Regular Meeting:

Roll Call:

X Chair Ms. Rhonda Smiley
X Member Dr. J. Anthony Snorgrass, PhD.
X Member Mr. John Zawacki
X Member Mr. Gilbert Castro
X Member Ms. Janey Humphries
X Ruth Benien, Administrator

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

Call to Order:

Chairperson Smiley called the meeting to order at 4:07 p.m. Commissioners Snorgrass, Zawacki, Castro and Humphries were present. Administrator Benien was present.

Public Comment: Five members of the public appeared to make a presentation on behalf of the Quindaro Northeast Neighborhoods Association and issues and complaints they had with respect to potential UG Ethics Code violations with respect to the UG, several of its elected officials and employees and the determination of NBR status and use of solicited funds. The public comment session lasted from 4:08 p.m. until 5:20 p.m. The issues raised will be logged as official complaints for investigation by the UG Ethics Administrator. Commissioner Snorgrass advised that with respect to any issues, complaints, investigations or votes with respect to the Quindaro Northeast Neighborhoods Association that he would be abstaining.

Old Business:

a). Approval of Minutes:
Proposed Minutes of the October 1, 2009 meeting were reviewed. A Motion to Approve the October 1, 2009 Minutes was made by Commissioner Zawacki with a second by Commissioner Castro. The motion passed unanimously.

b). Monthly Administrator’s Report:

Administrator Benien provided a written copy of the October, 2009 monthly report to the Commission which outlined the training provided in October, 2009 and the nature of the ethics opinions rendered and complaints received.

The Basic Ethics training session rescheduled for October 29, 2009 for the Parks and Recreation employees and the November 3, 2009 Basic Ethics and Continuing Ethics training were cancelled awaiting receipt of the UG Ethics Code in its codified form and for time to revise the training materials. A conference was held with the UG Administrator, the Legislative Auditor, legal department representatives and the UG Ethics Administrator on October 21, 2009 to discuss implementation to the UG Ethics Code revisions. Two administrative sessions were held on October 29, 209 with the UG Commissioners and staff, UG legal, the Ethics Administrator and Legislative Auditor to discuss the UG Ethics Code revisions. Ethics training sessions for the UG Commissioners and Mayor have been requested for December 14, 2009 and December 17, 2009. Continuing Ethics training is scheduled from 1:30 p.m. to 2:30 p.m. and Basic Ethics training is scheduled from 3:00 p.m. to 5:00 p.m. in the Human Resources Training Room on December 9, 2009.

Fifteen new complaints were received. Eight complaints were resolved with a finding of no jurisdiction or no violation. Twenty three complaints are pending awaiting investigation or determination. Two new verbal requests for an advisory opinion were received. Twenty one new written or e-mail requests for an advisory opinion were received. Twenty seven requests for advisory opinions are pending. One preliminary opinion was provided. One request for information on how to become a member of the UG Ethics Commission and help with development of factual scenarios was received. Time investment required with respect to the proposed revisions to the UG Ethics Code and requests with respect to those revisions substantially limited the ability of the Ethics Administrator to address these matters during the month of October, 2009.

c). Discussion of status of submittal of revisions to Ethics Code:

The proposed revisions to the UG Ethics Code from the UG Ethics Commission were discussed. Administrator Benien and Commissioners Snorgrass, Zawacki, Castro and Humphries and Legislative Auditor Tom Wiss attended the October 1, 2009 meeting of the UG Commission. Administrator Benien presented the proposed revisions to the UG Commissioners all of which were passed except the ones with respect to required resignation to run for UG Commissioner or Mayor. It was requested that those sections be rewritten and submitted to specify that any employee winning such election would need to resign his or her employment upon election. Administrator Benien will begin the preparation of the Advisory Opinions and will be providing separate opinions for each
request. The same will be submitted to the UG Ethics Commissioners for their review prior to issuance.

d). Report on status of anti-retaliation memorandum:

The Administrator has not had opportunity to prepare a memorandum for distribution regarding the anti-retaliation provisions of the UG Ethics Code due to the substantial time commitment required by the proposed UG Ethics Code revisions and requests with respect to the same.

New Business:

There was no new business.

Executive Session:

No Executive Session was held.

Adjournment:

Motion for adjournment by Commissioner Snorgrass.

Seconded by Commissioner Zawacki.

Passed Unanimously.

Meeting Adjourned at 6:05 p.m.

Next Meeting is December 3, 2009 at 4:00 p.m.

Respectfully Submitted,

s/Ruth M. Benien

Ruth M. Benien
Ethics Administrator