Regular Meeting:

Roll Call:

X Chair Ms. Rhonda Smiley
X Member Dr. J. Anthony Snorgrass, PhD. (by telephone)
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 4:06 p.m. Commissioners Snorgrass, Zawacki, Castro and Humphries were present. Administrator Benien was present. Tom Wiss, Legislative Auditor, was present.

Public Comment: No members of the public were present.

Old Business:

a). Approval of Minutes:

Proposed Minutes of the September 3, 2009 meeting were reviewed. A Motion to Approve the September 3, 2009 Minutes was made by Commissioner Castro with a second by Commissioner Zawacki. The motion passed unanimously.

b). Monthly Administrator’s Report:
Administrator Benien provided a written copy of the September, 2009 monthly report to the Commission which outlined the training provided in September, 2009 and the nature of the ethics opinions rendered and complaints received.

A Continuing Ethics training session was held on September 10, 2009 from 3:30 p.m. to 4:30 p.m. at the Human Resources Training Center. A Basic Ethics training session was held at the Human Resources Training Center on September 10, 2009 from 1:00 p.m. to 3:00 p.m. A Basic Ethics training session was rescheduled for October 29, 2009 for the Parks and Recreation employees at Kensington Center.

Five new complaints were received. One complaint was resolved with a finding of no jurisdiction based on it being a Human Resources/Operational matter. Fifteen complaints are pending awaiting investigation or determination. Three e-mail requests for an advisory opinion were received. One verbal request for an advisory opinion was received. Three written advisory opinions were provided. Three requests for an advisory opinion are outstanding. 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 months of August and September, 2009. Motion to approve the Monthly Report of the Ethics Administrator as amended was made by Commissioner Snorgrass and seconded by Commissioner Zawacki.

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 forwarded to Mayor Reardon on September 14, 2009. At the request of Administrator Benien, on behalf of the UG Ethics Commission, public comment and discussion and potential vote on the UG Ethics Code proposals was placed on the October 1, 2009 Agenda of the UG Board of Commissioners. The request was made so as to allow sufficient time for public review and comment. The UG Ethics Code revisions were not sent to the Standing Committee on Administrative Affairs by the Mayor so that all UG Commissioners and the Mayor would be present to hear all comments with respect to the proposals. The UG Commission meeting will start at 7:00 p.m. The Mayor has requested that Administrator Benien and all UG Ethics Commissioners, or at least the Chairperson be present at the meeting and that Administrator Benien present the proposed revisions. Commissioners Snorgrass, Zawacki, Castro and Humphries will attend. Chairperson Smiley was unable to attend. Legislative Auditor Tom Wiss will also attend. The proposed revisions and the potential vote were on the Channel 9 news on Wednesday, September 30, 2009 and will presumably be covered at the October 1, 2009 meeting. Administrator Benien made no comments to the press as she was out of town and unavailable.

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 Castro.

Seconded by Commissioner Humphries.

Passed Unanimously.

Meeting Adjourned at 4:55 p.m.

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

Respectfully Submitted,

s/Ruth M. Benien

Ruth M. Benien
Ethics Administrator