

CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: May 15, 2019

LOCATION: Room 333, Gerace Office Building, 3 North Erie Street, Mayville, New York 14757

TIME: 3:19 to 5:56 p.m.

MEMBERS PRESENT: Susan Dilks
John Lloyd
Rose Sebouhian
Mary Kay Szejbka

MEMBERS ABSENT: David Rowe

OTHERS PRESENT: Amanda Gallagher from the County Executive's Office
Kristen Wright from the County Law Department

CALL TO ORDER & PUBLIC NOTIFICATION:

Rose called the meeting to order at 3:19 p.m.

Amanda confirmed proper public notification was completed as the notice of today's meeting was emailed to the Post-Journal, Observer, WJTN, WDOE, and WRFA on April 30, 2019. The Meeting agenda and notice was also added to the county website on April 30, 2019.

MEMBERSHIP:

Mary Kay was successfully re-appointed to the board in January. Her term now expires on January 31, 2022.

VOTE FOR BOARD CHAIR & SECRETARY:

Mary Kay motioned to have Rose continue to serve as chair and John to continue to serve as secretary, which was seconded by Susan. All in favor.

APPROVAL OF MINUTES:

Mary Kay motioned to approve the October 24, 2018 minutes, which was seconded by John. All in favor.

REVIEW AND APPROVE 2018 ANNUAL REPORT:

Rose asked if anyone had any changes to the annual report. Amanda said that Kristen had recently brought to her attention that the list of 2019 meeting dates on page 6 of the report needed to be corrected as the current listed date of October 24, 2019 should be

October 16, 2019. Susan motioned to approve the report as amended, which was seconded by Mark Kay. All in favor.

CODE OF ETHICS UPDATED:

Amanda said that the board's recommended Code of Ethics changes from last year were successfully included into the updated Code of Ethics, which was approved by the County Executive and County Legislature and went into effect on January 15, 2019. The updated Code includes the title changes to Section 9 of the Code, training requirements for county board members in Section 9, and clarifies board meeting notification requirements in Section 13. No changes were made to the Statement of Financial Disclosure form.

Kristen also indicated that a member of a County board has recommended that the Ethics Board consider using the disclosure form used in the education realm, in place of the County's current form. A copy of the education disclosure form was provided. The Board deferred their review of the form until the next meeting.

REVIEW CORRESPONDENCE AND COMPLAINTS:

The board received a letter in its P.O. Box regarding a potential conflict of a former county employee. After some discussion, Mary Kay motioned that this be tabled and reviewed further at the board's June meeting, which was seconded by John. All in favor.

Amanda reported that the board's P.O. Box was successfully paid for and renewed for another year.

Amanda and Kristen reported that the County was recently notified that the New York State Comptroller's Office is going to do an audit on the County's ethics oversight. They and the County Executive are scheduled to meet with staff from the Comptrollers' Office on May 21. Amanda said the last time an ethic's audit was done was in 2009. Amanda and Kristen will report back to the board in June about their initial meeting for the audit.

Amanda said the board received a letter from the Chautauqua County Department of Human Resources (HR) indicating that it issued the training tools to all county departments enabling employees to comply with the County's Ethics Policy.

Kristen said she has contacted HR to learn more about its internal process of ensuring all employees complete the training.

Amanda reported that the mandatory training component for board members was issued this year. With the changes to the Code of Ethics, this was the first year members of county boards were required to receive the Code of Ethics training. She received some feedback from departments that the training might be hard for some boards to complete. There are some boards that only meet quarterly and do not have meetings during the training period. Departments also expressed that it may be difficult to get board members to sign and return the sheets by mail and some board members may not use email.

Amanda reported that 28 boards are required to receive the training. Of these, 14 boards had all of their members successfully received the training, 12 boards have members who have still not received the training, and 2 boards were dormant as they had no current members appointed to them. She said there are 58 board members who still need to receive the training and she asked the board for guidance on how this should be handled.

Susan motioned that Amanda contact the County Executive and Chairman of the Legislature to notify them of the board members under their oversight who have not received the training. The County Executive and Chairman of the Legislature will then be responsible for sending out letters directly to their board liaisons to have the board members receive the training within a certain amount of days of receiving the notification. Motion was seconded by John. All in favor.

STATUS OF FINANCIAL DISCLOSURE FORMS AND REVIEW OF FORMS:

Amanda reported that an additional 12 forms were reviewed at the end of 2018 so the total of forms reviewed for 2018 was 267 forms.

For 2019, all of the forms have been received except for 25 forms that were not received by the April 30th deadline. The 25 individuals were sent Final Notice letters to complete and return their forms by May 22, 2019. So far the board has received 15 of the delinquent forms, 7 are still missing, 1 employee who was out on leave returned to work and will need to complete the form by 6/12/19, 1 board member resigned, and 1 employee is out on leave and will be required to file upon 30 days of returning to work.

Amanda also reported that no individuals who have filed an agreement to settle in past years were delinquent this year.

Amanda said it has also come to her attention that some of the coroners who have submitted forms for review today have not disclosed a contract they have with the county to transport dead bodies. The board requested that the three coroners' forms be pulled from today's review and sent back to them to correct their forms.

The board then conducted its review of the received Statement of Financial Disclosure forms.

During review of the forms, the board members noticed that legislators and some board members did not list a department address on page 1 of their forms. The Ethics Board wasn't sure if all boards had an appropriate office or mailbox to send correspondence to. The Board requested that all individuals complete the "County Department Address" part of Section 1 and if they don't have a county address they should include a mailing address that the board could contact them at. The board will further look at amending the form to reflect this at a future meeting.

Of the 266 forms reviewed, 230 forms were approved and 36 forms (including the 3 coroner forms) were found to be incomplete.

Amanda will send letters to these 36 individuals requesting they complete their forms for further review.

NEXT MEETING:

The board's next meeting is scheduled for June 12, 2019 at 4 p.m. in the Gerace Office Building, 3 N. Erie St., Mayville, NY. Room TBD.

MEETING ADJOURNED:

Rose motioned to adjourn the meeting at 5:56 p.m., which was seconded by John. All in favor.