

Frederick County Ethics Commission
Minutes for the Public Meeting of Tuesday, February 8, 2005

Present: Ronald W. Peppe, Chairman
 G. Anthony Crook, Commission Member
 Phillip P. Killam, Commission Member
 Linda B. Thall, Assistant County Attorney

Absent: Andrew T. Jones, Alternate Commission Member

The Frederick County Ethics Commission met at approximately 7:00 p.m. on February 8, 2005, at the Office of the County Attorney on the 3rd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

MOTION: Mr. Crook made a motion to open the public meeting and to begin the meeting with a new business item – a fund raising proposal to benefit the Child Advocacy Center. Mr. Killam seconded the motion, which was unanimously approved.

New Business

Child Advocacy Center – The Commission met with Dr. Michael Stovall, Janice Kispert, Leah Johnson and Carol Larkin. The group discussed the proposal made by the Frederick Woman's Civic Club to conduct a fund raising campaign on behalf of the County's Child Advocacy Center. Also discussed were the restrictions imposed by the Ethics Ordinance on the ability of County officials and employees to participate in fund raising activities.

MOTION: Mr. Crook made a motion to issue an advisory opinion stating that County officials and employees should have no involvement in the fund raising campaign for the Child Advocacy Center, although they could discuss the Child Advocacy Center in general. Further, no County funds should be used for the fund raising campaign. Mr. Killam seconded the motion, which was unanimously approved.

Unfinished Business

Approval of the minutes – The Commission considered the minutes from its January 24, 2005, meeting.

MOTION: Mr. Crook made a motion to approve the minutes as amended. Mr. Killam seconded the motion, which was approved unanimously.

Advisory Opinion 05-03 – The Commission discussed possible changes to the draft advisory opinion. The Assistant County Attorney was asked to contact the Department that forwarded the opinion request to clarify certain facts relied upon in the draft opinion.

MOTION: Mr. Crook moved to adopt the draft advisory opinion as prepared, provided that the facts set forth in the opinion are found to be correct after checking with the Department. In the event that the facts are incorrect in Item #6 of the opinion, the opinion should be revised to prohibit the conduct discussed. Mr. Killam seconded the motion, which was approved unanimously.

Advisory Opinion 05-01 – The Commission discussed the telephone inquiry from one of the individuals who filed a complaint. The inquiry related to whether there was a need for a County Commissioner to recuse himself from voting under certain circumstances.

MOTION: Mr. Crook moved to have the Assistant County Attorney telephone the individual and explain why the opinion did not advise the Commissioner to recuse himself. Mr. Killam seconded the motion, which was approved unanimously.

New Business

MOTION: Mr. Crook made a motion to look into recommending amendments to the Ethics Ordinance provision on the acceptance of tickets to certain types of events. Mr. Killam seconded the motion, which was approved unanimously.

Adjournment

MOTION: Mr. Killam moved to adjourn the meeting. Mr. Crook seconded the motion, which was approved unanimously.

The Ethics Commission adjourned its meeting at 8:30 p.m.

/s/

Linda B. Thall, Assistant County Attorney