

Proposed New Section

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1. Definitions

De Novo Appeals

- a) **Independent Review:** The Board of Appeals shall conduct a thorough and independent examination of the matter under consideration as if it were being presented for the first time. This review shall be undertaken without deference to any prior determinations or findings made by lower administrative bodies or other governmental agencies.
- b) **Fresh Consideration:** The Board shall evaluate all pertinent evidence and testimony afresh, excluding any prior records or proceedings from its deliberation. Consequently, the Board shall assess the facts, apply the relevant law, and arrive at its conclusions independently of any earlier reviews.
- c) **Autonomous Judgment:** The decision rendered by the Board shall be based exclusively on its own evaluation of the case, uninfluenced by or reliant upon the conclusions of previous hearings or administrative determinations.

2. Ex Parte Communication

- a) For purposes of these proceedings, an **ex parte communication** is defined as any communication initiated by either a party or an interested individual to a member of the Board outside the context of a public hearing in a quasi-judicial proceeding.
- b) Ex parte communications may be oral or written and can occur through various means, including but not limited to telephone calls, in-person meetings, electronic mail, standard postal mail, or any other form of communication directed to a single member of the Board or to multiple members collectively.
- c) Such ex parte communications are deemed improper and are expressly prohibited in connection with quasi-judicial proceedings.

3. Mandatory Training Requirements

- a) **Open Meetings Act Compliance:** Prior to the commencement of their official duties, all members of the Board shall complete a mandatory training program regarding compliance with the Open Meetings Act. Certification of successful completion of this training, which shall be conducted through an approved online module, is required before any member may engage in Board activities.
- b) **Ex Parte Communications Training:** Members of the Board shall undergo formal training to acquire a comprehensive understanding of the prohibitions and regulations governing ex parte communications. This training aims to prevent any improper external influence on the proceedings of the Board.
- c) **Quarterly Training Sessions:** The Board shall convene quarterly meetings with legal counsel to conduct interactive training sessions. These sessions shall be dedicated to addressing legal inquiries and procedural issues that may arise from public hearings and other matters pertaining to the Board.