

Oak Grove Ethics Board
Annual Report
2022

The Oak Grove Ethics Board, at its regular scheduled meeting on January 11, 2023, prepared and approved the following annual report to the Oak Grove City Council:

Processing of Ethics Complaints. Pursuant to the Code of Ethics, Section 35, the Ethics Board is tasked with processing and conducting hearings on any and all complaints filed with the Board. The Board had eight (8) special called meetings in 2022. The Ethics Board received a total of seven (7) complaints during the 2022 calendar year. A preliminary inquiry is required to be conducted on all complaints, to determine whether or not the complaint is within its jurisdiction and whether it alleges a minimum factual basis to constitute a violation of the Code of Ethics. Until the preliminary inquiry is conducted, all complaints are to remain confidential. Of the complaints filed, all but one (1) were dismissed after a preliminary inquiry, as these complaints did not set forth a minimum factual basis to constitute a violation of the Code of Ethics. One complaint was referred to the Oak Grove City Council for a preliminary inquiry, as the Board had a conflict of interest to hear said complaint. One (1) complaint was set for an evidentiary hearing before the Board and the Board found no violation of the Code of Ethics. During the 2022 year there were no complaints filed that resulted in the finding of an ethical violation.

Advisory Opinions. Pursuant to the Code of Ethics, Section 40, the Ethics Board may render advisory opinions concerning matters under its jurisdiction, based upon real or hypothetical facts and circumstances. During the 2022 calendar year there were no requests for an advisory opinion.

Annual Financial Interest Statements. Pursuant to the Code of Ethics, Sections 24, 25, 26, 27 and 32, the Ethics Board is responsible for reviewing and maintaining custody of Financial Interest Statements, which are required to be completed by all officers and employees of the City. The Financial Interest Statements were issued by the Board, with the assistance of city staff, and the Board is in the process of reviewing all of said statements for accuracy and compliance. In the event any officer or employee fails to comply with the filing requirement, the Board will take the necessary steps pursuant to Section 27 of the Code.

Recommendations. Section 32 of the Code of Ethics provides for the Ethics Board to make recommendations to the city council with regard to the Code and/or procedures. Based on the activity of the Board during the 2022 calendar year, the Board respectfully makes the following recommendations to the Oak Grove City Council:

1. **Alternate Members.** The Code of Ethics provides in Section 29 for the appointment of two alternate members. Due to the potential difficulty in scheduling meetings that work with the board members' schedules, alternate members should be appointed.
2. **Regular Quarterly Meetings.** This recommendation has already been considered and implemented by city council. The Board is of the opinion that regularly scheduled

meetings will allow the Board to conduct hearings in a timely manner, and will not have the same restrictions as a special called meeting.

3. Frivolous Complaints. The Board has processed a number of complaints that were summarily dismissed due to a lack of jurisdiction and/or a failure to state a claim under the Code. These complaints were frivolous and were a waste of the Board's time and the city's resources. The current Code provides for criminal penalties in the event a false complaint is filed. However, the Code has no penalty for the filing of a frivolous complaint. The Board feels that such a penalty will help to prevent frivolous claims, and penalize those that file frivolous complaints.
4. Annual Reports. The Code currently requires an annual report to be filed for the year ending August 31. The Board recommends changing the annual reporting requirement to cover the calendar year and have the reports filed with council by March 1 of the following year.
5. Timelines. The Code currently contains a timeline for the Board to respond to complaints, notify the parties, and schedule a preliminary hearing. The Board recommends including language in the Code which will give the Chairman of the Board the discretion to continue these deadlines as appropriate, with notice provided to the parties.

Procedural Changes. Commencing in 2023, the Board will maintain a log of all complaints filed, along with a timeline on each complaint. Each complaint will be given a case number, which will be referred to in order to maintain confidentiality. In addition, the scheduling of regular quarterly meetings will provide for a more efficient process to deal with claims. The regular scheduled meetings for 2023 are as follows: January 11, 2023; April 12, 2023; July 12, 2023; and October 11, 2023. All regular meetings shall take place at three o'clock P.M. in the council chambers. The meetings are open unless the Board goes into closed session.

Respectfully submitted this _____ day of _____, 2023.

Jim Hurst, Chairman
Oak Grove Ethics Board