

**FRANKLIN COUNTY
BOARD OF ETHICS
OCTOBER 18, 2016
5:00 P.M.**

*Members Present: Debra Grizzle, Chair
Mark Herndon
Jackie Payne
Sheila Spencer*

Members Absent: Mike O'Connell

Media: None

Staff: County Clerk, Elaine Evans

Chairperson Debra Grizzle opened the meeting at 5:00 p.m. She thanked everyone for coming to the meeting and for being willing to serve on the Ethics Board.

Mrs. Grizzle said the old business is to take care of the minutes from last year's meeting. She said she had a question of whether the previous chairperson, Diane Toney had spoken to the Board of Commissioners regarding the privacy or non-public investigation of the Ethics Board. Mrs. Grizzle said she did not think that Mrs. Toney completed this process and asked if the Board is in agreement for her to speak with Judge Malcom about this procedure. Everyone was in agreement to pass the minutes as written as well as for Mrs. Grizzle to speak with Judge Malcom regarding changing or updating the by-laws for employee investigations and/or complaints.

Jackie Payne said she understood that Mrs. Toney had talked to County Attorney Bubba Samuels about this issue. County Clerk Elaine Evans confirmed that Mrs. Toney said she had talked with Mr. Samuels and it was okay. Mrs. Grizzle said there was a valid point about the investigation not being public. Ms. Payne and Ms. Spencer agreed the investigation should not be public. The information should be released after the investigation is resolved. Ms. Payne and Mrs. Grizzle stated just because someone has been investigated it does not mean they are guilty.

Mr. Herndon said in last year's minutes Mrs. Toney talked about a process where the complaint is verified. He asked what the verification process is. Mrs. Grizzle said her understanding is this is what the Ethics Board does. Mr. Herndon asked if the verification process would be to see if there is enough of a reason to go further. Mrs. Grizzle said that is her understanding. Mr. Herndon asked if there was any legal reason for the public to know about the investigation. Mrs. Grizzle said this may be covered under the Open Records Act and this is why she wants to speak with Judge Malcom for

clarification on the requirements.

There was no new business to discuss. Ms. Payne said she was thankful to be at the meeting with no new business. The other members agreed. Mr. Herndon asked if the Ethics Board has ever received a complaint. Mrs. Grizzle said not while she has served. Ms. Payne said so far all the Ethics Board has had to do is show up once a year for the required meeting. Mr. Herndon asked how long the Ethics Board has been in place. Mrs. Evans told him that the Ethics Ordinance was passed in 2011. Mr. Herndon asked if this is a requirement of the State. Mrs. Grizzle said this came from the Board of Commissioners and there are counties who have Ethics Boards and counties who don't.

Mrs. Grizzle said that it would be good to see what other counties do with their Ethics Boards. She said if a complaint is ever received it may be time to see how other counties handle the process. Mr. Herndon asked if the people in the County know that there is an Ethics Board. Mrs. Evans said when the Ethics Board was first started it was heavily publicized in the paper.

There were no further comments or concerns from the members. The meeting adjourned at 5:07 p.m.

Signed on the _____ day of _____, 2017

Debra Grizzle, Chair

Elaine Evans, County Clerk