

Minutes

Board of Ethics
City of Memphis

Meeting of September 7, 2011

The meeting was called to order at 2:06 p.m. by Chairman Lanier.

The following Board members were present at the meeting:

Mark Chambers
Robert Dawkins
Edward Vaughn
Judge Robert Lanier
Ruth Pollard
Pete Scatamacchia

The approval of the agenda was properly moved and seconded.

Mr. Vaughn moved for acceptance of the minutes from the June 1, 2011 meeting. The motion was seconded and carried without objection or modification. There were no minutes from the July 6, 2011 meeting because a quorum was not established at that meeting and no official business was conducted.

Mr. Don Hassell, a citizen who filed two previous complaints with the Board, addressed the Board directly to discuss the "ethics of communication". He again brought to the Board's attention that the City Attorney's office failed to respond to his emails and telephone calls. He also addressed a quarantined email. Mr. Hassell forwarded an email to the Chief Ethics Officers, who received notification that the email was quarantined and contacted Mr. Hassell. Upon learning that his email was quarantined, Mr. Hassell requested an explanation. The Chief Ethics Officer inquired with the Technology Service Desk and forwarded its response and explanation to Mr. Hassell. Mr. Hassell addressed his dissatisfaction with the response. Secondly, Mr. Hassell requested for the Chief Ethics Officer to be recused from investigating and making recommendations on his complaints. Both issues (the "ethics of communication" and request for recusal) had been raised previously and addressed by the Board. Chairman Lanier reminded Mr. Hassell that the Board had already considered these issues and discussed them with him at length in previous meetings. Additionally, Chairman Lanier advised that it is inappropriate to seek recusal *after* a decision has been rendered because one could simply request such relief because he or she was not pleased with the outcome. Board members suggested other avenues for Mr. Hassell to address his concerns as his issues may be valid but were addressed to the incorrect body.

Mr. Ken Welch, a citizen present at the meeting, was allowed to address the Board. Mr. Welch inquired about the Board of Ethics' website. The Chief Ethics Officer responded by reporting on the status of this project. She advised of preliminary meetings with Information Technology staff to discuss a new web portal for the Board of Ethics. The Chief Ethics Officer reported that she has requested the following information to be included on the Board's web page:

- Ethics Opinions
- Complaints/Decisions
- Minutes
- Board Members
- Frequently Asked Questions
- Complaint Questionnaire Form (printable)
- Request for Ethics Opinion Form (electronically)
- Ethics Ordinance
- Mayor's Executive Order

The Board members were concerned with completing this project expeditiously. Therefore, Chairman Lanier suggested that a resolution be written and submitted to the Mayor and City Council stressing the need of the Board's web page. Mr. Dawkins moved that a resolution similar to the one suggested by the Chairman be drafted and submitted. The motion was seconded by Mr. Scatamacchia and was carried without objection.

Chairman Lanier requested that we obtain the status of the proposed changes to the ordinance which he submitted to the City Attorney. There was also a request to obtain a legal opinion on whether the Board meetings can be filmed or recorded.

The meeting was adjourned.


Signature of Secretary


Date