

Frederick County Ethics Commission
Minutes for the Public Meeting of Tuesday, October 30, 2007

Present: Andrew T. Jones, Chairman
Karl W. Bickel, Commission Member
Paula C. Bell, Commission Member
E. Donald Foster, Alternate Commission Member
Linda B. Thall, Senior Assistant County Attorney

Also present for the initial part of the meeting were Jerry Miller, Chairman of the Citizens and Montevue Board of Trustees; Charles Trunk, former member of the Citizens and Montevue Board of Trustees; Nicole Bohrer, Administrator, Citizens Care and Rehabilitation Center; Diane Grove, Administrator, Montevue Home; and Betsy Day, President, Community Foundation.

The Frederick County Ethics Commission met at 7:00 p.m. on October 30, 2007, at the Office of the County Attorney on the 3rd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

Approval of the minutes – The Commission considered the minutes from its August 22, 2007, meeting.

MOTION: Mr. Jones made a motion to approve the minutes as drafted. Mr. Bickel seconded the motion, which was approved with two votes in favor. Ms. Bell and Mr. Foster did not vote, as they were not members of the Ethics Commission at the time of the August 22, 2007, meeting.

Request for guidance from the Citizens and Montevue Board of Trustees – The Commission members discussed the proposal presented by the Board of Trustees to enter into an agreement with the Community Foundation of Frederick County to raise funds on behalf of Citizens Care and Rehabilitation Center and the Montevue Home. Representatives from the Board of Trustees, Citizens Care and Rehabilitation Center, Montevue Home, and the Community Foundation responded to inquiries from the Commission members about the Board's proposal, which calls for the establishment of an Ad Hoc Committee to work with the Community Foundation to assist in the fund-raising effort. No members of the Board of Trustees would be on this Ad Hoc Committee. Once the members' questions were addressed, the Commission recessed the public meeting to meet to perform an administrative function.

Request for an investigation – The Commission discussed the request that it received from a member of the Board of County Commissioners for an investigation. The Commissioner asked for an investigation after a citizen stated during a meeting of the Frederick County Planning Commission that an investigation into the Commissioner's conduct might be warranted. The assertion was made during the discussion of a text amendment that the Commissioner proposed. The Ethics Commission has not received a complaint against the Commissioner.

MOTION: Mr. Jones made a motion to have the Ethics Commission respond to the Commissioner's request with an invitation to provide additional facts and clarification as to the question that the Commissioner wants the Commission to address. Mr. Bickel seconded the motion, which was approved unanimously.

Discussion of the Public Ethics Law – The Commission considered its interest in meeting with staff from the County Manager's Office to discuss implementation issues arising out of the Public Ethics Law.

MOTION: Mr. Jones made a motion to have the Commission meet with Assistant County Manager Barry Stanton and Ethics Compliance Administrator Ragen Cherney to discuss the content and format of the summary report that the Public Ethics Law requires the County Manager to make. The motion included a request to the County Manager's Office that it provide a proposal regarding the summary report for the Commission's review in advance of the meeting, if possible. Mr. Bickel seconded the motion, which was approved unanimously.

Update on application of the Lobbying Ordinance – The Senior Assistant County Attorney informed the Ethics Commission of the receipt of a letter from an attorney concerning the applicability of the Lobbying Ordinance to the attorney's client. The letter set forth the basis for the attorney's conclusion that the client was not required to register as a lobbyist. After discussing the letter and the Ordinance, the Commission determined that no action on its part was required.

Review of financial disclosure statements – The Ethics Commission reviewed and approved the printed 2007 financial disclosure statements from employees and officials. The Commission directed the Senior Assistant County Attorney to contact the member of a County Board to obtain additional information. The Commission members were then provided with a CD containing the electronic filings submitted by other County officials and employees. The Commission agreed to discuss any additional concerns arising out of its review of these disclosure statements at a future meeting.

Dates for the Commission's next meeting – The Commission members requested that the next meeting be scheduled for November 14. If the Assistant County Manager and Ethics Compliance Administrator are not able to attend the meeting on that date, an alternative date of November 28 was selected.

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 8:35 p.m.

/s/

Linda B. Thall, Senior Assistant County Attorney

Notice under Section 10-503(c) of the State Government Article of the Maryland Annotated Code:

The Frederick County Ethics Commission met at approximately 7:30 p.m. on October 30, 2007, at the Office of the County Attorney on the 3rd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701, to perform an administrative function. The persons in attendance at this meeting were Andrew T. Jones, Chairman; Commission members Karl W. Bickel and Paula C. Bell; Alternate Commission Member E. Donald Foster; and Senior Assistant County Attorney Linda B. Thall. The subject discussed at the administrative function meeting was the application of the Ethics Ordinance to the fund-raising proposal presented by the Citizens and Montevue Board of Trustees.