

Durham Ethics Committee Meeting Minutes, July 27, 2007

Present: Robert Horn, Bob Fulton, Pat Kupcho, Kathleen McTigue, David Montgomery, Lisa Stafford. **Absent:** Matthew Reed

I. Elections: As requested by the First Selectman at formation of this Committee, officers were elected as follows: Chair, Bob Fulton; Vice-chair, Robert Horn; Secretary, Kathleen McTigue.

II. Schedule: This Committee has been asked to submit its recommendations for the formation of an Ethics Commission by the September 10 meeting of the Board of Selectmen. The Committee agreed to accomplish as much as possible toward this goal, recognizing that this presents us with an extremely short time-frame.

III. Discussion: How should a Durham Ethics Commission be composed? There was broad agreement on the following:

- ⌞ The Commission should be explicitly non-partisan, and to accomplish this the Committee will likely recommend that Commission members be elected or appointed equally among registered Democrats, Republicans and independent voters. **Note:** Bob Fulton will ask the Town Attorney whether our Committee may specify broader bi-partisanship than is named generally in the Town Charter.
- ⌞ Numbers: There was broad agreement on seven Commission members, with two of these being alternates who would serve only in the absence of one of the regular members. Voting should always be by no more than five persons. No member, whether regular or alternate, should vote on an ethics issue without having attended regular meetings concerning the issue.
- ⌞ Exclusions: no member of the Commission may be a current elected official, town employee, current contractor, subcontractor or consultant with the town or current member of either party's Town Committee. **Note:** Bob Fulton will ask the Town Attorney to define the difference between the terms public and elected officials.

The committee expressed concern about circumstances under which Commission members would be expected to recuse themselves from ethics questions in which an evident conflict of interest exists. We generally concurred that members shall follow the same rules for Commission business as they develop for town officials.

IV. Terms of Service and Term Limits: Broad agreement was expressed that terms of service should be for three or four years (still to be agreed upon). No member shall serve for more than two consecutive terms. Individuals may be re-elected after one rotation off the Commission.

V. Statement of Purpose: General discussion about the Commission's statement of purpose was postponed to our next Committee meeting. Robert Horn agreed to draft a one-paragraph statement and distribute for consideration prior to our next meeting.

VI. Next meetings: August 1, 5:30-7:30; and August 8, 5:30-7:30. Bob Fulton will contact our missing member, Matthew Reed, to determine his continued interest in serving on the Committee.

VII. Agenda for August 1:

- 1) discuss and vote on above parameters for composition, consider and vote on term limits and on whether to recommend that Commission members be appointed or elected
- 2) discuss and vote on draft statement of purpose
- 3) discuss and vote on how irregular vacancies are filled
- 4) other items listed in original letter forming our Committee

Submitted by Kathleen McTigue, July 27, 2007