



## ETHICS COMMISSION OPERATING RULES

### Article I. Name

The name of the board is the Ethics Commission.

### Article II. Authority and Duties

The Authority and Duties of the Ethics Commission are:

- i. To provide a forum to hear and accept complaints of violations of ethical standards of behavior for elected and appointed officers under the jurisdiction of the Ethics Commission;
- ii. To encourage Dover elected and appointive officers, and all members of boards, commissions, committees and subcommittees to act in the best interests of the City and perform their duties and responsibilities according to the ethical provisions of the City Charter and City ordinances;
- iii. To require the disclosure of financial interests or other interests in matters affecting City business where the interests constitute a conflict of interest;
- iv. To prohibit those holding public office and volunteer positions in our City from using their positions for personal gain and to foster the use of such positions only to advance public interests
- v. To promote the integrity of City government;

### Article III. Membership

- A. **Membership.** There shall be five (5) commissioners who shall be Dover residents and appointed by the City Council. At least one commissioner shall be a former City Councilor or former School Board member as provided in C11-4 of the Dover City Charter. There shall be three (3) alternates appointed for one (1) year terms. Members shall be appointed to terms of three (3) years.
- B. **Attendance, Vacancies and Removal.** All appointments to the board shall serve for the terms appointed and until a successor shall have been appointed and qualified, unless any board member is absent for four (4) consecutive meetings or four (4) regular meetings in a calendar year, whereby a vacancy shall be created in the position, and said vacancy shall be filled by the appointing authority. Appointments made to fill any vacancies shall be for full terms to begin the date of appointment by the appointing authority unless otherwise provided in state statute. Conditions for removal of any board member shall be defined by statute, ordinance or the Charter.

#### Article IV. Officers and Staffing

- A. **Officers.** The officers consist of a Chair and Vice Chair who shall be selected by the membership and who shall serve at the pleasure of the membership for one-year terms. Officers may be re-elected.
- B. **Duties of the Chair.** The Chair shall have general supervisory and directional powers over the board. The Chair shall preside at all board meetings and set the board's agenda. The Chair shall also be an ex-officio member of all subcommittees and shall be the sole spokesperson for the board, unless this responsibility is delegated in writing.
- C. **Vice Chair.** The Vice Chair shall execute all powers of the Chair in the absence of the Chair.
- D. **Staff.** The City of Dover may provide staff support to the board for meeting notification, typing, copying, and information gathering to the extent permitted by the city budget. All staff shall remain under the direction of the employer.

#### Article V. Procedures

- A. **Meetings.** The board shall hold regular meetings as necessary at a time and place designated by the Chair. The business of the public shall be conducted in public session unless otherwise permitted by state law. All meetings of the board and subcommittees shall be posted to comply with state law. State law requires all meetings to be posted in two (2) places with a minimum of twenty-four (24) hours notice.
- B. **Quorum.** Fifty-one percent (51%) of the voting membership of the board shall constitute a quorum.
- C. **Parliamentary Authority.** The parliamentary authority for the board is *Robert's Rules of Order Revised, 12<sup>th</sup> ed*, except as provided by these rules or local, state or federal law.
- D. **Minutes.** Minutes shall be kept for all meetings of the board. The minutes shall include the names of the members in attendance, all actions, motions and resolutions coming before the public body including the votes of the members, and a summary of all discussions. Draft minutes shall be provided to the City Clerk within five (5) business days of each meeting for posting on the city website in draft form. Draft minutes shall be clearly marked "DRAFT". Draft minutes with or without revisions shall be approved by the board at the next meeting of the board, or as soon as possible. Final approved minutes shall be provided to the City Clerk for posting on the city website.
- E. **Recording of Meetings.** The Commission may arrange for video recording at meetings. If video is not available or utilized, meetings shall be recorded using audio equipment. All recordings shall be provided to the City Clerk within five (5) business days of the meeting.
- F. **E-mail accounts.** Board members may obtain a City of Dover e-mail address to facilitate communications regarding meetings, agendas and the dissemination of information. Board members shall refrain from using e-mail to discuss issues with other members where the e-mail discussion directly or indirectly involves a quorum of the board. In addition, board members shall refrain from conducting the official business of the board outside the view of the public and the press unless permitted by state law.
- G. **Nonpublic meetings.** The board may conduct nonpublic meetings pursuant to the laws of the State of New Hampshire. The Chair shall conduct nonpublic meetings utilizing the Checklist prepared by General Legal Counsel for nonpublic meetings.
- H. **Amendment of Rules.** These rules may be repealed or amended by a vote of the Dover City Council based upon the recommendation of the board.

- I. **Complaint Hearing Procedures.** Procedures outlined in Dover Code § 21-13 will be followed when the board receives an Ethics Complaint. In conjunction with a hearing before the board based upon a Complaint, the scope of the hearing may include a review of all pertinent sections of the Charter and ordinances involving facts alleged in the Complaint, in addition to the provisions cited in the Complaint.