



**MINUTES
MEETING OF
THE ETHICS COMMISSION**

CITY OF LEANDER, TEXAS

Pat Bryson Municipal Hall
201 N. Brushy St.
Leander, Texas

Tuesday ~ May 14, 2013 at 7:00 PM

Place 1 – Steve Kuwitzky – Vice Chairman	Place 5 – James Smit
Place 2 – Gerald Perez	Place 6 – Steven Kovacs
Place 3 – Velma Arroyos-Seawell	Place 7 – Richard Shirley - Chairman
Place 4 – Dr. Victor H.P. Villarreal	

1. Call to Order
Chairman Shirley opened the meeting at 7:00 p.m.
2. Roll Call
Gerald Perez and Velma Arroyos-Seawell were absent. All others present
3. Approval of Minutes: February 13, 2013
Motion made by Commissioner Kuwitzky to approve. Second by Commissioner Kovacs. Motion passes, all voting “aye”
4. Conduct Preliminary Hearing on Ethics Complaints against Jason Dishongh made by Braden Frame

Chairman Shirley explained the process of the meeting and that the complaints would be considered separately.

The oath given to each person speaking:

“Do you swear and affirm that the testimony you are giving in this proceeding is within your knowledge and is true and correct”

The complaints will be attached to the minutes as attachments.

- Presentation of Alleged Violations and Opportunity to respond

Braden Frame was given the oath as written and presented his case for Complaints # 1, 2 & 3 in that order.

Jason Dishongh was given the oath as written and responded to the allegations on Complaints #1, 2 & 3.

The commissioners heard each complaint separately and acted upon as written in item # 5 below.

5. Discussion and possible action regarding finding reasonable grounds of violation(s) requiring final hearing and scheduling of final hearing and/or dismissal of complaint(s)
Commissioners held a discussion

Regarding Complaint #1:

Motion made by Commissioner Kovacs to not move forward to a final hearing based on the allegations. Second by Commissioner Smit. Motion passes unanimously.

Regarding Complaint #2:

Jim Plasek was given the oath as written and testified as to when the checks were received

Kent Cagle was given the oath as written and stated as to when he wrote and received the checks

Braden Frame withdrew the complaint.

Motion made by Commissioner Villarreal to dismiss the complaint. Second by Commissioner Kuwitzky. Motion passes, unanimously.

Regarding Complaint #3:

**Cheryl Fitzsimmons, Jason Dishongh and Braden Frame all called "Point of Order"
All were overruled**

Jason Dishongh stated he was late on filing and stated that he broke state law and the City of Leander Ethics Ordinance by filing the report 7 days late.

Jason Dishongh withdrew his statement, stating that he misunderstood the question and was acting as a private citizen and not a Council Member when filing the report

Motion made by Commissioner Villarreal to dismiss the complaint due to the complaint being filed on a private citizen. Second by Steve Kuwitzky.

A discussion was held regarding City Council members and when they are considered private citizens.

Motion fails 2 to 3 with Commissioner Smit, Commissioner Kovacs and Chairman Shirley voting against.

Motion made by Commissioner Villarreal to refer complaint #3 to a final hearing. Second by Commissioner Kuwitzky. Motion passes unanimously.

Chairman Shirley announced that the final hearing has to be held within 30 days. If this is not possible, the city council can grant two 15 day extensions.

6. Adjournment

With there being no further business the meeting adjourned at 10:55 p.m.

Attest:

Richard Shirley, Chairman

Debbie Haile, City Secretary