MINUTES

REGULAR MEETING OF THE BOARD OF ETHICS

Wednesday, August 26, 2026

6:30 PM

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

(248) 693-8391 ext. 102

1. Call to Order

The August 26, 2026, Regular Board of Ethics 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 Sonja Stout
Village Attorney, John Clark GMH
Village Attorney, Megan Ploetz GMH

3. Approval of Agenda

MOTION made by Board Member Flynn, Seconded by Board Member Scribner to approve the August 26, 2026 Board of Ethics agenda as presented.

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

4. Approval of Minutes

A. Approval of Board of Ethics Joint/Village Council Meeting Minutes of July 1, 2026

MOTION made by Board Member Flynn, Seconded by Board Member Scribner to approve the Board of Ethics/Joint Village Council Meeting Minutes of July 1, 2026.

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

5. Public Comments on Non-Agenda Items Only

None.

6. Unfinished Business

None.

7. New Business

A. Review and Recommendation of Proposed Board of Ethics Revisions

The Board reviewed proposed revisions to the Board of Ethics Procedural Rules and discussed changes intended to clarify the process, reduce redundancy, and make the procedures more accessible to the public.

The Board discussed distinguishing between anticipated conduct, for which an advisory opinion may be requested, and conduct that has already occurred, for which a request for review would be appropriate. The Board supported removing references to "conduct" from the advisory opinion process and using "request for review" in place of "complaint" to provide a less adversarial and more neutral process.

The Board discussed removing opening and closing statements from the hearing procedures and establishing language addressing the burden of proof and standard of review. The Board also discussed clarifying that the Board's determination should be limited to the allegations presented in the request for review and that the respondent should receive appropriate notice of the allegations.

The Board discussed the application of the rules of evidence and agreed that the formal rules of evidence should not be controlling, but may be used for guidance in determining the relevance and weight of evidence.

The Board discussed whether a time limit should apply to requests for review. Following discussion regarding fairness, potential retaliation, and circumstances in which an individual may not immediately become aware of a potential violation, the Board generally supported a 180-day filing period measured from when the requesting party knew or reasonably should have known of the conduct, with an opportunity for the Board to consider an extension for good cause or extenuating circumstances.

The Board also discussed combining or revising the advisory opinion and request for review forms to make them more user-friendly and understandable to members of the public. The Board discussed the possibility of using a single form with clear instructions directing the requester to the appropriate section based on whether the matter involves anticipated conduct or conduct that has already occurred. The Board also suggested including general examples to help explain the difference between an advisory opinion and a request for review.

The Board discussed whether corresponding revisions to the Ethics Ordinance would be necessary to ensure consistency with the proposed procedural rules. It was agreed that the Ordinance should be reviewed for consistency following further revisions to the procedural rules.

MOTION made by Board Member Flynn, Seconded by Board Member Scribner to approve the proposed revisions to the Board of Ethics Procedural Rules and Board of Ethics Request for Review/Complaint Form, and to direct the Village Attorney to incorporate the changes discussed and requested by the Board of Ethics and the Village Attorney, with the revised materials to be brought back to the Board of Ethics at its October meeting for final review and consideration.

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

8. Public Comment

None.

9. Adjournment

MOTION made by Board Member Scribner, Seconded by Board Member Flynn to adjourn the August 26, 2026, Regular Meeting of the Board of Ethics.

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

The Wednesday, August 26, 2026, Board of Ethics Regular meeting adjourned at 7:08 PM.

__________________________ ___________________________

Ken Mogill
Chair

Sonja Stout, MiCPT
Clerk/Treasurer

Approved: as presented October 28, 2026