



## **Ada Township Ethics Board Minutes July 15, 2013**

The meeting was called to order at 6:33 pm.

In attendance were Carol Seacord, Norm Rhoades, Susan Burton, George Haga, Keith Wolverton, and Mary Oele. Also present was Jeff Ammon, Attorney from Miller Johnson. Jon Sarb came at 6:37. Brian Schffelbein was absent.

Minutes: Keith Wolverton made a motion to approve the minutes, Mary Oele seconded; the motion was passed.

Agenda: Keith Wolverton made a motion to approve the agenda, Jon Sarb seconded; the motion passed.

General Business: (Old and new combined).

Regarding Standards of Conduct and the question of Board attendance, Attorney Jeff Ammon declared there is nothing wrong with stating members are expected to attend all the meetings. In violation of this, members may fairly expect there will be consideration given to removing them from the board. To reflect this change in the Standards of Conduct, the first sentence in #3 under D will be moved to the first sentence in "Vacancy and Removal", #5.

It was asked of Ammon whether information in a complaint form is subject to FOIA. He answered that information in a complaint form is subject to FOIA, however, personal information such as addresses and phone numbers are considered personal private information, and are not subject to FOIA.

Ammon also reminded the Board that in the event of a complaint, we need to NOT email each other or reply to "all" concerning the complaint. When a complaint is received at the Clerk's office, it will be stamped with the date received and put into the township vault and remain sealed till the Ethics Board Chair receives it.

Trustees at the meetings: Mr. Ammon, when asked, stated the Ethics Board does not have to have all three trustees at each meeting, but should save the option to have one of them there for guidance if needed. Three members of the five member board is a quorum.

The Board discussed removing the non-voting members of the board from the requirement of attending every meeting. The changes needed to the Standards of Conduct would be to: #1 under D, five (5) persons instead of eight (8); eliminate a and b under D-#1; in D-#2, eliminate "but no more than two consecutive terms. The Supervisor, Clerk and Treasurer serve as long as they hold their respective Township offices." Keith made a motion to approve these changes, Jon seconded it; the motion passed.

It was discussed that a recommendation be made to the Township Board to approve the changes in the Standards of Conduct: D. Ethics Board: Composition, #1 "The Ethics Board consists of..."change to five (5) persons rather than eight (8) persons; delete D-#3 with the first sentence moved to "Vacancy and Removal", #5; add "Completing a Complaint Form" G-#1 through #4, and change #1 from "will complete a township complaint form" to "have a duty to..."; add "PO Box 370" under "% Ada Township Offices", G-#3, in the Standards of Conduct. John Sarb made the motion, Keith Wolverton seconded; the motion was passed.

Clerk Burton will do a "redline" version of the Standards of Conduct so that the proposed changes are readily visible. These changes will be considered by the Board at its August 12, 2013 meeting, at 7 pm.

Keith Wolverton's email questions: Keith had a list of questions with possible legal implications that he asked Mr. Ammon, and elected officials present: Haga, Burton and Rhoades: **"Whose budget is charged for any needed extra time to provide testimony?"** Supervisor Haga responded: "General Administration." **"Are there any unions in the township?"** "No." **"What can be done in response to someone failing to comply with instructions and requests, etc.?"** "A charge of insubordination." **"Are there any discussion/question areas that are prohibited legally from being brought up or questioned?"** "Nothing on race, sexual orientation, etc." **"How are the board members protected legally from any subsequent legal action such as civil suits, etc. that could be filed by interviewed subjects?"** "Government immunity for elected and appointed officials." **"How are the interviews documented?"** "If recorded, subjects need to be told a head of time. Otherwise, notes of board members present."

No public comment.

The next board meeting is Oct 15, 6:30 p.m.

Motion to adjourn, 7:52.

Respectfully submitted,

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Mary Oele