

RULES OF PROCEDURE FOR THE INSPECTOR GENERAL ADVISORY BOARD

1.01 GENERAL

These Rules of Procedure are adopted pursuant to the “Administrative Procedures Act” of the Howard County Code. The purpose of these Rules of Procedure is to set forth the procedures under which the Inspector General Advisory Board (“the Board”) will implement CB61-2024.

1.02 COMPOSITION OF THE BOARD AND RELATED MATTERS

A. Membership: The Board shall be comprised of seven (7) voting members appointed by the County Council by Council Resolution. Each Council member and the County Executive shall nominate one member each. One member shall be nominated by a majority of the County Council as a whole from a selection of names solicited through a public process. The Board shall consist of at least one member of the Democratic Party, at least one member of the Republican Party, and at least one member who is unaffiliated with any political party.

B. Qualifications: Members of the Board shall have had experience working in one or more of the following positions or fields: inspector general, investigations, audit, accounting, government accountability, financial management, financial policy, legal, or in a position or field with work similar to that performed by an inspector general. Such experience may include participation in professional organizations, such as the Association of Government Accountants, the Association of Inspectors General, or the attainment of professional certifications, such as Certified Fraud Examiner or Certified Public Accountant.

C. Ineligibility: An individual is not eligible to serve as a member of the Board if the individual has ever been convicted of a felony or a misdemeanor with a statutory penalty of more than two years; or is or has been in the last five (5) years:

- i. an employee, board or commission member, elected officer, candidate for a public office or political central committee, or other individual who is subject to the jurisdiction of the Inspector General;
- ii. a county contractor or person negotiating a contract with the County;
- iii. a vendor who provides or is seeking certification for goods and services to the County;
- iv. an external recipient or board member of an external recipient of County funds, benefits, or services;

- v. a publicly-elected or appointed officer's spouse, parent, child, or sibling;
- vi. an officer, staff member, or employee of any federal, state, or local political party organization; or
- vii. a lobbyist under the Maryland or County public ethics law.

D. Term: Members of the Board shall serve a five-year term. No member shall serve more than two consecutive terms. To establish a staggered term of membership to the Board for the initial appointees to the Board, two appointees shall serve a term of three (3) years, two appointees shall serve a term of four (4) years, and three appointees shall serve a term of five (5) years.

E. Removal: A member of the Board may be removed for cause, including operational interference or not attending meetings, by a vote of the majority of the County Council. The member shall first be presented with a written statement setting forth the reasons for the removal and shall have the opportunity for a public hearing before the County Council if requested within ten (10) days of receiving the written statement.

F. Vacancies: A vacancy shall be filled in the same manner as the original appointment and for the unexpired term.

1.03 DUTIES AND RESPONSIBILITIES

When there is a vacancy in the position of Inspector General, the Board shall select a candidate from a list of qualified candidates. In developing the list of qualified candidates, the Board shall conduct an open search process, including the use of professional search firms to solicit candidates. The Board shall interview qualified candidates. The final candidate selected to fill the vacancy shall be selected by an affirmative vote of a majority of the current members of the Board. If necessary, the Board may, by affirmative vote of two-thirds of the current members of the Board, remove the Inspector General using the procedures set forth in Section 22.1202. The Board also has the following responsibilities:

- i. It shall review and make recommendations on the budget of the Office of the Inspector General, as required by Section 22.1206.
- ii. It shall advise the County Council and County Executive of the Board's review of investigations and other work completed by the Office of the Inspector General, and the Board's ongoing ministerial function of that Office.
- iii. It shall review the Office of the Inspector General's policies and procedures.
- iv. It shall make itself available to consult with the Inspector General on any matter within the purview of the Inspector General and the Board.

1.04 MEETINGS

A. Frequency: When there is a vacancy in the Inspector General position, the Board shall meet as often as necessary to facilitate the timely hiring of a new Inspector General. Otherwise, the Board shall meet at least two (2) times per year with the Inspector General to review completed investigations and advisory letters, annual budget requests, and other relevant non-operational matters. The Board shall meet annually with the County Council and County Executive, jointly, to provide an overview of the activities of the Board and the completed work and ministerial functions of the Office of the Inspector General.

B. Types of Meetings and Public Notice: Meetings of the Board shall be open to the public at all times, except under circumstances in which a closed meeting is permitted by law. A part, or all, of a meeting may be conducted in closed session. When in closed session, at least one member of the Board must be present who has taken the Maryland Open Meetings Act training course. Meeting agendas shall be made available to the public at least seven (7) days prior to the meeting. Such notice shall be provided electronically in a medium readily available to the public.

C. Prohibited Meeting Dates: The Board is prohibited from holding meetings that would include opportunities for public testimony on dates for which Rosh Hashanah, Yom Kippur, Eid ul-Fitr, or Eid ul-Adha is observed.

D. Minutes: The Board shall maintain an official record of all meetings and prepare and maintain minutes as required by applicable law. Closed session minutes will also be prepared in compliance with applicable law. Staff to the Board shall provide the minutes to the Board for adoption. Minutes of the Board's public meetings shall be made available to the public within two weeks of the meeting dates in at least one electronic medium readily available to the public.

E. Quorum and Voting: Unless otherwise provided by law, a quorum of the Board, which is a majority of the current members of the Board, must be present to conduct a regular, special, or closed meeting. A member is considered present if they are in attendance in person or by electronic means. A vote of the majority present shall be necessary for a decision of the Board. A tie vote by the Board shall be interpreted as a defeat of the motion upon which the vote was taken. In order for an issue to be put to a vote, a motion must be seconded by another member of the Board. For each motion, the Board's staff shall record the votes.

F. Presiding Officer: The Board shall elect a Chairperson and a Vice Chairperson annually from among its members. The Chairperson, or in their absence, the Vice Chairperson or a designee of the Chairperson, shall be the presiding officer during each meeting. The presiding officer shall have full authority to maintain order in the meeting and to limit the meeting to items on the agenda. The presiding officer may add additional items to the agenda as permitted by law. If a member of the public displays prohibited conduct during a meeting that is disruptive to the business of the Board, the presiding officer may order the person to be removed from the meeting and may request police assistance to restore order. The presiding officer may recess the meeting while order is being restored.

G. Punctuality and Attendance: All Board members are asked to be punctual for all meetings, and to notify the presiding officer in advance if they expect to be late or absent. Pursuant to the provisions of Section 903 of the Howard County Charter, a member of the Board. is deemed to have resigned if absent from three consecutive regular meetings of the Board., unless excused by resolution thereof.

H. Reporting: The Board shall issue a report by the end of each calendar year summarizing the Board's work for that calendar year. The annual report shall be submitted simultaneously with the Inspector general's annual report. The annual report shall be provided to the Inspector General, the County Executive, and, in accordance with Section 22.1000 of the Code, the County Council. Additionally, the annual report shall be posted on the County Government website for the Office of the Inspector General, subject to the Maryland Public Information Act.

I. Noninterference with the Inspector General: The purpose of the Board is limited to the duties and responsibilities set forth in Sections 1.03 and 1.04 of these Rules of Procedure. Neither the Board nor any of its individual members shall take any action to interfere with the ongoing operational authority or independence of the Inspector General. This provision, however, shall not preclude the Board's ability to remove the Inspector General for cause.

J. Contact with the Press: All press inquiries to the Board or to individual Board members, whether oral or in writing, shall be referred to the Board's Chair and co-Chair. No individual Board member shall be authorized to speak for the Board absent approval by a majority of Board members.

1.05. AMENDMENTS TO THESE RULES

Subject to the Maryland Open Meetings Act requirements and any other applicable law, any proposed amendments to these Rules of Procedure may be presented at any meeting of the Board. Amendments may be adopted using the following procedures:

i. Public hearing prior to adoption of amended rules. Prior to adopting a rule amendment, the Board shall hold a public meeting to afford interested persons the opportunity to provide written or oral comments on the proposed adoption. A public hearing is not required if the Board is amending a rule to conform to a change in law.

ii. Public Notice. At least thirty (30) calendar days prior to a public hearing on any proposed adoption of a rule amendment, the Board shall publish in two local newspapers notice of the public meeting, including a statement sufficient to inform the public of the content of the proposed rule to be amended and adopted. Any proposed rules must be available to the public for review for a period of not less than thirty (30) calendar days prior to the date of the public hearing. Any proposed rules must be delivered to the Executive Secretary of the County Council before close of business on the date of first publication of the public notice.