

ITEM 5b



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC
Resolution 17-32

TRANSFER OF INTERNAL AUDIT PERSONNEL AND APPOINTMENT OF AN ACTING INSPECTOR GENERAL

WHEREAS, the General Assembly of Maryland has enacted amendments to the Land Use Article of the Maryland Annotated Code ("Land Use Article") by 2017 Maryland Laws, Chapter 361 ("Chapter 361") which established the Office of the Inspector General ("OIG") of the Maryland-National Capital Park and Planning Commission ("Commission"); and,

WHEREAS, among other things, Chapter 361 provides at Section 3 that the functions, powers, and duties of the Commission's existing Office of Internal Audit shall be transferred to the OIG effective as of October 1, 2017 ("Effective Date"); and,

WHEREAS, the Commission has duly adopted as regulations Administrative Practice No. 1-31 ("Practice 1-31") to, among other things, govern the organization, functions and powers of OIG; and

WHEREAS, Chapter 361 further provides at Section 4 that all employees of the Commission's Office of Internal Audit shall be transferred to the OIG without any interruption or diminution of their rights, including collective bargaining rights, benefits, or employment or retirement status; and,

WHEREAS, Chapter 361 further provides that the Commission shall establish an Audit Committee which shall, among other things, appoint a person to serve as the Inspector General and to supervise the personnel assigned to the OIG; and

WHEREAS, as required according to the Land Use Article § 15-402(b)(2), Elizabeth M. Hewlett, acting as the Chair of the Commission's Prince George's County Planning Board, has duly appointed Commissioner Dorothy Bailey to serve as a voting member of the Audit Committee for a term ending on September 30, 2018; and

WHEREAS, as also required according to the Land Use Article § 15-402(b)(1), Casey Anderson, acting as Chair of the Commission's Montgomery County Planning Board, has duly appointed Commissioner Norman Dreyfuss to serve as a member of the Audit Committee for a term ending on September 30, 2018; and

WHEREAS, the Commission's Planning Boards have acted to select and notify the County Council of Montgomery County and the County Council of Prince George's County, respectively, of their intended nominees to become voting public members of the Audit Committee as required under the Land Use Article § 15-402(b)(3) and (4); and

WHEREAS, the initial constitution and composition of the Audit Committee remains pending during the period of consideration by the County Councils; and,

WHEREAS, the Commission desires to appoint an Acting Inspector General to fulfill the duties of the office until such time as the Audit Committee is duly constituted and enabled to act and appoint an Inspector General as contemplated under Chapter 361.

NOW THEREFORE, BE IT RESOLVED, that the Maryland-National Capital Park and Planning Commission does hereby, memorialize and acknowledge the transfer by operation of law of any Commission employee assigned as of the effective date to the Office of the Inspector General; and,

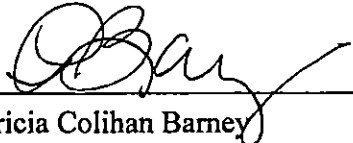
BE IT FURTHER RESOLVED, that the Commission does hereby appoint and authorize its former chief internal auditor, Renee M. Kenney, to assume the responsibilities of the office of the Inspector General on an acting basis only incident to her employee transfer to the Office of the Inspector General, and only until such time as the Audit Committee shall have made its appointment required by Land Use Article § 15-403(2), and to supervise the employees assigned to OIG and otherwise discharge the functions and duties prescribed under Practice 1-31 for the Inspector General; and

BE IT FURTHER RESOLVED, that during her period of service as Acting Inspector General, Kenny shall serve without any interruption or diminution of any employment rights, including any collective bargaining rights, benefits, or employment or retirement; and

BE IT FURTHER RESOLVED, the Commission authorizes and directs the appropriate officers of the Commission to undertake such further acts, instruments and further assurances as are necessary to effectuate the purpose and intent of this Resolution.

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No. 17-32 adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Chair Hewlett, Vice-Chair Anderson, Commissioners Bailey, Cichy, Dreyfuss, Geraldo, Patterson and Washington voting in favor of the motion, and Commissioners Doerner and Fani-Gonzalez being absent from the meeting held on Wednesday, October 18, 2017 in Mitchellville, Maryland.



Patricia Colihan Barney
Executive Director