

CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: November 12, 2020

LOCATION: Rooms 331 & 333, Gerace Office Building, 3 North Erie Street,
Mayville, New York 14757

TIME: 4 – 6:48 p.m.

MEMBERS PRESENT: John Lloyd
Susan Dilks
David Rowe
Mary Kay Szejbka

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

CALL TO ORDER & PUBLIC NOTIFICATION:

Mary Kay called the meeting to order at 4:13 p.m. with her, John, Susan, Amanda, and James present.

Amanda confirmed proper public notification was completed as the notice of today's meeting was sent out to the local media on October 26, 2020. She also confirmed that the meeting appeared in the Post-Journal's "Briefly" section on October 29, 2020 and the Observer's "Community Notebook" section on November 12, 2020. The meeting agenda and notice were also posted to the county website on October 26, 2020.

MEMBERSHIP:

Amanda reported that Chair Rose Sebouhian has resigned from the Ethics Board effective 11/9/2020.

REVIEW CORRESPONDENCE AND COMPLAINTS:

Amanda reported that John had checked the P.O. Box on November 10, 2020 and there was no mail. The only mail that the board received through the County Executive's Office was a follow-up letter from a constituent regarding Case No. 2020-04.

The Board then moved on to Case No. 2020-04. Mary Kay motioned to enter into Executive Session at 4:16 p.m. to discuss matters leading to the demotion, discipline, suspension dismissal or removal of a particular person or corporation, which was seconded by John.

Dave arrived at the meeting at 4:18 p.m.

James left the meeting at 5:08 p.m.

Mary Kay left the meeting at 5:21 p.m.

Susan motioned to leave Executive Session at 5:22 p.m., which was seconded by Dave. All in favor.

Kristen arrived at the meeting at 5:25 p.m.

Amanda mentioned that the NYS Office of the State Comptroller recently held a webinar on Conflict of Interests and Ethics. She said once the recorded webinar is posted on the OSC website, she will let the board members know so they can watch it if they are interested.

Kristen and Amanda requested clarification from the board on how they would like to follow-up with the 1 individual who submitted an annual statement of financial disclosure outside the COVID-19 thirty-day extension period and for the 25 board members who completed the training confirmation outside the COVID-19 thirty-day extension period.

The Board requested that per the Financial Disclosure Statements Procedure, that the 1 individual who submitted the form outside the extension period be sent a Late Filing Notice letter. The Board will also grant a COVID extension for the 25 board members.

APPROVAL OF MINUTES:

Dave motioned to approve the minutes as amended, which was seconded by Susan. All in favor.

STATUS OF ANNUAL CODE OF ETHICS TRAINING FOR COUNTY BOARD MEMBERS:

Amanda reported new training confirmation is due for a new board member by the end of the month. Kristen and Amanda reported that there are only two annual Code of Ethics Training confirmation sheets that are still outstanding.

Dave motioned to make the recommendation to the County Executive that the two board members who haven't responded or completed the training be removed from their respective boards, which was seconded by Susan. All in favor.

STATUS OF FINANCIAL DISCLOSURE FORMS AND QUESTIONS:

Amanda reported there are 4 forms for the board's review today.

REVIEW OF SUBMITTED STATEMENTS OF FINANCIAL DISCLOSURE:

The Board reviewed 4 amended forms and they were approved for filing.

REVIEW CODE OF ETHICS TRAINING PROCEDURE:

Dave motioned to table the review and approval of the training until Mary Kay is available to comment, which was seconded by John. All in favor.

REVIEW DRAFT 2021 CODE OF ETHICS TRAINING AND 2021 STATEMENT OF FINANCIAL DISCLOSURE TRAINING:

Dave motioned to table the review of the training, which was seconded by John. All in favor.

REVIEW OF CODE OF ETHICS FOR POTENTIAL UPDATES:

The board recommended changes to Section 9 so the written confirmation of receipt language is consistent with the language of needing a signature for the training.

It also requested that the last sentence of Section 10 be amended to read: “Making a report with knowledge that all or part of the information in the report is false **or misleading** is a violation of this Code and may result in penalties as provided herein.”

It also requested that Section 13 of the Code be updated so the first sentence reads as follows: “The members of the Ethics Board shall serve three-year staggered terms, **with three terms expiring in odd years and two terms expiring in even years.**”

Dave motioned to recommend these changes to Sections 9, 10, and 13 of the Code, which was seconded by Susan. All in favor.

DISCUSS 2020 ANNUAL REPORT PREPARATION:

John and Susan’s terms will expire on 1/31/21 and they do not seek re-appointment to the Ethics Board.

NEXT MEETING:

The Board’s next meeting is TBD.

MEETING ADJOURNED:

John motioned to adjourn the meeting at 6:48 p.m., which was seconded by Susan. All in favor.

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