

CHEROKEE COUNTY BOARD OF ETHICS
Second Quarterly Meeting Minutes

Date: May 12, 2016

Meeting Location: Cherokee County Conference Center at The Bluffs; Business Center

Board Members:

Julie Cullins, Member	Present	Gaylen Roberts, Chairman	Present
Phil Dodge, Vice-Chairman	Absent	John Seufert, Member	Present
Natalie Green, Member	Present*	Pat Wilder, Member	Present
Gil Howard, Member	Present**		

Others Present:

J. Marshall "Buzz" Wehunt, CCBBoE Attorney of Record
Laura Shoop, CCBBoE Secretary

*Arrived at 6:07 p.m.

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- **Chairman Roberts called the meeting to order at 6:04 p.m.**
 - **Introduction and swearing-in of new member Pat Wilder**
 - **Approval of Minutes from January 21, 2016**
Member Cullins made a motion to accept the minutes as they stood, seconded by Member Green. Motion passed unanimously.
 - **Public Hearing of Ethics Complaints**
Chairman Roberts opened floor for public hearing/discussion. No issues were brought forward, and no one present had been made aware of any ethics complaints. Floor closed for ethics complaints.
 - **Discussion Item: Disposition of CCBBoE records**
Chairman Roberts went through all CCBBoE records (1,327 digital documents), discarded those that were no longer necessary, such as old telephone records, and put all parts of minutes in executive session or documents considered legal advice in a separate box. Remainder available digitally if needed.
 - **Discussion Item: Status of Decision and Advisory Opinion regarding Commissioner Poole complaint**
Attorney Wehunt stated that the Advisory Opinion was sent out following the previous meeting. The original of the Advisory Opinion and the Decision was filed with Christy Black.
 - **Discussion Item: Status of cover letter to Board of Commissioners**

Attorney Wehunt reported that the cover letter had been sent.

▪ **Discussion Item: List of All Boards CCBBoE has jurisdiction over**

It was determined that all the boards over which the CCBBoE has jurisdiction were listed in the enabling legislation passed during the 2015 legislative session.

▪ **Discussion Item: CCBBoE budget status**

Chairman Roberts spoke with Ms. Cagle regarding the CCBBoE budget, and she informed him that the budget was for planning purposes only. If the Board needed to go beyond their budget, any necessary funds would be taken out of the general administration fund and provided to the Board. Therefore, it did not appear necessary for the CCBBoE to request a raise in the budget from \$8,000 to \$10,000. All agreed.

▪ **Recognition of former member and Vice-Chairman Debra Frieden:** Ms. Frieden was recognized for her long-time faithful service to the CCBBoE via a proclamation adopted by the Board of Commissioners and presented to Ms. Frieden at the May 3, 2016 meeting of the Board of Commissioners.

Chairman Roberts asked the personnel director whether any program existed to recognize volunteers throughout the county. She said she would look into it, and Chairman Roberts planned to follow up with her.

▪ **New Business**

1. **CCBBoE Rules of Order:**

It was proposed that the CCBBoE use an expedited method of approving measures when there is little discussion and all seem to agree, especially for administrative items, to prevent excessive motions and votes. All agreed.

It was proposed that, since each board in the county can choose their method of storing records, the CCBBoE store all records in digital format and that all items releasable to the public under the Sunshine Laws be published on the CCBBoE webpage going forward.

Motion: Chairman Roberts made a motion regarding the storage of CCBBoE records, which was revised to reflect concerns regarding attorney-client privilege documents. Member Seufert made a motion to approve the motion on the table, as revised. Member Howard seconded. Motion passed unanimously. (Motion attached as Exhibit "A.")

2. **Disclosure Letter from Commissioner:** Members reviewed disclosure letter sent to the CCBBoE by Commissioner Gordon.

Action Item: Attorney Wehunt was asked to send a letter to Commissioner Gordon thanking him for said disclosure and his diligence in seeking a preemptive ethics determination, and to state that the CCBBoE found no ethical violation.

Motion: Member Howard made a motion that our attorney draft a letter for the approval of the Chairman, to be sent to the Commissioner regarding the pending issue before the Board, and the sum and substance of the letter will be that the matter has been reviewed, the matter has been considered, and we find that there is no ethical violation and no cause for further action by this Board. Motion seconded by Member Seufert. Passed unanimously.

3. **Update of General Rules of Procedure:** It was pointed out that the current CCBBoE Rules of Procedure contains a few administrative items that need correction.

Action Item: Chairman Roberts volunteered to review it and email members an updated version to review and hopefully approve at the next meeting

4. **Digital Storage of CCBBoE documents:** previously discussed under “discussion items”
5. **Expanded information on CCBBoE webpage:** Discussion regarding the information posted on the CCBBoE webpage. It was noted that the current list posted online of the boards/entities over which the CCBBoE has jurisdiction should be updated to reflect the current reality along the lines of the following: *The Board is responsible for the oversight of those organizations listed in the enabling legislation, as amended.*

Motion: Member Seufert made a motion that we ask Christy Black to put links to the following documents under the “additional information” tab on the webpage:
Article 2 of the Ethics Act, in its entirety
CCBBoE General Rules of Procedure, once edited
Enabling Legislation
Amendment to Enabling Legislation
Member Cullins seconded. Motion passed unanimously.

6. **Change in date of 3rd quarter meeting:** It was proposed that the date of the 3rd quarter meeting be changed from July 21 to July 14 to accommodate members’ summer schedules. All agreed.

No further new business.

- **Next Meeting:**
The 3rd Quarterly Meeting of 2016 will be held on Thursday, July 14, 2016, at 6:00 p.m. at the Cherokee County Conference Center at The Bluffs.
- **Motion to Close:**
Meeting adjourned at 7:13 p.m.

EXHIBIT A

MOTION

RESOLVED: That all Cherokee County Board of Ethics documents available to the public including, but not limited to, agendas, minutes, opinions, findings, supporting documentation, and communications involved in ethics violation complaints, will be maintained and stored in digital form on the Cherokee County digital storage network. Hard copy backups will not be required. Documents, except communications involved in ethics complaints, will be stored on the Board of Ethics webpage and available to the public.

Documents not subject to public disclosure such as proceedings of executive sessions and personnel actions will be maintained and stored in hard copy form in the Cherokee County Administrative offices.