that the post should be as concise as possible.

Chair Fiore said that as part of the formal process, the previous IGSC had requested that anyone wanting to contact the IGSC members should contact the County for specific information during the process.

Mr. Aronberg said that it would be best to ban IGSC contact.

Chair Fiore encouraged qualified individuals to apply, and that no IGSC contact would be a part of the official process.

General Steckler said that sections of the Greenbook standards were attached to the agenda. She requested that the IGSC members read the highlighted portions and contact her individually.

Ms. Yan said that an advertisement should run in January 2014 to allow ample time for people to apply. She added that she would send the draft advertisement to the IGSC before it was posted.

V.b. – CONTINUED

Chair Fiore said that the IGSC members could only discuss the advertisement in public; however, staff should proceed with drafting it.

Commissioner Smith-Gordon said that there may be applicants to discuss in February once the advertisement was posted.

Chair Fiore said that interview questions could be discussed during the February meeting.

Mr. Merriman said that:

- The advertisement could run from mid-January to mid-February.
- Staff would aim for mid-April to schedule interviews.
- The application deadline would be mid-February.
- The minimum entrance requirements that were contained in the County ordinance could not be waived.

Chair Fiore said that section 2-424(1)f. of the ordinance that began, “Highly qualified will also have” could be discretionary.

V.c. Public Comment

V.c.1.

DISCUSSED: Inspector General Search Process.

David Baker said that he had been involved in the ethics initiative since June 2007. He said that County personnel had done a wonderful job during the hiring process. He added that the evaluation process should be clear going forward.

V.c.2.

DISCUSSED: Inspector General Exit Review.

Anne Kuhl said that she supported an exit review for General Steckler’s input on improvements and a current OIG status review.

V.c.3.

DISCUSSED: Inspector General Independence.

Gert Kuhl said that the OIG needed total independence, and that the IGC should ensure its foundation and framework.

Iris Scheibl said that it was important to disclose who talked to the IGSC members about the inspector general position. She added that the OIG should be 100 percent independent.

V.c.4.

DISCUSSED: County Review and Citizen's Attorney.

Alexandria Larson said that the County's policies and procedures regarding investigations and contracts should be reviewed. She added that there should be a citizen's attorney.

Chair Fiore said that the OIG's Web site contained semi-annual reports dating back to the OIG's beginning.

V.c.5.

DISCUSSED: Chair Fiore's and Inspector General Steckler's Departure and the Office of Inspector General.

Jess Santamaria said that he regretted Chair Fiore's and General Steckler's departure. He said that any OIG deficiencies were caused by understaffing, and that the OIG should be completely independent.

V.d. Committee Discussion

V.d.1.

DISCUSSED: Inspector General Exit Interview and Independence.

Commissioner Kridel said that:

- He supported a standard exit interview or review.

V.d.1. – CONTINUED

- The perception of independence was equally important to being independent.
- Firewalling the OIG from other agencies and influences would enhance staff's job ability.

V.d.2.

DISCUSSED: Inspector General Exit Interview and Diversity.

Commissioner Smith-Gordon said that:

- She supported an exit interview; however, General Steckler had previously offered guidelines.
- The IGC should review including the African American population in the inspector general search.
- Positive changes had occurred, and the County was no longer considered "corruption County."

V.d.3.

DISCUSSED: Inspector General Exit Interview, Review, and Independence.

Vice Chair Archer said that the County was no longer considered "corruption County." She said that she supported an exit interview, a partial review, and the OIG's independence.

V.d.4.

DISCUSSED: Farewell, Inspector General Diversity, Exit Interview, and Independence, and the Inspector General Committee as Volunteers.

Chair Fiore said that:

- She would not be chairing the next IGC meeting, and that it was an honor to have worked with General Steckler.

V.d.4. – CONTINUED

- The IGC and its previous chair, Judge Edward Rodgers, were very interested in diversity and had worked with HR to ensure that it was a primary element.
- Exit interviews were voluntary, and it was unfair to expect General Steckler's public accountability of the OIG's obstacles.
- The question of OIG independence was ongoing.
- The IGC members were volunteers who provided a service to the community.

V.d.5.

DISCUSSED: Inspector General Search Process.

General Steckler said that HR personnel had performed a phenomenal job during the first inspector general selection process, and that they would do so again. She said that it was an honor to have served, and that the IGC would find a new leader.

VI. ADJOURNMENT

MOTION to adjourn. Motion by Salesia Smith-Gordon, seconded by Patricia Archer, and carried 5-0. Daniel Galo and Carey Haughwout absent.

At 11:07 a.m., the chair declared the meeting adjourned.

Chair/Vice Chair

APPROVED: