

MINUTES  
Cuyahoga County Human Resources Commission  
Wednesday, December 21, 2011  
Cuyahoga County Administration Bldg.  
Multi-purpose Room, 4<sup>th</sup> Floor  
5:00 p.m.

1) CALL TO ORDER

Robert Wolff, Chairman of the Commission began the meeting at 5:05 p.m. and made a motion to approve the minutes from the December 7, 2011 meeting. Commissioner Palmer seconded the motion. No objections.

2) ATTENDANCE

Chairman Robert Wolff, Commissioner Angela Simmons, Commissioner Kathleen Palmer, Administrator Rebecca Kopcienski, Coordinator Jessica Vezina, Director Elise Hara, Assistant Prosecutor David Lambert, Assistant Prosecutor Barbara Marburger, Assistant Prosecutor Sara DeCaro, Inspector General Nailah Byrd, Investigator Matt Hawes, Law Director Majeed Makhlof and Assistant Law Director Amy Marquit-Renwald were in attendance.

3) PUBLIC COMMENT (Nothing submitted)

4) UNFINISHED BUSINESS

a) Update on Joyce, G. appeal – Elise Hara

Discussion ensued. Chairman Wolff moved to inform Ms. Joyce that her appeal would be assigned to a Hearing Officer to consider whether her appeal was filed in accordance with the Ethics ordinance. Chairman Wolff requested a legal opinion as to whether the Human Resource Commission has jurisdiction on this matter or if SPBR has jurisdiction, and asked Administrator Kopcienski to contact SPBR to get their position on the matter.

b) Hearing Officer Training

Training is tentatively scheduled for January 12, 2012. Law Department and Prosecutor's office have agreed to participate. Commission has decided to move forward with those Hearing Officers that have signed contracts. Chairman Wolff to address those Hearing Officers that have immunity questions. Chairman Wolff requested Law Director to research the matter of whether conducting Human Resource Commission hearings is a matter of public interest.

5) NEW BUSINESS

a) Recommended Dismissal

i) Farina, N. – Recommended for Dismissal due to subject matter.

b) Ethics Ordinance – Responsibilities and Compliance

- i) Who is covered by Human Resource Commission's responsibility for ethics training and enforcement?
  - (1) Human Resource Commission Administrative Rules 5.02 "Ethics"
  - (2) Ethics Ordinance Article II. Section 1. "Definitions"

Discussion ensued.

Ethics complaints cover a broader scope than those who are eligible to file an appeal with the Human Resource Commission. Chairman Wolff suggested a work-sharing protocol between the Inspector General and Human Resource Commission. Chairman Wolff moved that when an ethics complaint is filed with Human Resource Commission and the subject is of concurrent jurisdiction between IG and Human Resource Commission, absent some conflict with the IG's office, the complaint should be referred to the Inspector General for investigation. Subpoena power is available to the Inspector General, understanding that their office confers with counsel prior to issuing a subpoena. Commissioner Simmons seconded the motion.

6) PUBLIC COMMENT (Nothing submitted)

7) OTHER BUSINESS –

- a) In response to a request for a legal opinion, Assistant Prosecutor David Lambert verbally advised Chairman Wolff that appeals from appellants who have been reinstated within the County do still have rights to be heard on their previous appeal.
- b) Administrator Kopcienski advised Human Resource Commission that staff met with Lieutenant Bradley to discuss needs for security at Human Resource Commission meetings and hearings, as part of exploring the possibility of moving the bi-monthly Human Resource Commission meetings to Lakeside Place.

8) ADJOURNMENT

Chairman Wolff ended the meeting at 7:10 p.m. and made a motion to adjourn. Commissioner Simmons seconded the motion. No objections.

Next Human Resource Commission meeting is scheduled for Wednesday, January 4, 2012 at 5:00 p.m.