Regular Meeting:

Roll Call:

X Chair Ms. Rhonda Smiley
X Member Ms. Mary Ann Slattery
X Member Mr. J. Anthony Snorgrass
X Member Mr. John Zawacki
X Member Mr. Gilbert Castro
X Ruth Benien, Administrator

X (Present)
E (Excused)
U (Unexcused)

Call to Order:

Chairperson Smiley called the meeting to order at 4:05 p.m. Commissioners Slattery, Snorgrass, Zawacki and Castro were present. Commissioner Slattery advised that she needed to leave by 5:45 p.m.

Public Comment: No members of the public appeared for the public comment session.

Old Business:

Minutes of the January 8, 2009 meeting were reviewed. A Motion to Approve the Minutes as corrected was made by Commissioner Slattery with a second by Commissioner Zawacki. The motion passed unanimously.

Administrator Benien reviewed the monthly report with the Commission which outlined the training provided in January, 2009 and the nature of the ethics opinions rendered and complaints received.
One Ethics training course was provided during the month of January, 2009 for the Water Pollution Control Department on January 29, 2009 from 7:15 a.m. – 8:15 a.m. Additional Continuing Ethics training sessions are scheduled for the Water Pollution Control Department on February 3, 2009, February 10, 2009 and February 13, 2009 from 7:15 a.m. - 8:15 a.m. A Continuing Ethics training session is scheduled for the Human Resources Training Center on March 11, 2009 from 1:30 p.m. – 2:30 p.m..

One new ethics complaint was received and a file opened. The matter is pending. One request for an advisory opinion was received. A request for information about the UG Ethics Code and its provisions with respect to contracting with former employees was received from a City Manager of another city and response provided. Sixteen total complaints are pending awaiting additional information, investigation or preparation of a final formal response. Four complaints were resolved.

Administrator Benien agreed to additionally identify the status of complaints or advisory opinions as open, pending, closed or referred.

A Motion to Approve the Monthly Report of the Ethics Administrator was made by Commissioner Snorgrass with a second by Commissioner Castro. The Motion passed unanimously.

The status of the updates and revisions to the Ethics Code was reviewed. Administrator Benien agreed to prepare a summary for each section highlighting the changes to be used by the Commissioners as part of the final review.

Discussion occurred with respect to a right of appeal under the Ethics Code and potential amendments. Administrator Benien was authorized to forward a letter to the UG Commissioners after the April elections with the Ethics Commission’s recommendations with respect to any changes.

Further action on obtaining greater public exposure such as on local television shows or other media was tabled for thirty days.

**New Business:**

The issue of recording of Commission meetings or at least the public comment session was addressed at the request of Commissioner Snorgrass. After some discussion a Motion was made by Commissioner Zawacki with a second by Commissioner Slattery that the matter be tabled until the next meeting with Commissioner Snorgrass to come back with a specific proposal. The Motion passed unanimously.

Prior to the meeting, materials with respect to the Kansas Open Meetings Act were distributed to the Commissioners and Administrator for their use and review.

Ethics data for the third and fourth quarter of 2008 was distributed by Administrator Benien. Training data was previously provided.
Administrator Benien, in conjunction with Chairperson Smiley and Chief Legal Counsel Hal Walker, has prepared a memorandum regarding permitted and prohibited political activities. The Memorandum will be distributed to employees prior to the UG elections which are in March and April, 2009. A copy of the Memorandum to be signed and distributed was provided.

**Executive Session:**

No Executive Session was held.

Adjournment:

Motion for adjournment by Commissioner Castro

Seconded by Commissioner Zawacki

Passed Unanimously.

Meeting Adjourned at 5:55 p.m.

Next Meeting is March 5, 2009 at 4:00 p.m.

Respectfully Submitted,

s/Ruth M. Benien

Ruth M. Benien
Ethics Administrator