

Frederick County Ethics Commission
Minutes for the Public Meeting of Tuesday, July 17, 2007

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 July 17, 2007, at the Office of the County Attorney on the 3rd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

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

Unfinished Business

Approval of the minutes – The Commission considered the minutes from its May 30, 2007, meeting.

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

New Business

Zoning and Planning Public Ethics Law – The Senior Assistant County Attorney advised the Ethics Commission that a question had been presented regarding whether communications between members of the Board of County Commissioners and the Board's Executive Assistants, the County Manager or members of the County Manager's Office need to be disclosed as ex parte contacts under the Zoning and Planning Public Ethics Law. The Commission agreed that disclosure of such communications was not required, provided that the employee is not also an "applicant" as defined in that Law.

Lobbying Ordinance – The Commission has started to receive registration forms from lobbyists. The Senior Assistant County Attorney described the process that is being followed upon receipt of the registration forms and asked whether the Commission also wanted to review the registration forms when they are filed. The Commission decided that this was not necessary.

MOTION: Mr. Bickel made a motion to have information about the lobbyists available on the Commission's website and that, to the extent feasible, the actual forms also

be made available for viewing on the website. Mr. Jones seconded the motion, which was approved unanimously.

The Commission also discussed other questions that were being raised about application of the Lobbying Ordinance. The Commission decided that it would not take a formal position on these questions unless requests for Advisory Opinions are received.

Request for an Advisory Opinion – The Commission discussed a request for an Advisory Opinion that it received from the Board of County Commissioners regarding the application of the Ethics Ordinance to the receipt of free tickets by County employees and elected officials to the Great Frederick Fair.

MOTION: Mr. Bickel moved to have the Commission issue an Advisory Opinion allowing County officials and employees to accept free tickets to the Great Frederick Fair, given that the tickets are of nominal value, the special nature of the Fair in Frederick County, and the wide-spread availability of free tickets to others in the County. Mr. Jones seconded the motion, which was approved unanimously.

Review of financial disclosure forms – The Ethics Commission reviewed some of the financial disclosure forms submitted by County officials and employees.

Request for an Advisory Opinion – The Commission discussed a request from an attorney for an Advisory Opinion about the applicability of the Lobbying Ordinance to multiple tiers of entities that are involved in the ownership and development of real property in Frederick County.

MOTION: Mr. Bickel moved to have the Commission issue an Advisory Opinion that would describe the applicable tests contained in the Ordinance for determining when registration as a lobbyist is required. Mr. Jones seconded the motion, which was approved unanimously.

Adjournment

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

The Ethics Commission adjourned its meeting at 8:05 p.m.

/s/

Linda B. Thall, Senior Assistant County Attorney