

Frederick County Ethics Commission
Minutes for the Public Meeting of Monday, December 11, 2006

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

The Frederick County Ethics Commission met at 7:00 p.m. on December 11, 2006, at the Office of the County Attorney on the 3rd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

MOTION: Mr. Jones made a motion to open the meeting. Mr. Bickel seconded the motion, which was approved unanimously.

Unfinished Business

Approval of the minutes – The Commission considered the minutes from its July 20, 2006, meeting.

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

Advisory Opinion 06-02 – The Senior Assistant County Attorney advised the Commission members that this Advisory Opinion was printed in the October County employee newsletter, as requested by the Commission.

Annual Financial disclosure statements – The Senior Assistant County Attorney stated that, as requested, she talked to the three individuals identified by the Ethics Commission at its July meeting to follow up on the Commission's questions regarding their annual financial disclosure statements. Detailed information was previously e-mailed to the Commission members.

Lobbying reform proposal – The Senior Assistant County Attorney informed the Commission that Commissioner Thompson will be submitting his lobbying reform proposal to the Board of County Commissioners for adoption.

Public ethics reform proposal – The Senior Assistant County Attorney informed the Commission that the Board of County Commissioners has voted to include Commissioner Thompson's public ethics reform proposal in its 2007 legislative package request to the State Delegation.

Update on electronic filing of financial disclosure forms – The Senior Assistant County Attorney and Kim Long met with IIT in September to discuss the changes needed to allow

County officials and employees to file their financial disclosure forms electronically. IIT will be looking into the most effective way to implement this request.

New Business

BOCC financial disclosure statement – The Ethics Ordinance requires County Commissioners to file financial disclosure statements within thirty days of taking office. One County Commissioner has filed his disclosure statement so far. The Ethics Commission reviewed that disclosure statement.

Ethics Commission website – The Senior Assistant County Attorney advised the Ethics Commission that the County is scheduled to change all of its websites in January. The Commission's website will be affected by this change. Kim Long will be responsible for seeing that the required changes are made to the Commission's website.

Ethics Ordinance briefing for new BOCC members – The Senior Assistant County Attorney advised the Commission members that she conducted a briefing for the new Board of County Commissioners on the Ethics Ordinance. The briefing took place on December 5, 2006.

Amendment of the Ethics Ordinance – The members discussed the possibility of recommending amendments to the Ethics Ordinance. They reviewed changes suggested by the County Manager and County Division Chiefs. Mr. Crook also suggested consideration of an amendment to expand the scope of the conflict of interest provisions in the Ordinance. Mr. Peppe suggested amending the Ordinance to include stronger enforcement powers. The members agreed to consider the changes over the next few weeks and e-mail any suggestions for consideration. The Commission will then discuss the suggestions at its next meeting.

Request for an advisory opinion – The members discussed a request for an advisory opinion received from an applicant for appointment to a Board or Commission. Mr. Peppe stated that he did not think that the applicant would have a conflict of interest under the facts presented, but recommended a limited opinion that would be restricted in scope. Mr. Jones stated that due to the nature of the possible conflict, there was little opportunity for the applicant to make a financial profit from any clients referred as the result of his position. Mr. Jones commented that the applicant would be performing a service to the community by seeing these clients. Mr. Bickel saw no conflict because members of that Board would not be able to influence decisions made on the referral of clients.

MOTION: Mr. Jones moved to send the applicant an opinion consistent with the Commission's discussion. Mr. Bickel seconded the motion, which was approved unanimously.

Adjournment

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

The Ethics Commission adjourned its meeting at 7:45 p.m.

/s/
Linda B. Thall, Senior Assistant County Attorney