

## **The Board of Ethics of the City of Mount Vernon**

### **Minutes of the meeting of March 16, 2023**

The meeting was called to order at 6:40 p.m. at a room at City Hall, and the following members were in attendance in person: Curtis Brewington, Chair; Ed Byrnes, Secretary; John McGlynn, Vice-Chair; and Blair Hoplight. Member Khendra David joined the meeting via Zoom due to extraordinary circumstances, namely care-giving responsibilities, and the Chair gave approval for this.

Curtis noted that with four members being physically present, a quorum was achieved, and he noted that Khendra, who joined virtually, would be able to fully participate as a member.

The following persons were also physically present at the meeting: City Clerk Tanesia Walters; Corporation Counsel Brian Johnson.

A motion was made and seconded to approve the proposed minutes for 3/2/23. Approved 5-0.

Curtis inquired of Ms. Walters as to the progress in obtaining two additional Board members to fill the vacancies. Ms. Walters said that two persons are being considered. One of the two has already been interviewed and progress is being made.

Five motions, as noted below, were then made and seconded, with discussions, and votes by the members were taken:

#### Motion #1

The addendum, which is included in the minutes of the Board meeting on February 24, 2022, contains a summary of comments made to the Board during a public session, and upon a request to reclassify those comments as confidential, the motion is being made to now accomplish such reclassification, thus making those comments confidential and unavailable to the public. Furthermore, the minutes with the confidential material redacted will be sent to the City Clerk's office so that it can replace the previously-submitted minutes on the city's website.

This motion was approved by a vote of 5-0.

#### Motion #2

All actions, including any decisions and votes, that were accomplished by the Board during the Board meetings, which were 100% virtual, between June 13 and November 7, 2022, inclusively, are hereby now adopted and approved by this Board.

This motion was approved by a vote of 5-0.

Motion #3 - a revision of the Board's Rule, ARTICLE IV, §7

The language in that section will be replaced as follows:

§7. Members who are unable to physically attend a meeting of the Board due to extraordinary circumstances, may participate via electronic means, such as Zoom, for example, upon approval of the Chair, as long as the following conditions are met: the Board member has to be able to be seen, heard and identified (with the first and last names of the Board member placed in front of the member so that the names appear on the videoconferencing screen).

This motion was approved by a vote of 5-0.

Motion #4 - a revision of the Board's Rule, ARTICLE II, §7

The language in that section will be replaced as follows:

§7. Recommendation for removal from the Board of Ethics:

A recommendation for the removal of a member from the Board of Ethics can be sent to the City Council based on reasons related to violations of the City Code, the City Charter, statute, and/or the Rules and Regulations of the Board of Ethics, or for missing excessive meetings. The recommendation for removal of a member requires a vote of a majority of the members present. The subject of the recommendation for removal effort must be recused from the vote. In the event that the requisite votes are recorded, the recommendation for removal will be promptly sent to the City Council for their consideration and decision. The member may not participate in the business of the Board of Ethics pending a decision and action by the City Council. In addition to the member and the City Council being notified, the City Clerk will also be notified of the recommendation for removal.

This motion was approved by a vote of 5-0.

Motion #5 - a revision of the Board's Rule, ARTICLE V, §7

The language in that section will remain the same except that the last sentence "Both the Recommendation and the Dissent are confidential" will be eliminated.

This motion was approved by a vote of 5-0.

**A motion was made to go into a confidential session**

Since it was known that there were a few confidential matters that had to be discussed by the Board, a motion was made and seconded that the Board should go into a confidential session. A vote was taken, and it was unanimous that the Board would immediately go into such a confidential session. The Zoom recording stopped while the Board was in the confidential session, and Ms. Walters and Mr. Johnson left the meeting room during the confidential session.

### **Confidential session**

[REDACTION — — — Investigation O]

[REDACTION — — — Investigation P]

[REDACTION — — — Inquiry to be made - Q]

### **Other confidential matters were discussed**

The Board decided to go out of the confidential session, and, as a result, Ms. Walters and Mr. Johnson then returned to the meeting room.

A motion was made and seconded that the Board go out of the confidential session and return to a public session. The motion was approved by a vote of 5-0.

### **Public session resumes**

The Board decided that the next Board meeting would be scheduled for Thursday, April 6.

There was a general discussion among Ms. Walters, Mr. Johnson and the Board about Financial Disclosure Statements in the past and in the future.

All members present at the meeting agreed to end the meeting around 8:05 p.m.

Prepared by Ed Byrnes, Secretary