

Ethics Advisory Board

November 14, 2006

Members Present: Charlie Brewer, Randi Bryan, Fretwell Crider, Linda Gladin, Anne Miller, Sue Off, and Carolyn Smith

Ex-Officos Present: Janice Elliott, Bubba Hughes, Paul Wolff

Members Absent: Lynn Hamilton, Roma Harper

Linda Gladin called the meeting to order and called roll.

Anne made a motion to approve the October minutes. Carolyn seconded the motion. Minutes were approved.

Ann made a motion to appoint Sue Off as Team Leader of the Article 5 section and Charlie Brewer to be the Team Leader of the Handbook section. Randi seconded the motion. Motion approved.

All meetings with more than 4 members will need to be advertised.

Meeting Dates: No Meeting in December

January	8 th
January	22 nd
February	19 th
March	19 th
April	16 th

When the new website is available, e-snips maybe become a thing of the past. It depends on which one works the best for the board members. Todd is establishing a secured area for the Ethics board.

The document numbering/identification scheme changed: Prefixes, Section Names, Version, and Section Date – Example: SectDraftimpartialityA061010.

Bubba was to give his preference for a method of interpretation. There is a section in Article 2 Declaration of Policy dealing with interpretation and application. Bubba has developed language that does what it needs to do. He is to email Linda the language and give the location to where the language needs to be placed and she will add it to Article 2. Bubba stated that it was very general, but consistent with what is there and what we want it to achieve.

Linda asked Bubba to please comment if he sees the committee going in the wrong direction. He agreed that he would.

Janice brought information concerning an Ethics Hotline to the board. There is a company called Global Compliance out of Charleston that provides a 24 hour confidential service to those who need to report unethical behavior. This would be a third party contract and cost approximately \$5000 for the year. This service is used by Savannah-Chatham County Public School System and by Memorial Hospital. Linda asked Bubba if there were peculiar issues for a municipality as opposed to a public school system or hospital. Bubba stated that he would contact Lee Holiday on the board with his concerns.

Charlie stated that there are a lot of handbooks that we could model. He has looked a several universities as well as government bodies. Charlie feels that the greatest challenges will be

having a handbook for employees, city elected and appointed officials. Employees will have certain guideline that addresses more detailed information about ethics in their work place verses public servants. Another challenge will be to define the training that will accompany the handbook. Charlie is looking at on line computer testing. Linda stated that it also needs to be done on paper. Charlie would like to get the handbook team together in early January.

Linda would like to tackle nepotism as a team. Most ethics codes do address nepotism. Paul stated that nepotism could be a subset of impartiality. Bubba stated that the City Manager was working on a nepotism rule with respect to the employment situation. Linda stated that the official side should be addressed. The fairness and impartiality is the most important part of the ordinance. Linda will come up with something and add it to the impartiality section and get it out to the members.

The main piece that needs work is the Conflict of Interest – what constitutes conflict of interest and how you are to behave. That would include reclusal, disclosure, and abstention. There is a part in our Chart that says if you don't vote it counts as a positive vote. The Chart does not say that you have to vote. According to Bubba, if you abstain without disclosure it counts as an affirmative vote. If you are forced to reclude yourself then a vote is not counted at all. Linda stated that the reclusal and disclosure need to be place together for a better explanation. Bubba state that so much of this under the current ordinance is a judgment call. If an elected official feels that there is a conflict or lack of impartiality then he or she should disqualify his/herself. This could lead to an argument that this is a vote with the affirmative. This could be tested, but according to Bubba the best way is for the elected official to reclude his/herself and let the court draw the legal line. Linda would like to have this one done by next meeting.

The big pieces that are left are Conflict of Interest, Gifts, Nepotism, and Ex-parta Communications.

Linda is waiting for comments on the last few sections – Requirements of Obey Laws, Honesty, Use of City Resources, Improper Use of Position, and Sensitive/Confidential Information. She would like for everyone to look over and comment on before they are brought up for discussion in the committee meeting. Linda will wait 4 or 5 days for more comments on these sections before she writes the final draft to be submitted to the committee at the next meeting.

Linda brought up one issue in the Fitness to Serve section. The issue has to do whether or not there is a second standard for managerial and the laborer. It says that public servant is unfit to serve if a convicted criminal. A convicted criminal is someone that has committed a misdemeanor or felony. The wording should be reviewed. It should possibly read a convicted felony. State laws that control elected officials. Bubba will look at the state guidelines and what it states. Linda stated that the key is to have a good word or definition for criminal. Bubba stated that an ordinance should not be so confining as to hold someone accountable to something they did 20 years ago. He will look at how it reads and adjust accordingly. Linda stated that this is a good section to have in the ordinance.

Linda felt that the meeting was a good meeting where everyone participated.

Meeting adjourned