



Board of Ethics
Draft Meeting Minutes
April 18, 2025
City Council Chambers
9:30 AM

1. Call to Order

Stephen Shurtleff called the meeting to order at 9:30 AM.

2. Roll Call

Present: Tenley Callaghan, Marcia Moran, Stephen J. Shurtleff, City Solicitor Danielle Pacik, City Clerk Janice Bonenfant, and Deputy City Clerk Deborah Tuite

Absent: James. D Rosenberg, John Sullivan

3. Approval of the September 16, 2024 Meeting Minutes

Ms. Callaghan moved approval of the September 16, 2024 Meeting Minutes. The motion was duly seconded by Ms. Moran and passed with no dissenting votes.

4. Election of an Acting Board of Ethics Chairperson

Ms. Moran made a motion to nominate Stephen Shurtleff as Acting Chairperson of the Board of Ethics for this meeting, duly seconded by Ms. Callaghan, passed with no dissenting votes.

5. Review of Complaint against the Ethics Complaint against members of the Golf Course Advisory Committee

Acting Chair Shurtleff indicated for the record he has known Jennifer Kretovic for approximately 25 years, serving on the Penacook Village Association and City Council together. He further stated that in his role as State Representative and County Commissioner, he met with Ms. Kretovic no more than a total of three times to discuss issues that were important to both the City of Concord and the State of New Hampshire. Mr. Shurtleff stated that he considered his interactions with Councilor Kretovic and came to the strong conclusion that he can act in a fair and impartial manner but was disclosing his past interactions to be fully transparent.

City Solicitor Danielle Pacik reminded the board that they were meeting to determine whether or not the complaint before them for consideration has merit. Ms. Pacik noted that Board of Ethics rules indicate that committee members can decide on the information presented, taking public testimony if they so choose.

Mr. Shurtleff provided an overview of the complaint filed by Marcy Charette on February 24, 2025. Mr. Shurtleff indicated that the board received a letter from Roger Jobin, named in the complaint, who stated he has not been a member of the Beaver Meadow Golf Course for the last 40 years. Within his communication, Mr. Jobin stated that he plays at Beaver Meadow infrequently noting that he had played there for a fundraising event last year. Mr. Shurtleff moved to dismiss Mr. Jobin from the complaint because he is not a member of the Beaver Meadow Golf Course.

Ms. Moran responded that membership at Beaver Meadow Golf Course was one of the primary concerns raised in Ms. Charette's complaint, however, the complaint also indicated that committee members should not be golfers. Ms. Moran noted, however, that she would agree that Mr. Jobin has no self-interest in serving on the Golf Course Advisory Committee.

Mr. Shurtleff withdrew his motion with regards to Mr. Jobin.

Mr. Shurtleff asked the committee if they felt there was any validity to the complaint.

Ms. Callaghan indicated the complainant alleges that the members of the Golf Course Advisory Committee appointed to "General Public Representative" positions were unethical by being golfers and still submitting applications to serve on the committee. Ms. Callaghan indicated that she did not find merit in that complaint. She further noted that the complainant mentioned they applied under false pretense because they are golfers, however they all disclosed that they were golfers.

Ms. Moran added that a person does not give up the right to represent the general public by virtue of having an interest in a topic being discussed. The members of the Golf Course Advisory Committee are still able to provide thoughtful consideration on matters that comes before the committee because they are taxpayers and may also have other expertise.

Mr. Shurtleff added that the City Council looks for people who have an interest in the subject matter, noting that committee membership is comprised of those who have a deep concern and understanding for their respective committees. He referenced his time in the legislature, and noted that individuals are assigned to committees based on their experience. He mentioned that Ms. Charette indicated that there were no non-golfers appointed, however, he believes it makes sense for golfers to be chosen for the Golf Course Advisory Committee.

Ms. Callaghan indicated she had reviewed materials specific to the composition of the committee, and the committee is responsible for recommending changes that would improve the management of the golf course and opportunity to golf. In her opinion, this demonstrates that anticipated appointees would be those people who understood the game of golf.

Ms. Moran indicated that some of the appointees brought property management experience, accounting experience and business experience. Ms. Moran noted she felt City Council had an interest in having those individuals involved on the Golf Course Advisory Committee to make recommendations regarding the golf course's business going forward. She further stated that she felt they had vested interests as taxpayers to ensure that tax funds are not spent frivolously.

Ms. Callaghan indicated that City Council accepted the applicants, and all of the applicants disclosed that they were golfers or members of the club, either currently or in the past. She does not agree that the ordinance should be interpreted to require applicants for the “General Public Representative” positions to be non-golfers, and ultimately City Council invited them to be on the committee. She does not believe the members of the Golf Course Advisory Committee who were named in the complaint were unethical or that there is merit in the complaint.

Ms. Moran pointed out that the Golf Course Advisory Committee is an advisory committee that is not making any decisions on how funds should be spent. It is an advisory committee to City Council to give information about the future management of the course. The members of the Golf Course Advisory Committee have no enhanced self-interest, other than to ensure that the golf course is well managed. She stated that being a golfer does not preclude somebody from being a “General Public Representative,” and she disagrees that a “General Public Representative” must be *per se* a non-golfer. She believes that City Council looked at those who wanted to serve, and decided what would be best for future decision making. She believes that there are assumptions in the complaint which are without merit. She noted that, while the complainant appears to disagree with the work product of the committee, such a disagreement does not warrant a hearing.

Mr. Shurtleff added that the City Charter mentions someone receiving something that others are not receiving, however membership at the Beaver Meadow Golf Course is available to the general public. He agreed that the Golf Course Advisory Committee is only advisory, and the members of the Committee have a fiduciary responsibility to advise City Council on matters that will help improve the facility. It is the responsibility of the City Council to make the decision on how to allocate funds.

Ms. Callaghan made a motion to dismiss the complaint and not schedule a public hearing, finding that the alleged violation truly does not constitute a violation of the City Code of Ethics, and that the complaint on its face is frivolous and otherwise lacks merit. The motion was duly seconded by Ms. Moran. The motion passed unanimously.

6. Setting of Future Meeting Dates

No dates were scheduled.

7. Adjournment

At 9:47 AM, and there being no additional business, Mr. Shurtleff moved to adjourn the meeting.

A true copy; I attest:

*Deborah Tuite
Deputy City Clerk*