

Frederick County Ethics Commission **Minutes for the Meeting of Monday, March 22, 2004**

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

The Frederick County Ethics Commission met at 7:00 p.m. on March 22, 2004, at the Office of the County Attorney on the 3rd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

Agenda discussion – The Commission discussed whether to consider an item of new business at the start of its meeting, before consideration of unfinished business items. The new business was a request from an employee for approval of an outside employment opportunity.

MOTION: Mr. Crook moved to advance the discussion with the employee and consideration of her request to the first item of business. Mr. Killam seconded the motion. The motion passed unanimously.

New Business

Request for advisory opinion – The Commission met with an employee in the Health Department who has been offered a position as an independent contractor with The Johns Hopkins University, Center for Technology. The employee has been asked to assist in developing behavioral objectives for a new program and to provide mentorship for selected students in the program. The Commission members questioned the employee and then discussed whether the proposed employment was allowed under the Ethics Law.

MOTION: Mr. Killam moved to approve the request for outside employment. Mr. Crook seconded the motion. The motion passed unanimously.

Unfinished Business

Approval of the minutes – The Commission considered the minutes from its meeting on February 9, 2004. The Commission asked that the name of the individual who requested the advisory opinion regarding his work with a volunteer fire and rescue company, as well as the name of the company, be removed from the minutes. The Commission also requested that the name of the individual who was asked to amend his financial disclosure statement be removed from the minutes. The Commission also noted that Mr. Killam had made the motion to have the Assistant County Attorney prepare a memorandum regarding the Insurance Committee.

MOTION: Mr. Killam moved to approve the minutes as corrected. The motion was seconded by Mr. Crook and approved unanimously.

Financial disclosure statement – The Assistant County Attorney updated the Commission on its request from the last meeting to have an individual amend his financial disclosure statement to clarify his involvement in a business being operating on property the individual leases to a tenant. This individual amended the financial disclosure statement as requested.

Advisory Opinion 04-01 – The Commission members discussed changes to the first and second paragraphs of the draft opinion to remove the name of the specific volunteer fire and rescue company to which the employee requesting the opinion is assigned. The Commission also clarified that its grant of limited permission to continue the outside employment only extends to June 30, 2004. The opinion was adopted as corrected.

Request for assistance in preparing a website and preparing minutes – The Commission asked whether there had been a response to its request for assistance. The Assistant County Attorney advised the Commission members that no response has been received to date.

Request for information on insurance coverage – The Commission discussed its previous request to the County Attorney for written information detailing the extent to which the members of the Commission are protected under the County's insurance policies if there is litigation against Commission members resulting from their performance of duties as Commission members. No response to the request has been received to date. The Commission discussed alternative courses of action to obtain the requested opinion.

MOTION: Mr. Crook moved to have the Assistant County Attorney ask the County Attorney if he can provide a date by which the information will be provided, in writing, to the Commission. The Assistant County Attorney should also advise the County Attorney that the Commission plans to meet in one month and that it would like to see at least a draft response by that time. Mr. Killam seconded the motion and it was passed unanimously.

Mr. Peppe then asked the Assistant County Attorney to provide confirmation in an e-mail message to the Commission members that this has been discussed with the County Attorney and what response was received.

Review of guidelines and procedures – Mr. Peppe suggested that at some time in the future, the Commission consider reviewing its guidelines and procedures for conducting business. It has been some time since these were reviewed and they may need to be updated.

Adjournment

MOTION: Mr. Killam moved to adjourn the meeting. Mr. Crook seconded the motion. The motion passed unanimously.

The meeting was adjourned at approximately 8:10 p.m.

/s/

Linda B. Thall, Assistant County Attorney