PROCEDURES AND BYLAWS OF THE ANNE ARUNDEL COUNTY PENSION OVERSIGHT COMMISSION

ARTICLE I. Statement of Purpose.

Consistent with Section 606 of the Anne Arundel County Charter, the purpose of the Pension Oversight Commission is to provide oversight and non-binding recommendations on any legislative or funding change proposals to the pension system, independent of both the legislative and executive branches of the County government, consistent with §§ 606-609 of the Anne Arundel County Charter.

(1) The Commission shall review any proposal that is submitted and, on or before the thirtieth day after receipt of the proposal, report its findings and recommendations to the County Executive and County Council. The County Council may not vote on any ordinance or resolution that is subject to this paragraph until it has either received the Commission's report or the time period for submission of the report has expired.

(2) Before the County makes any change in the mediums used for funding a County pension plan, the County shall submit a written statement of its proposed action to the Pension Oversight Commission. The Commission shall review any proposal that is submitted and, on or before the thirtieth day after receipt of the proposal, report its findings and recommendations to the County official responsible for the proposal. Unless the County Executive declares that an emergency exists that demands immediate action, the County may not take any action that commits the County to the proposed action until it has either received the Commission's report or the time period for submission of the report has expired.

(3) On request of the County Executive, any member of the County Council, Board of Appeals, the Personnel Officer, or any participant in a County pension plan, the Pension Oversight Commission shall provide a written interpretation of any provisions of a County pension plan.

(4) The Commission shall perform any additional duty assigned to it by ordinance.

(5) The Commission is required to submit an annual report of the status of each County pension plan created under Section 814 of the Charter to the County Executive and the County Council. Absent any specific concerns of the Commission, these reports will be generated and distributed through the annual CAFR, report of the Board of Trustees, and report of the pension consultants retained by the Board to provide such information.

The report shall include for each pension plan:

(i) the Commission's assessment of the appropriateness of the actuarial assumptions used;
(ii) a statement of revenues, including contributions, investment earnings, and forfeitures;
(iii) the cost of the plan, including an analysis of fees, commissions and expenses;
(iv) an evaluation of the administration of the plan; and
(v) any amendment or proposal that the Commission may wish to recommend.

In accordance with the Charter provision, the Commission may engage the services of actuaries or other experts to assist it in carrying out its functions.

Article II. Organization.

(1) The Pension Oversight Commission shall consist of nine members appointed by the County Executive and confirmed by resolution of the County Council.
(2) Five of the members of the Pension Oversight Commission shall be residents of the County who:

(i) are knowledgeable about pension administration and funding;
(ii) do not hold an elective or appointed office with the County or the State; and
(iii) are not participants in any retirement plan that the Commission oversees.

(3) Four of the members shall be members of the classified service and selected from a list of names nominated by secret ballot by the members of the classified service in the manner required by ordinance of the County Council. Of the four members:

(i) one shall be a uniformed police officer;
(ii) one shall be a professional fire fighter;

(iii) one shall be a member of a class represented by the employee organization that represents the majority of classified employees other than uniformed police officers and professional fire fighters; and

(iv) one shall be a member of the classified service other than the police department and fire department, who is in a class excluded from representation by the employee organization referred to in item (iii).

The term of a member shall be four years and the terms of the members shall be staggered. At the end of a term, a member shall continue to serve until a successor is appointed and qualifies. A member who is appointed after a term has begun shall serve only for the rest of the term and until a successor is appointed and qualified. A person may not serve for more than two terms as a member of the Pension Oversight Commission.

On the recommendation of the County Executive, the County Council, on the affirmative vote of at least five of its members, may remove a member of the Pension Oversight Commission for cause.

(4) The Officers of the Commission shall be elected at the first meeting of each County fiscal year and shall consist of a Chair, a Vice-Chair, and a Secretary as follows:

a. Chair. The Chair shall conduct meetings and coordinate with the County Administration and/or County Council as appropriate. The chair shall draft any recommendations and reports on behalf of the Commission for disbursement after approval by a majority consensus of Commission members. The Chair shall present any findings to the County Council or County Executive when necessary. The Chair is selected by the Commission for a one-year term.
b. Vice-Chair. The vice-chair shall act as the chair in when the Chair is absent. The Vice Chair is selected by the Commission for a one-year term.
c. Secretary. The Secretary shall record minutes of all meetings, as well as prepare and distribute public notices and agendas of the Commission.

ARTICLE III. Meetings.

Section 1. Meetings.

Meetings will be held at the call of the Chair unless a quorum of the members determines otherwise.

Section 2. Quorum.

A majority of the appointed members of the Commission in attendance at a meeting constitutes a quorum. In the event there are fewer than nine appointed members on the Commission, a quorum shall in no case be less than four members.

Section 3. Voting.

Any action taken by the Commission must be passed at a meeting with a quorum and by an affirmative vote of the majority of voting members.

Section 4. Open Meetings

All meetings of the Commission shall be open to the public in accordance with Maryland's Open Meetings Act. The minutes of all such meetings shall be public records and shall be available for inspection by interested persons in accordance with the Maryland Open Meetings Act.

Section 5. Notice of Meetings.

a. Public Notice. Written public notice of all meetings shall be published on the County website in a reasonable amount of time preceding the date of the meeting and in accordance with the Maryland Open Meetings Act. Notice of meetings shall be kept by the Secretary for at least five years.
b. Cancellation of meetings. Cancellation of meetings will follow delays and closings of the Anne Arundel County Government. Notification of delays and cancellations will be posted on the County website and sent to the Commission members whenever possible.
c. Agenda. The Chair shall prepare a tentative agenda for each regular meeting and will have it posted on the County website and distribute it to the Commission members and other interested parties in a reasonable amount of time preceding the meeting.
d. Minutes. The Secretary shall draft minutes for each meeting subject to the Open Meeting Act and present to the Commission at the next meeting for approval. The Staff shall post approved minutes on the County website.

Section 6. Conduct of Meetings.

a. Open to the Public. All meetings of the Commission are open to the public. Those desiring to address the Commission shall notify the Chair prior to the scheduled meeting. The person wishing to speak shall provide the Commission members with their name, address and the organization with which they are affiliated. The speakers are limited to not more than five minutes. However, the Chair may grant more time at his or her discretion. The Chairman may suspend any testimony that is not relevant to

the subject at hand and advise the speaker to that effect. If a member of the general public is disruptive as determined by the Commission, the individual may be removed.

b. Closed meetings. The Commission may, when deemed necessary, hold a closed meeting but it must be in accordance with the Maryland Open Meetings Act.
c. Correspondence. Individual Commission members who receive mail pertaining to items considered by the Commission shall forward copies to the Chair and the Secretary.
d. Meeting procedures. Meetings shall be conducted in accordance with the latest published version of Robert's Rules of Order.

Section 7. General Guidelines

Once an official position by the Commission is taken, members voting in the minority should not lobby their opinions, but should restrict their comments to explaining how and why they voted the way they did, if confronted. The Commission may authorize other Commission members to present testimony or represent the Commission before the County Council, County Administration, or other organizations or commissions in order to present Commission recommendations, opinions and decisions.

Article IV. Budget

(1) Unless otherwise authorized by ordinance, a member of the Pension Oversight Commission may not receive compensation.

(2) A member of the Commission is entitled to reimbursement of expenses, as provided for in the budget.

ARTICLE V. Amendment of Bylaws

These by-laws may be amended by a majority vote of the Commission and in keeping with §§ 606-609 of the Anne Arundel County Charter.

These bylaws are approved on this date of 3/20/2017.

Chair _____

Secretary _____