

Hearing Agenda

1. All witnesses shall be sworn and the hearing rules explained.
2. The Complainant will be asked to come forward, present their complaint, answer questions from the Board concerning their complaint, identify any documents or witnesses relating to and relevant to the complaint that they believe should be considered by the Board.
 - 2.1 The Board shall question any witness who has been called by the Board to give testimony related to Complainant's complaint.
 - 2.2 Once the Board has finished their witness questioning, Respondent will be allowed the opportunity to question Complainant and any witness called by Board.
3. The Respondent will be asked to come forward, present their response to the complaint, answer questions from the Board concerning their response or the complaint, identify any and all documents or witnesses related to and relevant to the complaint and their response that they believe should be considered by the Board.
 - 3.1 The Board shall question any witness who has been called by the Board to give testimony related to Respondent's response.
 - 3.2 Once the Board has finished their questioning, Complainant will be allowed the opportunity to question Respondent and any witness called by Board.
4. Chair will entertain motions on what evidence to admit into the record. Board will determine whether to question additional witnesses not present at the hearing or admit additional documents or whether to continue the hearing to allow additional evidence. Documents admitted into the record will be marked as exhibits. If an additional hearing date is needed that will be scheduled.
5. Chair will call for a motion to close the evidentiary portion of the hearing and adjourn to executive session to conduct its deliberations: **"I move to close the evidentiary portion of this hearing and adjourn to executive session for the purpose of deliberations, under KRS 61.810 (1)(j)."** During executive session, the case may be discussed, but no further evidence may be presented, nor votes taken.
6. Chair will call for a motion to close the executive session and return to open session. **"I move to close the executive session and return to open session. No votes were taken in executive session."**
7. Once the meeting has been called back into open session, Chair will call for the Board to discuss whether they are ready to make its decision:
 - a. The Board may move to dismiss the complaint as unfounded. The motion shall include findings supporting the dismissal of the complaint as unfounded.
 - b. The Board may move to uphold the complaint. The motion shall include findings supporting the determination that there has been an ethics code violation and may include a penalty from Ordinance Section 38.99 if the Board deems a penalty appropriate.
 - c. The Board may move to continue the hearing for additional evidence or deliberation.
8. Chair will inform the parties that the decision of the Board will be drafted into a written order and sent to all parties as soon as possible, but no later than 30 days.
9. Chair will entertain a motion to adjourn the Ethics Board hearing.