

Ad Hoc Committee - Ethics
Minutes of May 29, 2019

Committee Members Present: Ron Clous, Betsy Coffia, Brad Jewett
Others Present: Donna Kinsey, Kit Tholen, Chris Cramer

Meeting was called to order @ 9:00 am..

Chairman Clous asked Chris Cramer to reformat the minutes from the last meeting and present them at next meeting for approval. Ms. Cramer will prepare minutes and copy committee members so they can review prior to the next meeting as she was not present at the meeting held on April 10th.

Public comment: Chair Clous indicated that since the committee was on a tight schedule this morning, he would open public comment at the noted times shown on the agenda but accept no additional comments during meeting discussion on specific topics.

Bruce Moore requested consideration of Section 4 and Financial disclosure items.
John Stone spoke in favor of transparency and how financial disclosure increases trust.

Chair Clous explained that after going over the policy again, he's not sure how HR would get disclosure statement from some elected officials and since the policy is for all employees, an annual disclosure statement as defined seems unrealistic and unnecessary.

Tholen added that he and Kinsey created this policy language as a guide and if this section is something we want to included, there are options regarding to whom it would apply and how much information would be required.

Coffia indicated that this is something she would like to see, especially for our elected officials.

Kinsey suggested looking at what other counties are doing and Tholen added that this language actually came from the ethics language recommended by Mike Cox for elected officials.

Jewett agrees that disclosure is necessary in terms of a conflict of interest. He and Clous both question how far reaching the policy would be and what would happen if an elected official forgot to disclose something? Their concern is that something simply overlooked could be construed as them intentionally withholding information. Since no recourse could be taken against an elected official if they chose not to disclose information, the following motion was made:

MOVED by Clous, seconded by Jewett to eliminate the annual disclosure statement section.

Discussion continued.

Commissioner Coffia asked if there was some compromise that could be met?
Clous responded not on disclosure statement but yes on conflict of interest. Jewett suggested beefing up the conflict of interest language to include items 1-5 currently listed under disclosure statement.

Original Motion and 2nd were amended to eliminate Annual Disclosure Statement section but to include subheadings 1-5 (5 being "Any legal or beneficial ownership of any real property") under Definitions Section regarding Financial Interest.

Vote called for motion on the floor. Yes 3, No, 0.

Commissioner Coffia added that she voted yes to support the compromise but would rather see the disclosure statement included and not deleted completely.

Committee took a 5-minute break at 9:45 a.m.

Commissioner Jewett requested further explanation and discussion regarding Section IV, Item #11 regarding supplementary employment. Since this policy is to cover employees, elected and appointed officials, perhaps the wording should be clarified considering Commissioners positions are not full time and they most likely have secondary employment. Further discussion included whether or not elected officials or specifically commissioners, should be included.

It is suggested that if this is a policy that pertains to all employees and they are responsible to read and sign acknowledgement of the policy, that we make it available on line and provide links to all MCL's or court cases cited.

Commissioner Coffia asked to discuss enforcement a bit further. Since disciplinary actions cannot be enforced upon elected officials like they would be upon employees, should there be some sort of agreement or resolution signed agreeing to the terms of the code of ethics policy?

Tholen suggested a resolution or addition to the board rules. Coffia will bring back a recommendation to consider adding. She will also review policy for punctuation, etc. and provide changes/corrections to Kinsey.

Regarding the "reporting process" and "investigative procedure", Kinsey and Tholen will bring back information regarding what other counties are doing and what is considered "best practice".

Meeting was adjourned @ 10:30 a.m..

Next meeting is scheduled for June 26th @ 9:00 a.m. in the Committee Room.