

Conflict of Interest Committee (COI)
Meeting Minutes
April 13, 2021

Members Present:

Christine Duerr –Chair
Laura Flieder – Vice Chair
David Pancoast – Secretary
Leon Artus – Member

Others Present:

Carl Anderson

1. The meeting was called to order at 2:04 PM

2. The secretary called the roll

3. Carl Anderson’s resignation letter dated March 24, 2021

Leon moved to read aloud Carl Anderson’s resignation letter dated March 24, 2021. David seconded. The secretary called the roll: Leon: YES, David: YES, Christine: NO, Laura: NO. The motion did not carry 2/2/0. The letter was placed in the committee’s file.

4. Review of complaint submission form

Laura presented the revised draft of the complaint submission form incorporating the changes discussed at the previous meeting. Before voting to approve the form, Leon proposed replacing the word “must” with “shall”. After some discussion and consulting online resources regarding preferred language the issue was put to a vote. David moved that we retain the usage of the word “must”. Chris seconded. The motion carried 4/0.

Laura made the motion to accept the revised submission form. Chris seconded. The motion carried 4/0.

David took the action item to prepare the final PDF. The final PDF will be sent to all committee members, appended to the minutes of this meeting and sent to the Assistant Town Administrator Andria Hansen with the request to remove the old form from the town’s website and replace it with the new one.

5. Review of procedures for processing a complaint

The review of the procedures for processing a complaint was continued from last meeting. There was extensive discussion regarding the legal requirements for posting meeting notices as well as where such notices should be posted. In addition, it was noted that while there is no legal requirement to post the agenda for the meeting, in the interests of transparency it is the committee’s intention to post the agenda along with the meeting notice.

Chris made a motion to accept the procedures as revised. Leon seconded. The motion carried 4/0.

The committee went into nonpublic session at approx. 3:35 PM and recessed to a remote location.

6. Minutes from nonpublic sessions on March 23 and April 6 pertaining to case # 2021-03

Leon moved that a paragraph describing his opinion and reaction to statements made during the nonpublic session be added to the minutes. There was no second to the motion and the motion died.

Christine made a motion to accept the minutes of the nonpublic sessions pertaining to case # 2021-03. David seconded. The secretary called the roll. Christine: YES, David: YES, Leon: NO, Laura: ABSTAIN. The motion carried 2/1/1.

7. Approval of minutes from April 6, 2021 meeting

David moved to accept the minutes. Christine seconded. The motion carried 4/0.

8. Carl Anderson

Carl Anderson presented a letter stating he wants to rescind his letter of resignation dated March 24, 2021. There was considerable discussion whether this is even possible. Given the uncertainty, the committee decided to seek legal counsel.

9. Correspondence

The Chair read aloud the email from Mr. Cressman regarding the committee's ability to obtain legal advice from Town Counsel. The email clarified that the committee can indeed consult with Town Counsel on legal matters. A PDF of this email will be appended to the minutes of this meeting.

10. Next meeting

TBD

11. Adjournment

Christine moved to adjourn the meeting; Laura seconded. The motion carried 4/0 and the meeting was adjourned at 4:27 PM.

Respectfully submitted by David Pancoast

From: David Cressman <cressmandg@atkinson-nh.gov>

Date: Friday, April 2, 2021

Subject: Legal Services

To: CHRISTINE <cally2cally2@comcast.net>, 'Leon B. Artus' <lartus@aol.com>

Cc: Beth Cacciotti <bethc@atkinson-nh.gov>, Andria Hansen <ahansen@atkinson-nh.gov>, Sumner Kalman (sfk.sumnerkalman <sfk.sumnerkalman@comcast.net>

Good morning Ms. Duerr & Mr. Artus,

I believe Ms. Duerr was looking for me after I left yesterday at 4 pm and Mr. Artus sent me two emails this morning but one was from an unknown address so I am addressing you both as a new email.

I did reach out to Town Counsel and advised him that you would be contacting him. As a Town committee, any Town Counsel charges would be billed to the Town Counsel budgeted account. Only if Town Counsel has charges greater than his budgeted amount or if you need to use Special Counsel would there be a need for an over-expenditure or a separate legal services line item.

I copied Town Counsel Sumner Kalman to keep him advised of this.

Regards,

David G. Cressman

Atkinson Town Administrator

603-362-1060

cressmandg@atkinson-nh.gov

RECEIVED

APR 13 2021

ATKINSON TOWN CLERK

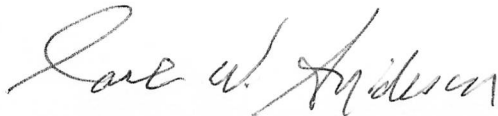
Carl William Edward Anderson Jr.
3 Overlook Drive
Atkinson, NH 03811
13, April 2021

The Conflict of Interest Committee
Atkinson, NH

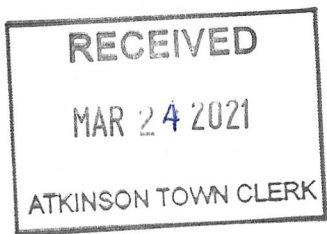
Dear Committee Members:

I, Carl Anderson, wish to rescind my previous letter of resignation to you on March 24th 2021. I would still have a year left as a member of the committee if I had not resigned. I wish to continue out the remainder of my term, serving on the committee for this next year till 2022. With only four members it would make sense for this to happen, retaining an odd number among the committee. My expectation is to be restored for the remainder of my 2-Year term.

Sincerely,



Carl William Edward Anderson Jr
Former Committee Member



March 24, 2021

To: Christine Duerr, Chairperson Atkinson Conflict of Interest Committee

From: Carl Anderson, Member of the Atkinson Conflict of Interest Committee

Dear Ms. Duerr,

I, Carl Anderson of 3 Overlook Road, Atkinson, respectfully submit my resignation from the Atkinson Conflict of Interest Committee, effective immediately.

Thank you,

A handwritten signature in cursive script, appearing to read "Carl Anderson", followed by a horizontal line.

Carl Anderson

Atkinson Conflict of Interest Committee

Petition of Alleged Conflict of Interest Violation

To the applicant: fill out this form if you are seeking an evaluation of your complaint to determine if it constitutes a violation of the Atkinson Conflict of Interest Ordinance. Please fill out sections A and B.

PART A:

Are you filing on behalf of a business or individual? _____

Name _____

Address _____

Town _____

State _____

Email address _____

Cell phone _____

Home phone: _____

Preferred method of communication if the Committee needs to reach you _____

PART B:

I, undersigned, request that the Conflict of Interest committee review and reply as to whether the following constitutes a violation of the Atkinson Conflict of Interest Ordinance. Please give specific details regarding your request for information pertaining to Section V of the ordinance.

Guidance to the applicant: Important! If you are attaching evidence, such as public/social media posts, you must include the entire verbiage of **each** post. The Committee will not review incomplete posts or posts that are not in sequential order. Please attach all relevant evidence such as letters, written statements, pictures and segments from relevant town meetings. If a document has multiple pages, the pages must be numbered. If you are referring to videos from town meetings, you must include the date of the meeting and the time stamps of the beginning and ending of the portion(s) of the video you want the Committee to review.

I am seeking an investigation of the following member(s) of Atkinson Town Government:

Title(s) of office(s) held by the member(s) who is/are the subject(s) of the investigation:_____.

For the following reason(s):

If you require more space, please attach additional sheet(s).

Please make sure you have completed Part A and B completely. You will be notified by mail or email of the findings/reply of the Conflict of Interest Committee.

I have read the Atkinson Conflict of Interest Committee Ordinance and I believe this is a fair subject of inquiry.

Signature_____

Date_____

Please mail this form to: Atkinson Conflict of Interest Committee
P.O Box 452, Atkinson, N.H. 03811