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 4:03 p.m. Commissioners Slattery, Snorgrass, Zawacki and Castro were present.

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

Old Business:

Minutes of the February 5, 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 February, 2009 and the nature of the ethics opinions rendered and complaints received.
A Continuing Ethics training sessions was provided on February 13, 2009 for the Water Pollution Control Department 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.

Five new ethics complaints were received. Lack of jurisdiction was found with respect to one of the complaints. A file was opened on the other four and the matters are pending. Six written requests and three verbal requests for advisory opinions were received. Three written advisory opinions were provided and three verbal advisory opinions were provided. Nineteen total complaints are pending awaiting additional information, investigation or preparation of a final formal response. One complaint was resolved.

Distribution of the Ethics Code to elected officials and candidates was discussed and it was suggested that the Administrator place copies of the Ethics Code in the Election Commissioners offices and the UG Clerk’s office.

Request was made and Administrator Benien agreed to provide generic or redacted copies of the written advisory opinions to the Commissioners.

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 Zawacki with a second by Commissioner Snorgrass. The Motion passed unanimously.

The status of the updates and revisions to the Ethics Code was reviewed. Administrator Benien is preparing a summary of the changes to each section. The increased number of complaints and advisory opinions has delayed that process.

**New Business:**

The issue of recording of at least the public comment sessions of the Ethics Commission meetings was revisited at the request of Commissioner Snorgrass. The matter was tabled at the February meeting until the March meeting with a request that Commissioner Snorgrass come back with a specific proposal. No written proposal was presented. After discussion it was determined that the Commission and Administrator lacked sufficient information adopting such a policy. Commissioner Zawacki moved to table the matter until the next meeting to collect further information and to have the Administrator ask the UG legal department to provide a legal opinion as to recording all or a portion of the meetings and, if so, what portions. Commissioner Snorgrass seconded the motion and it passed unanimously.

Administrator Benien advised that a clarifying memorandum regarding permitted and prohibited political activities had been drafted by her and will be distributed to all employees. Questions had arisen over voting and what was allowed and not allowed.
Commissioners were asked if they wished to have their e-mail accounts listed with their biographical and contact information on the web-site to so advise Administrator Benien. Administrator Benien advised of the procedure that the Legislative Auditor’s office was planning to follow with respect to filling the vacancy on the Commission which will occur in July, 2009 when the term of Commissioner Slattery expires. Commissioner Castro who was appointed to fill only a partial term was asked if he was agreeable to staying on for a full term and agreed to do so.

**Executive Session:**

No Executive Session was held.

Adjournment:

Motion for adjournment by Commissioner Zawacki.

Seconded by Commissioner Castro.

Passed Unanimously.

Meeting Adjourned at 6:13 p.m.

Next Meeting is April 2, 2009 at 4:00 p.m.

Respectfully Submitted,

s/Ruth M. Benien

Ruth M. Benien
Ethics Administrator