

MINUTES

Administrative Rules Board

Special Meeting

Monday, March 2, 2015, 9:30 a.m.

Administrative Headquarters

2079 E. Ninth Street, 4th Floor – Committee Room B

1. CALL TO ORDER

The meeting was called to order at 9:33 a.m.

2. ROLL CALL

Attending:

Robin Wilson (Alternate for Law Director)

Chuck Cavano (Alternate for Chris Murray)

Nora Hurley

Mike King

Darlene White

3. Review and Approval of the Minutes

a. 2/26/15 Regular Meeting

b. 2/27/15 Special Meeting

Mike King motioned to approve the minutes from the 2/26 and 2/27 meetings, as written. Chuck Cavano seconded the motion. The minutes for both meetings were unanimously approved.

4. PUBLIC COMMENT RELATED TO THE AGENDA

There was not public comment related to the agenda.

5. RULES FOR 1st READING

Resolution ARB2015-0013, Agency of the Inspector General (AIG), requesting temporary approval of their Investigative Interview Procedure.

Andrea Nelson-Moore, Agency of the Inspector General, provided an overview of the Agency's *Investigative Interview Policy*. Ms. Moore gave a general explanation of the policy, along with the legislative authority from which the Agency derives its power to implement the policy from the County's Charter (section 2.05), and the County Code (Chapter 2.04). She further explained that the AIG relies on section 9.84 of the Ohio Revised Code as a framework for design of their investigative procedures.

Discussion ensued regarding the distinct manner in which the Office handles information collected through compelled interviews conducted of subjects of and witnesses to an investigation. Of specific interest was whether information collected during these interviews is transmitted to the Prosecutor's Office in the event that an AIG investigation is referred to that agency for potential criminal proceedings.

Ms. Moore addressed public comments submitted by Councilman Dale Miller. In response to his comments, within the first sentence of the "Union Representation" section, the AIG has changed the word "...believes the investigation will result..." to "...may result..." Councilman Miller submitted a second comment, requesting clarification on the Attorney Representation section of the policy, and whether evidence collected under AIG interviews is admissible in a future criminal proceeding. Discussion continued around this issue. Ms. Moore asked for a legal opinion from the Law Department on whether an employee subject or witness that is compelled for an interview has the right to the presence of an attorney during the interview. The AIG agreed to revise and clarify this section of the policy in a manner that is consistent with that legal opinion. Once revisions are complete, the Agency will resubmit the policy to the Board of for second reading approval.

6. RULES FOR 2ND READING & APPROVAL

Given that the March 2nd meeting was a special meeting, Mike King motioned to waive the requirement of County Code Section 113.02(D) that proposed rules be read at two regular Board meetings prior to approval, in order to consider Resolution ARB2015-0008 for second reading approval. Chuck Cavano seconded the motion. The motion was unanimously approved.

Resolution ARB2015-0008, Office of Procurement and Diversity requesting temporary approval of various procurement policies.

Chuck Cavano motioned to approve; Darlene White seconded. The motion to approve ARB2015-0008 was unanimously approved.

Chuck Cavano motioned to waive the requirement under County Code Section 113.02(D), in order to consider Resolutions ARB2015-0009, -0010, -0011, and -0012 for second reading approval. Nora Hurley seconded the motion. The motion was unanimously approved.

Resolution ARB2015-0009, Department of Development requesting temporary approval of the Business Loans & Grants policy.

Mike King motioned to approve; Nora Hurley seconded. The motion to approve ARB2015-0009 was unanimously approved.

Resolution ARB2015-0010, Department of Development requesting temporary approval of the Home Mortgage Short Payoff policy.

Mike King motioned to approve; Nora Hurley seconded. The motion to approve ARB2015-0010 was unanimously approved.

Resolution ARB2015-0011, Department of Development requesting temporary approval of the Homeowner mortgage subordination policy.

Nora Hurley motioned to approve; Mike King seconded. The motion to approve ARB2015-0011 was unanimously approved.

Resolution ARB2015-0012, Department of Development requesting temporary approval of the Homeowner Rehab Loans policy.

Nora Hurley motioned to approve; Mike King seconded. The motion to approve ARB2015-0012 was unanimously approved.

7. RULES CURRENTLY POSTED FOR PUBLIC COMMENT

Ms. Burt stated there are no rules currently posted for public comment, but anticipates that the County Shelter will submit a policy for consideration in the near future. Rules from other departments are also being gathered for submittal.

8. MISCELLANEOUS BUSINESS

Ms. Burt announced that the next regular meeting of the ARB is scheduled to occur Thursday, March 5th.

9. PUBLIC COMMENT UNRELATED TO THE AGENDA

There was no further public comment.

10. ADJOURNMENT

Darlene White motioned to adjourn; Nora Hurley seconded the motion. The motion to adjourn was unanimously approved at 10:03 a.m.