

Rules of Operation for Board of Ethics

1. Three present members of the Board constitute a quorum.
2. A simple majority vote is necessary for most motions. The exceptions being votes on cause and/or possible ethics violations. These two situations require three affirmative votes.
3. All complaints, and all deliberations, decisions, and opinions of the Board of Ethics regarding complaints, shall remain confidential to protect the identities of the complainant and the respondent. The Board may disclose a decision or opinion identifying the respondent only if:
 - a. the Board finds that a violation of the Ethics Ordinance (Ch. 52 of the Code of Ordinances) has occurred; or
 - b. disclosure is requested or authorized by the respondent.
4. All complaints to the Board of Ethics shall be in writing, dated and signed by the complainant with the complainant's name and address.
5. Upon receipt of a complaint, the complainant will receive written confirmation within 10 days by electronic or regular (e.g., hard copy) medium.
6. When a complaint is received, that (a) sufficiently identifies a respondent and (b) states a complaint that is facially within the scope of the Board of Ethics, the Board shall first discuss and deliberate the complaint in executive session to determine whether there is cause of an ethics violation to warrant an investigation.
 - a. If the Board votes that no cause exists, then no further action will be taken.
 - b. The Board will notify the complainant in writing (marked personal and confidential).
7. If the Board votes that the complaint raises an issue of cause, the Board will provide an opportunity for the complainant to be heard in executive session. A date will be established and the complainant so notified.
8. After the complainant has been heard in executive session, the Board shall discuss, deliberate, and vote in executive session to determine whether or not there is still cause that a violation of the Ethics Ordinance has occurred.
 - a. If the Board determines that there is no cause that a violation of the Ethics Ordinance has occurred, the Board will notify the complainant in writing (marked personal and confidential) and no further action shall be taken.

- b. If the Board determines that there is cause that a violation of the Ethics Ordinance has occurred, the Board will then send a copy of the complaint to the respondent (marked personal and confidential) with the complainant's name and address and other identifying information removed and provide an opportunity for the respondent to be heard in executive session. A date will be established and the respondent so notified in writing (marked personal and confidential).
9. After hearing the respondent in executive session, the Board shall discuss and deliberate in executive session whether or not a violation of the Ethics Ordinance has occurred. More executive sessions can be held to further discuss and deliberate the issue. The Board will then vote in executive session as to whether or not a violation of the Ethics Ordinance has occurred.
10. If the Board determines that a violation of the Ethics Ordinance has occurred, the Board shall (within 35 workdays, unless extended by the Board of Selectmen) provide a written decision and any recommendations it may deem appropriate to the Board of Selectmen with a copy to the complainant and the respondent. The decision shall also be reflected in the Board's public minutes.
11. The Board of Selectmen shall, thereupon, take such action it may deem appropriate.
12. If the Board determines that a violation of the Ethics Ordinance has occurred that involves any member of the Board of Selectmen, the Board shall take any action that it deems appropriate in accordance with Section 15-12(5).

Dated April 7, 2022

/s/ Vivian Hardison

Vivian Hardison
Co-Chair

/s/ Benjamin Lehberger

Benjamin Lehberger
Co-Chair