MINUTES

REGULAR MEETING OF THE BOARD OF ETHICS

Wednesday, October 28, 2026

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

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1. Call to Order

The October 28, 2026, Board of Ethics Regular Meeting was called to order by Chairperson Mogill at 6:30 PM.

2. Roll Call and Determination of Quorum

PRESENT
Chair Kenneth Mogill
Board Member Lisa Flynn
Board Member Chad Scribner

STAFF PRESENT
Clerk/Treasurer Debbie Nogle
Deputy Clerk/Treasurer Lynsey Blough
Village Attorney John Clark
Village Attorney Megan Ploetz

3. Approval of Agenda

MOTION made by Board Member Flynn, Seconded by Board Member Scribner, to approve the October 28, 2026 Board of Ethics Regular Meeting Agenda, as presented.
VOTING YEA: Mogill, Flynn, Scribner
VOTING NAY: None
MOTION: Carried

4. Approval of Minutes

MOTION made by Board Member Flynn, Seconded by Board Member Scribner, to approve the minutes.
VOTING YEA: Mogill, Flynn, Scribner
VOTING NAY: None
MOTION: Carried

A. Approval of Board of Ethics Special Meeting Minutes of December 3, 2026

B. Approval of Board of Ethics Meeting Minutes of August 26, 2026

MOTION made by Board Member Flynn, Seconded by Board Member Scribner, to amend the previous motion and approve the Meeting Minutes of December 3, 2025 and August 26, 2026.
VOTING YEA: Mogill, Flynn, Scribner
VOTING NAY: None
MOTION: Carried

5. Public Comments on Non-Agenda Items Only

None.

6. Unfinished Business

A. Review and Approval of Final Board of Ethics Procedural Rules and Ethics Request Form

Village Attorney Clark introduced the revised Board of Ethics Procedural Rules and Ethics Request Form, explaining that the proposed amendments incorporated recommendations from the joint training with Village Council and the Board's prior review in August. Village Attorney Ploetz reviewed the revisions, which included clarifying that conflicts of interest were included in the rules, establishing a 180-day filing deadline for requests for review with an allowance for extensions for good cause, exception for dismissal based on the allegation being untimely, clarifying the applicable rules of evidence, establishing a preponderance of the evidence standard, and eliminating repetitive language in Chapter 4.

The Board reviewed the consolidated Ethics Request Form, which combined the former complaint/request for review and advisory opinion forms. The revised form provides explanations and examples of when each type of request is appropriate, outlines the filing deadline and good-cause exception, and includes the applicable FOIA notice. Discussion focused on clarifying references to conflicts of interest so the public would understand that advisory opinions could address potential conflicts before they occurred. The Board also suggested clarifying the description of the conduct, conflict, or question presented and allowing additional sheets to be attached when necessary. In addition, the hearing notice language was revised to clarify that a hearing is not automatic and that parties would receive 28 days' notice only if the Board determined a hearing was necessary.

Village Attorney Ploetz summarized the final revisions to both documents for the record.

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MOTION made by Board Member Flynn, Seconded by Board Member Scribner, to recommend the following changes to the Board of Ethics Procedural Rules and Ethics Request Form, as proposed and as amended to the Village Council:

- All the redline edits in the meeting packet.
- Handwritten edit on Procedural Rule 301, page 4, second paragraph to read as "Except as otherwise provided herein, an RFR must be filed within 180 days after the date on which the alleged conduct, conflict of interest, or other alleged ethics violation was known or reasonably should have been known by the requesting party through the exercise of reasonable diligence."
- Handwritten edit on Ethics Request Form to correct the typo to "Board of Ethics Ethics Request Form" from "Board of Ethnics Ethics Request Form".
- Handwritten edit on Ethics Request Form to read on page 2, number 1, "I am seeking guidance regarding proposed or anticipated conduct, including any conflict of interest that has not yet occurred."
- Handwritten edit on Ethics Request Form to read on page 3, "Explain why the Request for Review could not reasonably have been filed sooner and describe any good cause or extenuating circumstances: Attach additional sheets of paper if the space provided below is not sufficient."
- Handwritten edit on Ethics Request Form to read on page 3, number 5, "Describe the conduct, conflict, or question presented."
- Handwritten edit on Ethics Request Form to read on page 5, "NOTE: In the event the board sets this matter for hearing, any parties involved will be given 28 days' notice to appear at the hearing."

VOTING YEA: Mogill, Flynn, Scribner
VOTING NAY: None
MOTION: Carried

The Board acknowledged that final approval rested with Village Council, as the Board did not have independent rulemaking authority. Village Attorney Clark indicated that the revised Procedural Rules and Ethics Request Form would be submitted to Village Council as clean copies, accompanied by the draft meeting minutes and a summary memorandum outlining the key changes. He suggested that at least one Village attorney and one Board member attend the Council meeting to present the revisions, answer questions, and provide a brief overview. The Board discussed scheduling the presentation for December 14, 2026, Council meeting, as the November meeting was not feasible due to scheduling conflicts. Village Attorney Clark indicated he would ask the Village Manager to place the item first on the agenda, with the goal of obtaining Council approval before the end of the year.

7. New Business

A. Adoption of 2027 Board of Ethics Regular Meeting Schedule

MOTION made by Board Member Flynn, Seconded by Board Member Scribner, to approve the 2027 Regular Meeting Scheduling continuing on the fourth Wednesday of each month with no

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meetings in November and December.
VOTING YEA: Mogill, Flynn, Scribner
VOTING NAY: None
MOTION: Carried

8. Public Comment

None.

9. Adjournment

MOTION made by Board Member Flynn, Seconded by Board Member Scribner, to adjourn the October 28, 2026, Board of Ethics Regular Meeting.
VOTING YEA: Mogill, Flynn, Scribner
VOTING NAY: None
MOTION: Carried

The October 28, 2026, Board of Ethics Regular Meeting adjourned at 6:59 PM.

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Ken Mogill
Chair

_____
Lynsey Blough, CMC
Deputy Clerk/Treasurer

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Debbie Nogle
Clerk/Treasurer

Date Approved:

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