

**City of Milton Board of Ethics
Regular Meeting
Monday, October 20, 2008, 6:00 PM**

This summary is provided as a convenience and service to the public, media, and staff. It is not the intent to transcribe proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted and heard by the Board, but not quoted. This is an official record of the City of Milton Board of Ethics Work Session proceedings. Official Meetings are audio recorded.

AGENDA

- I. Call to Order – Chairman Todd Ashley
- II. Approval of the August 18, 2008 meeting minutes.
- III. Discussion on revisions to Bylaws and Rules and Procedures Standards of Conduct.
- IV. Old Business
- V. New Business
- VI. Next Meeting Date
- VII. Adjourn

MEETING CALLED TO ORDER

Chair Todd Ashley: Called the Board of Ethics Work Session meeting to order for Monday, October 20 2008 at 6:05 p.m.

ROLL CALL:

Present:

Todd Ashley, Chair
Carol Lane, Vice Chair
Carol Cookerly
Clint Johnson
Joe Whitley (participating via conference call @ 6:08 p.m.)

Not Present:

Kristin White
Howard Drobos

City Staff: Paul Frickey, City Attorney's Office
Francesca Ivie, City Clerk's Office

APPROVAL OF THE MINUTES

Chair Todd Ashley: Called for approval of the August 18, 2008 work session meeting minutes.

Motion and Second: Clint Johnson made a motion to approve the August 18, 2008 meeting minutes. Carol Cookerly seconded the motion. There was no discussion. Vote: 5-0, with Joe Whitley voting via conference call. Motion unanimously carried.

APPROVAL OF AGENDA

Motion and Second: Clint Johnson made a motion to approve the meeting agenda. Joe Whitley seconded the motion. There was no discussion. Vote: 5-0, with Joe Whitley voting via conference call.

Chair Todd Ashley: Called the next agenda item, **Discussion on revisions to Bylaws and Rules and Procedures Standards of Conduct** and opened floor up to discussion.

Chair Todd Ashley: Advised the Board that Attorney Paul Frickey had drafted Bylaws and made references throughout the Bylaws to Ordinance sections.

Attorney Paul Frickey: Gave general overview to Board of content in Bylaws. Stated it was the first draft. Went through different sections of the Bylaws with Board.

Attorney Paul Frickey: Stated he could address the issue of telephone participation under Section 4.

Chair Todd Ashley: Stated he felt it was okay to participate via telephone conference for regular meetings or work sessions, because the Ethics Board was a volunteer board and not elected as City Council. He said that the City Council had come up with operating procedures specifically for the Council.

Carol Cookerly: Had questions about number of meetings regarding Investigations and Hearings.

Chair Todd Ashley: Stated they would have a preliminary type hearing first and then the hearing with the witnesses and evidence.

Chair Todd Ashley: Stated tonight they should give Mr. Frickey their input and he could do another draft for their next meeting.

Attorney Paul Frickey: Asked Board if they felt they would be able to hear the merits of a complaint in one day or would multiple days be necessary.

Clint Johnson: Pointed out that there were some paragraphs that needed renumbering.

Attorney Paul Frickey: Took a break at 6:25 p.m. to take a phone call. Meeting temporarily recessed.

Meeting reconvened at 6:30 p.m.

Attorney Paul Frickey: Stated once they get into the hearing procedures, those procedures are set out extensively set out in the Ordinance.

Chair Todd Ashley: Said he would like for Mr. Drobos and Ms. White to have an opportunity to communicate their thoughts with Mr. Frickey via email which could then be incorporated into the Bylaws since they were not able to be present at the meeting tonight. He stated the Board could then come and vote on them at the next meeting.

Attorney Paul Frickey: Stated he would implement the comments and changes within the next week or so.

Chair Todd Ashley: Said as the Board would be voting on the Bylaws, they would need to come together one more time. He stated that the meeting tonight satisfied the Board's quarterly meeting requirement for the 4th quarter. He said they could go into January or meet one more time before the first of the year to vote on the Bylaws.

Carol Lane: Stated the City Council was addressing their Ordinance at the City Council meeting tonight which would be voted on.

Carol Lane: Asked if there could be a provision in the Bylaws or Ordinance that a complainant must stay through the entire hearing.

Attorney Paul Frickey: Stated there was no legal requirement to that regard, and the Ordinance had already gone before the City Council was already being voted on tonight.

Clint Johnson: Said if the complainant leaves the hearing and there are questions to be addressed, then the complaint could be dismissed.

Chair Todd Ashley: Told the Board if the complainant left their hearing, then that could be weighed against them.

Chair Todd Ashley: Mr. Frickey will make a final draft and the Board will meet again to vote on the Bylaws.

OLD BUSINESS:

Some of the Board members asked about the Ordinance before the City Council regarding the section dealing with allowing members of the City Council to be present and participate or influence a board or commission at a meeting.

Chair Todd Ashley: He thought the Ordinance was being voted on as it was presented and did not believe the City Council made any changes and was being voted upon as is.

NEW BUSINESS:

There was no new business.

NEXT MEETING DATE

- Board discussion about next meeting date.
- Thought they would meet very briefly before the end of the year.
- Decided everyone would email their available dates and send to Chairman at which time a date would be set.

Chair Todd Ashley: Called the last agenda item, Adjournment.

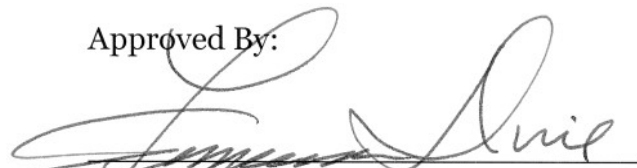
ADJOURNMENT:

Motion and Second: Clint Johnson made a motion to adjourn. Seconded by Carol Lane. There was no discussion. Vote: 5-0, with Joe Whitley voting via conference call. There was no discussion. The motion unanimously carried.

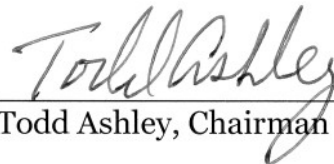
There was no further business. The Ethics Board Work Session meeting adjourned at 6:35 p.m.

Date Approved: Jan 26, 2009

Approved By:



Francesca Ivie
City Clerk's Office



Todd Ashley, Chairman