

**Town of Raymond  
Ethics Committee Meeting  
July 10th, 2007  
High School Media Center  
Approved Minutes**

**I. 6:30pm Call to Order**

Chairman Pam Turcotte called to order a meeting of the Raymond Ethics Committee on Tuesday, July 10th, 2007, at 6:30pm, in the High School Media Center.

Committee members also present:

Frank Bourque  
Sandra Ellis

Committee members absent:

Karen Fullerton  
Pat Larney

The meeting was filmed by RCTV. The cameraman was Chester Goguen.

**II. Pledge of Allegiance**

Chairman Turcotte led the attendees in reciting the Pledge of Allegiance.

**III. Proof of Posting**

The Proof of Posting for tonight's meeting was confirmed at both the High School and the Fire Station.

**IV. Non Public Session per RSA 91-A:3,II(c)**

**V. Public Forum - Public Input**

Mr. Bourque recused himself from the Committee for this agenda item, as he had been on the Planning Board when the situation began.

Attorney Doug Mansfield appeared on behalf of Selectman Frank Bishop, with the argument that Mr. Flibotte had not presented a prima facie case, and as such was not entitled to a hearing on his complaint.

Chairman Turcotte stated that the job of the Ethics Committee was not to decide the legal status of a complaint; only if it was complete and if a pre-hearing conference should ensue. Mrs. Ellis concurred, stating that the Committee was only interested in procedure at this point, not content. The purpose of the pre-hearing conference was merely to set the ground rules for the hearing, which had yet to be scheduled. Attorney Mansfield objected,

stating that the Complainant hadn't met the legally required threshold for a hearing. He had no objection to having another pre-hearing conference scheduled, as long as all elements of the violation were clear before that meeting took place.

Mr. Flibotte stated that Selectman Bishop was just trying to drag the procedure out and cause him (Mr. Flibotte) to expend additional time and expense, but that he was willing to come back for another pre-hearing conference with his attorney and play the game to Selectman Bishop's format. Attorney Mansfield objected to the "game" characterization.

It was decided that this subject would be tabled for now and that a second pre-hearing conference would be scheduled for the next regularly scheduled Ethics Committee meeting on August 14<sup>th</sup>.

Ms. Hoelzel asked if the Ethics Committee would themselves be bringing legal counsel to that pre-hearing. Mrs. Ellis pointed out that the Board of Selectmen had deleted that line item from the Ethics Committee budget, but that it was impossible for the Committee to use Town Counsel, so the Town Manager/Board of Selectmen would need to be notified that legal fees would need to be spent. Mrs. Ellis suggested calling Vice-Chairman Larney, who will contact the Municipal Association to get their advice and recommendation. After that, Interim Town Manager Mike Farrell and then the Board of Selectmen should be contacted. Chairman Turcotte will handle this.

Senator Barnes asked why there were no alternates to the Ethics Committee, and complained that there were two members missing, which was costing the Town money (for Town Counsel Attorney Mansfield's time). The Committee pointed out that the Town's Code of Ethics did not allow for alternates and that the missing Ethics Committee members had legitimate excuses for their absence. Mr. Bourque pointed out that the Committee did indeed have a quorum.

Gretchen Gott asked if Town Counsel was representing Selectman Bishop. Attorney Mansfield replied that he was representing Selectman Bishop in his role as Selectman. Mr. Flibotte asked why the Town was paying for Selectman Bishop's legal fees, as he (Mr. Flibotte) had filed his complaint against Selectman Bishop as an individual, not as a Selectman. Chairman Turcotte pointed out that Selectman Bishop had been acting as a Selectman at that time. Mr. Bourque stated that Mr. Flibotte should rightly be asking that question of the Board of Selectmen, not the Ethics Committee.

## **VI. Public Comment**

As no members of the Public wished to speak, the Committee moved on to Agenda Item VII, Work Session.

## **VII. Work Session**

### **A. Power Point Presentation**

The PowerPoint training presentation was reviewed and some minor revisions suggested. Mr. Bourque will make changes.

**B. Scenarios**

There was some discussion about whether examples should be broad or narrow; tailored to the group being trained or not. It was suggested that a small number of examples should be included in the presentation, but that written scenarios should also be handed out for trainees to read, with a group discussion to follow. Trainees could be notified as to where in the Code answers to the examples could be found.

**C. Presentation Dates**

September 25<sup>th</sup> was suggested as the date of the first evening training. The daytime training for employees needs to be discussed with the Interim Town Manager, and the training for the Police Department with Chief David Salois. April will be asked to help with contacting the trainees.

**VIII. Future Meeting Dates**

**Adjournment**

Mrs. Ellis moved to adjourn the meeting; Mr. Bourque seconded the motion. The meeting was adjourned at 7:58pm.

Respectfully Submitted,

Debra H. Doda