

DUNBARTON ETHICS COMMITTEE
MINUTES OF MEETING
26 JUNE 2003

Present: Brett St. Clair, Nick Holmes, Gayle Troy and Jackie Kennedy
Absent: Scott Ives

The meeting was called to order at 7:35 PM.

1. The minutes of the May 22, 2003 meeting were unanimously approved.
2. Scott and Jackie met recently with the Raymond Ethics Committee. Raymond has adopted a Code of Ethics based upon Dunbarton's Code of Ethics, and our committee has been working with the Raymond committee to help them implement Raymond's ethics code.
3. The Dunbarton Ethics Committee will not hold regularly scheduled meetings during July and August 2003 due to vacation schedules, etc. The next regularly scheduled meeting will be on Thursday, September 25, 2003 at 7:30 PM at the Town Offices. If any new business should arise in the meantime, the Ethics Committee will convene a meeting before September.
4. The committee agreed to postpone the training session for new town officials until the fall.
6. Selectmen Chuck Graybill and J.R. Swindlehurst met with the Ethics Committee to discuss comments that appeared in a recent newspaper article.

Nick Holmes expressed disappointment that individuals had criticized the way the hearing was conducted even though those individuals had not attended the hearing.

JR had heard that the hearing was conducted very professionally, but both JR and Chuck felt that at least part of the hearing should have been conducted in a non-public session. JR explained that he was concerned that allowing hearings to be held in public could harm an individual's reputation.

Nick stated he believes ethics hearings must be open to the public because:

- New Hampshire's "Right to Know Law" (R.S.A. 91-A) requires that all hearings be held in public (except for a few limited exceptions not applicable here).
- In a democracy, government works best when it is open to the public.
- Allegations of improper behavior should be resolved in the open -- not behind closed doors.

Gayle directed the Selectmen's attention to a recent New Hampshire Supreme Court Case (*NHCLU v. City of Manchester*, decided April 30, 2003) where the Court emphasized the need for openness in the way government bodies conduct their business.

The Selectmen asked that in the future they be given advance notice of the committee's decisions.

Ron Slocum questioned whether any boards or committees should discuss any matters in non-public sessions.

The meeting adjourned at 9:05 PM.

Respectfully Submitted,

Nicholas K. Holmes
For the Ethics Committee