

Ethics Committee Special Meeting
06/28/18
Town Offices Meeting Room 1
DRAFT MINUTES

Committee Attendees: Chair Lee Suskin, Vice Chair Tom Little, Mike Ashooh, Bill Deming, Alternate Pete Gadue, Gwen Webster, and Diana Vachon, Clerk

Selectboard Liaisons: Mary Kehoe

Public Attendees: Madeline Hughes, Reporter for the Shelburne News; Lee Krohn, Interim Town Manager

Call to order 8:35 am

Welcome to the Selectboard liaison, Ms. Kehoe, and members of the public.

Review and Approve the Agenda for June 28, 2018: Mr. Deming moved to approve the agenda. Seconded by Ms. Webster. There were no comments and the motion passed unanimously.

Approve the Minutes from June 19, 2018 – Vice Chair Little moved to accept the minutes. Ms. Webster seconded the motion. There were no comments and the motion passed unanimously.

Opportunity to Disclose Conflicts of Interest: Hearing none, the Chair moved on the next agenda item.

Public Comment: Hearing none, the Chair moved on the next agenda item.

Committee Discussion of Suggested Revisions to the 6/22/18 Ethics Draft Ordinance – Chair Suskin. Chair Suskin handed out the June 22 Draft Ordinance and his June 26, 2018 presentation to the Selectboard to guide the discussion at this meeting.

Article 4.B.2. The Committee agreed to delete the word “publicly” and the last line - “This shall not apply to a member’s particular political views” - from the June 22 draft.

Article 4.B.4. The Committee agreed to include “a situation where a public official has exhibited personal bias related to an individual involved in a quasi-judicial proceeding” in the definition of a conflict of interest.

Article 8. The Committee agreed to add language authorizing a Committee/Board/Commission (CBC) to require a member to recuse, if possible under the law. Lee Krohn volunteered to check with the VLCT to see if this is possible. Under Vermont municipal law, it is possible that the CBC cannot require

another a member to recuse. The law may be different for elected versus appointed members. We will find out.

The Committee agreed to remove the word “perception” when referring to an “appearance of a conflict of interest” throughout the Ordinance.

Article 10.A. The Committee agreed to delete “unless the public official has previously made a binding agreement to not participate in that manner” from the June 22 draft and to add in its place “in a quasi-judicial proceeding.” The Committee discussed whether a definition of “Interested Party” should be added to the Draft Ordinance before adoption.

Article 11.B.2.e. Investigations. The Committee discussed whether the Committee should be authorized to appoint a Committee member, or some other person or professional to investigate a complaint. Lee Krohn urged great caution on this topic. The Committee agreed to strike Article 11. B.2.e. from the June 22 draft.

The Committee agreed to delete any reference to aspirational guidelines in the Draft Ordinance.

The Committee agreed to add Section 5.G. to Prohibited Conduct: A public official shall not act in violation of the Shelburne Town Charter, the Vermont Open Meetings Law or the Vermont Public Records Law.

Article 5.C. The Committee agreed to leave out a dollar amount regarding accepting gifts.

Our next meeting is scheduled for July 26, 2018 at 8:30 AM.

Adjourned at 9:55 AM on a motion from Mr. Ashooh and a second by Ms. Webster. The motion passed unanimously.

Respectfully submitted by Diana Vachon, Clerk of the Committee