

Frederick County Ethics Commission
Minutes for the Public Meeting of Tuesday, November 30, 2004

Present: Ronald W. Peppe, Chairman
 G. Anthony Crook, Commission Member
 Andrew T. Jones, Alternate Commission Member
 Linda B. Thall, Assistant County Attorney

Absent: Phillip P. Killam, Commission Member

The Frederick County Ethics Commission met at 7:00 p.m. on November 30, 2004, 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. The motion was seconded by Mr. Jones and was unanimously approved.

Unfinished Business

Approval of the minutes – The Commission considered the minutes from its November 22, 2004, meeting.

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

Pending investigation – The Commission discussed changes to the wording of a letter being sent to the subject of a complaint. The issues discussed included whether the Commission should set a firm deadline for a response to its letter. The Commission also discussed the timing of a meeting with the subject of the complaint in the event that a meeting was requested.

MOTION: Mr. Crook moved to have the letter sent without any changes. The motion was not seconded.

MOTION: Mr. Crook then moved to amend the letter to request a response by Friday, December 3, and to add a reference in the letter to the subject of the complaint's earlier correspondence in which he indicated that there was no need for a meeting with him if the Commission felt that it had sufficient information to reach a decision. Mr. Jones seconded the motion, which was unanimously approved.

Meeting with an employee – The Commission met with a County employee to discuss the application of Advisory Opinion 04-10, which addressed the limitations on an employee's

service on the board of directors of a non-profit corporation. The employee provided information regarding the purpose and formation of the corporation, the County's involvement with and funding of the corporation, and the nature of her work with the corporation. The Commission discussed the distinction between being a member of the board of directors and being an officer of the board, limitations on use of the employee's County title in the corporation's literature and publications, limitations on the employee's ability to engage in raising funds for the corporation, whether the facts supported the granting of an exemption from the conflict of interest provisions in the Ethics Ordinance, and whether the Commission should alter Advisory Opinion 04-10.

MOTION: Mr. Crook made a motion to keep the Advisory Opinion as is and to send a letter to the employee advising her of this decision. Mr. Jones seconded the motion, which was approved unanimously.

Adjournment

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

The Ethics Commission adjourned its meeting at 9:05 p.m.

/s/

Linda B. Thall, Assistant County Attorney