

# CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: September 10, 2019  
LOCATION: Room 149, Gerace Office Building, 3 North Erie Street, Mayville, New York 14757

TIME: 4 – 5:40 p.m.

MEMBERS PRESENT: John Lloyd  
Susan Dilks  
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

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## CALL TO ORDER & PUBLIC NOTIFICATION:

Rose called the meeting to order at 4:05 p.m.

Amanda confirmed proper public notification was completed as the notice of today's meeting was sent out to the local media on August 26, 2019. She also confirmed that the meeting appeared in the Community Notebook/Events section of the Post-Journal on August 29 and in the Observer on Sept. 9. The meeting agenda and notice were also added to the county website on August 26, 2019.

## APPROVAL OF MINUTES:

Amanda noted that there was a typo in the minutes on page 2 where the referenced subparagraph of the Code of Ethics should have been listed as subparagraph "g" and not "f."

Rose motioned to approve the June 12, 2019 minutes as amended, which was seconded by John. Mary Kay was in favor and Susan abstained from voting as she was not present for the last meeting.

## UPDATE ON NYS AUDIT:

Kristen provided an update on the state audit. All of the Statement of Financial Disclosure forms for the audit period were found to have been received and fully completed.

Amanda said that the auditors also found that the required training is being completed by employees. They did a sample size of 40 new employees and found that 39 individuals had the training complete and 1 individual did not complete the training. It was later determined that the individual who did not complete the training was an exception as the individual was not a county employee.

Kristen said the auditors did find that Sections 800 through 809 of Article 18 of New York State General Municipal Law was not posted in the breakrooms of the three buildings they checked, but the County does have this document posted electronically on the county intranet site. Kristen said that corrective action was immediately taken. Kristen also said the auditors should be back for a meeting sometime in October to go over the final report.

#### REVIEW CORRESPONDENCE AND COMPLAINTS:

John Lloyd reported that no mail had been received to the Board's P.O. Box for action.

Amanda reported that she has not received any correspondence for the Board through the County Executive's Office.

#### STATUS OF FINANCIAL DISCLOSURE STATEMENTS:

Amanda reported that for the period of June 1, 2019 to August 23, 2019 there were 60 forms that were approved by the Board and filed with the Clerk of the Legislature and County Clerk. There were also three pending forms during this report period that have been received and are available for the Board to review today. The Board reviewed the two forms for new filers and the one amended form from a current filer and found them to be complete.

#### UPDATE ON ANNUAL TRAINING:

For the 2019 Training, Amanda reported that all of the board member training receipt confirmation sheets have been received for all of the current county board members with one exception. She is just missing one sheet from a board member that was recently appointed. She has been in contact with the department director who oversees the board and anticipates receiving the completed sheet soon. She will provide a further update at the next Ethics Board meeting.

Amanda also had a sample board member training confirmation sheet for the Ethics Board to review that would be utilized for the 2020 Training.

#### REVIEW DRAFT QUESTIONS AND ANSWERS ABOUT THE CODE OF ETHICS:

Amanda requested some guidance from the Board on the process of reviewing Statements of Financial Disclosure that are only being used by employees to disclose an interest they

have in a contract per NYS General Municipal Law. The Board requested that these forms still be reviewed and approved by the board before they are filed.

The board reviewed one Statement of Financial Disclosure form that was being filed per GML and found it to be complete.

The Board reviewed a sample Question and Answer about signing contracts with the county through their capacity as a volunteer with another organization. The Board requested that this draft question be incorporated into an existing question on the “Questions Received about the Chautauqua County Code of Ethics and Financial Disclosure” sheet. Amanda and Kristen will work on verbiage for the Board’s further review at the October meeting.

The Board reviewed a sample question and answer regarding the ability for a volunteer county board member to sign contracts with the county on behalf of their paid, full-time capacity with a business. The Board reviewed and approved this question to be added to the sheet and to the training.

The Board reviewed a sample question and answer regarding a speaker honorarium. The Board reviewed and approved this question to be added to the sheet and to the training.

The board reviewed a sample question and answer regarding a golf tournament invitation. The board reviewed and approved this question to be added to the sheet and the training.

#### REVIEW CODE OF ETHICS AND STATEMENT OF FINANCIAL DISCLOSURE FORM FOR POTENTIAL UPDATES:

##### Code of Ethics:

The board reviewed the Code of Ethics for possible updates.

SECTION 1. Section 4. Paragraph 1, subparagraph g of the Code of Ethics was further reviewed. Kristen will work with County Attorney Stephen Abdella to work on the language so it is apparent that a former county officer or employee should not appear before the County on any County matter pertaining to their former department for two years after their employment with the County. She will also further review adding language to create an effective date for this item.

SECTION 1. Section 9. Paragraph 1 of the Code of Ethics was further reviewed. The board agreed that the titles of “Assigned Counsel Administrator,” “Assistant Director of Real Property Tax III,” “Second Assistant Social Services Attorney,” and “Secretary to Legislature” be added to this part of the Code as required filers. The three Probation Department related titles (Deputy Probation Director, Probation Director, and Probation Supervisor) were also changed slightly to align with recent local law changes to these titles.

##### Statement of Financial Disclosure Form:

The board reviewed the Statement of Financial Disclosure Form for possible updates.

Under Question 1. Name and Address, the board requested that “Title” be changed to “*Title of County Employee or County Board Member,*” “County Department or Board Name” be changed to “*County Department or County Board Name,*” and “County Department Address” be changed to “*County Department or County Board Mailing Address (include street, city, state and zip code). If this section is not applicable, please provide a mailing address where you can be reached.*”

Under Question 9. Third-Party Reimbursements, there was a question that came up earlier this year about the time frame for listed reimbursements. The board requested that language be added to this question so that filers identify third-party reimbursements that have been made within the past 12 months.

Under the Certification part of the form, Amanda suggested adding a signature and date corrected/amended line for individuals who may need to correct their form or amend it.

Under the For Office Use Only section of the form, a line was added to provide a designated spot for board members to initial and date during their review of the forms.

NEXT MEETING:

The board’s next meeting is scheduled for Wednesday, October 16, 2019 at 4 p.m. in the Gerace Office Building, 3 N. Erie St. in Mayville, N.Y. Room TBD.

MEETING ADJOURNED:

Rose motioned to adjourn the meeting at 5:46 p.m., which was seconded by John. All in favor.

Minutes prepared by Amanda Gallagher and respectfully submitted to John Lloyd.