



CITY OF DOVER

ETHICS COMMISSION – MINUTES

Meeting Type: Non-public Session
Meeting Location: McConnell Center, Meeting Room #2
Meeting Date: **Wednesday, July 16, 2008**
Meeting Time: **5:30 pm**

Non-public session

Moved by Commissioner Forbes, seconded by Commissioner Sterndale, that the Commission go into non-public session, for the purpose of reviewing an Ethics Complaint filed on July 10, 2008. Motion carried unanimously.

Chairman Reynolds introduced the Ethics Complaint filed by James H. Schulte, regarding William C. Colbath, member of the Zoning Board of Adjustment. All members of the commission received copies of the written complaint prior to the meeting. Chairman Reynolds reviewed the city code outlining the Commission's options for handling the complaint. Calendar requirements included in the ordinance were also discussed.

A lengthy discussion ensued of the various complaints, and the thresholds which must be reached to warrant a full hearing by the Commission. It was agreed that specific individual allegations did not each need to reach that threshold. The complaint as a whole, if properly submitted and substantiated, would be evaluated to justify a hearing.

Discussion of the Shulte Complaint fell into three general areas:

1. Conflict of Interest, referring to City Charter C10-2 and C10-3; and City Code 22-2 and 22-3. Consensus of the Commission was that more evidence would be necessary regarding Charter C10-2 and C10-3, as well as Code 22-2. Consensus also that the allegations made within the Shulte complaint may constitute a violation of the Code of Ethics.
2. Misuse or Disclosure of Information, referring to City Charter C10-7; and City Code 22-7. Consensus of the Commission was that the complaint theorized the possibility of such violations but provided no specifics or evidence of it.
3. Disclosure, Recusal and Incompatible Employment, referring to City Charter C10-3, and City Code 22-5 and 22-9.

Consensus of the Commission was that many facts alleged would not necessarily constitute a violation, or that sufficient facts were not presented.

It was decided that the Commission would take a few days to review the case before making a final decision, and lined up potential hearing dates in the event that became necessary.

Moved by Sterndale, seconded by Forbes, to close the non-public session. Motion carried.

At 6:55pm, Chairman Reynolds recessed the meeting until Monday, July 21, at 6pm. Meeting location expected to be McConnell Center, will be posted.

Respectfully Submitted,
Chris Sterndale, Clerk