

Raymond Ethics Committee
December 9, 2003

- I. Co-chair Pat Larney called to order a meeting of the Raymond Ethics Committee at 6:30pm, Tuesday, December 9, 2003 at the Raymond Town Hall.
Committee members present were:
Sandy Ellis, Co-Chair
Gretchen Gott
Emery Landis
Pat Larney, Co-chair
Marilyn Semple

There was one member of the public present. The meeting was televised by RCTV. The cameraman was Craig Fauth.

- II. The meeting was opened with the Pledge of Allegiance. The proof of posting was reviewed. The minutes of November 25th were reviewed and several typographical errors were corrected. Marilyn made a motion to accept the minutes as corrected, Emery seconded the motion. Sandy, Gretchen, Emery and Pat voted in favor of the motion and Marilyn abstained.

- III. At this point, the Recreation Advisory Board joined the meeting to receive their annual training on the Ethics Code. Present were Luke Poppamichael, Chairman, Bob Gonsler, Secretary and Michelle Gordon, Director, Parks and Recreation. The Board did not have a quorum for an actual meeting, but it was decided to go ahead with the training since no decisions, votes, etc. would be taken. Gretchen presented an overview of the code, referencing the printed Code of Ethics booklet. Discussed were sections of the code likely to be more pertinent including gifts and favors and improper use of town property. Conflicts of interest, disclosure of same and recusal were discussed. The question was asked, "What happens if an alternate is in the audience, not serving on the board, and has a conflict of interest, are they required to disclose that conflict, recuse themselves and leave the room during the deliberative portion of the meeting." The answer is that alternates are considered public servants, therefore covered by the Code of Ethics. Discussion on this point ended with the suggestion that the committee should discuss this with counsel.

Another question asked, was regarding solicitations for the volunteer banquet. The committee addressed this issue on either June 10th or 24th.

- IV. Old Business:
A. Code of Ethics Training:
1. The Budget Committee training was done this month. RCTV will receive the training on 12/17 and Emery will contact Kevin Woods to confirm those arrangements.
2. The Solid Waste Committee will receive their training on 12/16 or 1/13. Pat will confirm those arrangements. The training will be provided by

Marilyn and Sandy. Sandy will update the list of those public servants who have received the training. January 13th will be a catch up date for those who haven't received the training. There will be no meeting on January 27th because of the Presidential Primary.

3. Department Heads received their training on 12/8. In addition to their training, the Department Heads discussed how to provide training for the Town Employees. It was decided that the employees will be divided into 2 groups so that areas are not left uncovered. Pat will discuss the logistics of the sessions with Rick Bates so that the training can be provided by the end of January. The other alternative to having employees taking the training is to have them read the code and sign a document stating that they have read the code.
4. Hearing process: During the Department Head training, questions were asked about what the committee does with inquiries or complaints. There will be a file kept with such inquiries. The question was also asked about whether employees were treated differently than committee members with regard to confidentiality. The Ethics Code Drafting Committee had discussed this question with counsel. The reply was that this would have to be determined on a case by case basis. The committee will need to keep separate files for public and non-public information. If a complaint is received, the committee will announce that such has been received. Also, the complainant must exhaust all other avenues before coming to the committee. In the case of a board, the complaint would be dealt with by that board, before coming to the Ethics Committee. In the case of an employee, counsel could be contacted for guidance if the complaint is not resolved through the employer-employee process. Marilyn will contact Scott Ives in Dunbarton for advice on how they deal with hearing procedures. The Ethics Committee discussed Dunbarton's process. Several members have attended a pre-hearing and hearing in Dunbarton, when they processed a recent complaint. Marilyn mentioned that she likes the "simplification of the issue and statement of the facts" section of the school hearing procedures.
5. Inquiry Process: The committee discussed the need to acknowledge, within 10 days, the receipt of an inquiry. The person making the inquiry will be invited to attend the next scheduled meeting. Inquiries can be made orally or in writing. If via email, it can be made as an attachment to the inquiry form on the web. Inquiry and complaint forms have still not been posted. Pat will follow-up with Rick Bates. Emery stated that he opens emails to the committee, forwards copies of all to the other members, and acknowledges receipt to the sender.
6. Complaint Process: There will be verification that the complaint is complete including a reference to the specific section of the code thought to be violated and what other avenues of relief have been pursued. Complaints must be on the official form. Notification must be sent to the respondent. Ethics Committee members will set up the pre-hearing. Gretchen made the motion, seconded by Emery to follow Dunbarton's

hearing process as a starting draft. All voted in favor, except Sandy who abstained. Sandy stated that she felt that we were moving too fast. There was further discussion. The pre-hearing is a public meeting and at the pre-hearing witnesses and times for hearing those witnesses would be established. If the complainant does not come to the meeting, the complaint shall be deemed to have been withdrawn unless there is a valid reason for the absence. Written findings from the hearing will be issued within 30 days of the conclusion of the hearing. The committee will ensure that the time between the pre-hearing and hearing will be as short as possible and that all will be scheduled in a timely manner. After the hearing, the committee will deliberate and render an opinion. Pat will draft a flow chart to show the process of the hearing including process of gathering evidence and the briefing.

7. Pat returned the draft of the thank you letter to boards that have received training. Gretchen made a motion to send the letter as written, Emery seconded the motion. All members voted in favor of sending the letter as presented.

V. New Business: There was no new business.

VI. Emery made a motion to adjourn the meeting and Gretchen seconded the motion. The meeting was adjourned at 9:07pm

Respectfully submitted,
Gretchen Gott