

FRANKLIN COUNTY
BOARD OF ETHICS
AUGUST 19, 2015
5:30 P.M.

Present: Diane Toney, Chair
Debra Grizzle
Michael O'Connell
Jackie Payne
Sheila Spencer

Media: None

Staff: County Clerk Elaine Evans

Chairperson Diane Toney called the meeting to order at 5:30 p.m. She thanked County Clerk Elaine Evans for getting the minutes and meeting information to the Ethics Board members. She also thanked everyone for taking the time to attend the meeting. Mrs. Toney asked the members if they had read the minutes from last year's meeting. She said that unless there were needed corrections that the minutes will stand as presented. There was no discussion or objection. The minutes were approved by unanimous consensus.

Mrs. Toney said that the Ethics Board has been blessed to not have to have called meetings due to complaints. She said that the worse thing to happen to an Ethics Board is to have a difficult problem. Mr. O'Connell said that it would be for the Board to be busy. Mrs. Toney said that it is time for Jackie Payne and Mike O'Connell to either be reappointed or rotate off of the Board. She said that she is checking into the length of time for the chairperson also.

Mrs. Toney said that when the Ethics Board was created the appointments were made on July 1. The first meeting had to take place within a certain amount of days from the creation of the Ethics Board and the appointments. The board appointments run for a four year period which makes them go from July 1 to June 30 instead of January 1 to December 31. By this process the board appointments or reappointments should take place prior to July 1. Mrs. Toney said her concern is if the board members are not current and there is an ethical issue, she does not want a violation because of the board having members with expired terms.

Mrs. Toney read email correspondence that she had with County Attorney Bubba Samuels. She questioned Mr. Samuels in the emails on the terms and how the appointments run. Mr. Samuels responded that the terms of appointments go from July 1 to June 30 with the terms being in years. He also said that members should continue to serve until reappointments or appointments so that no vacancies occur on the Board.

Mrs. Toney asked permission from the Ethics Board members to go before the Board of Commissioners and ask that the terms of appointments run from January 1 to December 31 instead of July 1 to June 30. If this change is approved it would eliminate the problem of possible board member terms being expired at the required meeting which takes place in the fall of each year. She asked for discussion. Mr. O'Connell said that he didn't see any reason for discussion. He then made the motion to allow Mrs. Toney to go before the Board of Commissioners and request the term period change. Ms. Payne seconded the motion. She also said that she was reappointed by the Democratic Party to serve another four years. Mrs. Toney asked for a show of hands. The motion passed by unanimous consensus.

Mrs. Toney then asked for permission to speak to the Board of Commissioners about keeping the investigative portion of a complaint private until the information is verified. She said that there is a process to go through when a complaint is filed. The first step is investigating and seeing if the complaint needs to go further. The next step is when the complaint goes further. Mrs. Toney said that according to the Ethics Ordinance the investigative portion is public. She said that she is not in favor of this because anyone can accuse anyone of anything whether it is true or not. When this information goes out to the public this mars the reputation of the person even if they are innocent of the charges. She said that she would like to ask for this change while she is also asking for the change in the terms. Mrs. Grizzle asked if the minutes from the Ethics Board are forwarded to the Board of Commissioners. County Clerk Elaine Evans said no that these minutes only go to the Ethics Board members. Ms. Payne made the motion to allow Mrs. Toney to ask the Board of Commissioners to change the ordinance to keep the investigation private until the charges are proven. Mr. O'Connell seconded the motion. Ms. Spencer was in agreement. Mrs. Toney asked for a show of hands. The motion passed by unanimous consensus. Mrs. Toney said that when the date is set to go before the Board of Commissioners she will notify the members so that they can attend and show their support for the changes.

There were no further comments or concerns from anyone. The meeting adjourned at 5:50 p.m.

Signed on the _____ day of _____, 2016

Debra Grizzle, Chair

Elaine Evans, County Clerk