

Frederick County Ethics Commission
Minutes for the Public Meeting of Wednesday, July 8, 2009

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

The Frederick County Ethics Commission met at 7:00 p.m. on July 8, 2009, at the Office of the County Attorney on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

Approval of the minutes – The Commission considered the minutes from its April 13, 2009 meeting.

MOTION: Mr. Jones made a motion to reprimand the Chair (Mr. Jones) for failing to provide comments on the minutes in advance of the meeting. Mr. Foster seconded the motion, which was approved unanimously.

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

Discussion of a request for an investigation by a County Commissioner – Prior to the meeting, the Ethics Commission received a request for an investigation from a member of the Board of County Commissioners. The request came after the County Commissioner posted an email message on the County's website that contained the names and email addresses of persons who were shown as having received copies of the original email. The Ethics Commission discussed the request and concluded that the facts available did not suggest a violation of the Ethics Ordinance. The Senior Assistant County Attorney was directed to prepare a letter to the Commissioner.

Information regarding potential complaint – The Senior Assistant County Attorney advised the Ethics Commission about an incident where an individual questioned the propriety of an email message sent by a County Commissioner to members of the public who were involved in a discussion of an issue pending before the Board of County Commissioners. The email message from the Commissioner came after an individual mentioned in another message that the Commissioner in question was running for election; the Commissioner's email stated that campaign contributions were welcome. The Senior Assistant County Attorney contacted the individual who raised the question, asking whether she was claiming that the County Commissioner had committed a violation of the Ethics Ordinance. As the individual has not responded, no action by the Ethics Commission is required.

Discussion of letters from a County resident – Before the meeting, the Commission was provided with two letters from a County resident. Both letters outlined the resident's complaints about actions taken by Frederick County officials. The Commission determined that the letters failed to allege any violation of the Ethics Ordinance. The Senior Assistant County Attorney was directed to prepare a response to the resident. The response is to include a copy of the Ethics Ordinance and to advise the resident that he may contact the Ethics Commission again if he has a factual basis for believing that there has been a violation of the Ethics Ordinance.

Prior to the discussion of the following item, Mr. Bickel left the meeting.

Recommendation on appointment to the Ethics Commission – The Ethics Commission was asked to make a recommendation on an appointment to a position on the Ethics Commission. Mr. Bickel has applied for reappointment; two other applications were also received. The Ethics Commission reviewed the resumes submitted by the applicants.

MOTION: Mr. Foster made a motion to recommend the reappointment of Mr. Bickel. Ms. Bell seconded the motion, which was approved unanimously by the Commission members remaining at the meeting.

The Commission member agreed that its recommendation would be conveyed through an email sent by the Senior Assistant County Attorney.

Adjournment

MOTION: Ms. Bell moved to adjourn the meeting. Mr. Foster seconded the motion, which was approved unanimously.

The Ethics Commission adjourned its meeting at 7:25 p.m.

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