

**ETHICS TASK FORCE OF FREDERICK COUNTY
MEETING MINUTES
Wednesday, February 18, 2015**

Task Force Members Linda Norris-Waldt, Chair; Karl Bickel, Vice-Chair; Craig Hicks, Secretary; Bud Otis, County Council President; Gwen Romack, County Ethics Commission Chair; Donald Foster, Thomas Gill, Jesse Goode, Kevin Grubb, Diana Halleman, Dr. Sayd Haque, John Helms, Anne Leffler, Rev. Conrad Link and John Shatto were present for the meeting. Also present was Linda Thall, Senior Assistant County Attorney. Task Force Members Jo Ann Brown and Nancy Pluhowski were absent from the meeting.

Task Force Chair Norris-Waldt called the meeting to order at 7:00 p.m. in the first floor hearing room, Winchester Hall, 12 East Church Street, Frederick Maryland.

Charge to Task Force Members

Frederick County Executive Jan Gardner described her goal to build public trust in government and provide assurance to the citizens of Frederick County that the decisions of elected and appointed officials are made in the public interest. She noted that ethics reform is one of her top priorities and also is a priority for some members of the County Council, particularly Council President Bud Otis.

The County Executive charged Task Force Members to provide input on reforming county ethics regulations by considering the following areas:

1. Strengthening conflict of interest provisions to ensure that elected and appointed officials do not profit from their positions and that there is not the appearance of conflict of interest.
2. Restoring civil and criminal penalties that were removed from the ordinance or recommending penalties appropriate for serious ethics violations.
3. Adding of a Code of Professional Conduct for elected officials.
4. Improving campaign finance provisions that currently rest in state law by recommending changes either to state or to local law.
5. Granting investigative authority to the County Ethics Commission.
6. Making recommendations in any other areas the Task Force believes will be in the best interest of serving the public good.

The Task Force review and recommendations must be complete within 120 days.

The County Executive noted that Task Force recommendations will translate into legislation that must be reviewed by the Maryland State Ethics Commission. Task Force meetings will be advertised, open to the public and, when possible, televised and webcast. She asked that, in addition to public comment, the Task Force consider allowing presentations from the interested public on request.

Introduction of Members and Selection of a Vice Chair

Task Force Members and County staff each made brief remarks introducing themselves and describing their interest and experience related to ethics. Ms. Norris-Waldt then asked Task Force Members to make nominations for a Vice Chair, responsible for leading Task Force meetings when the Chair is not available.

Mr. Gill nominated Mr. Bickel for Vice Chair. Mr. Shatto seconded the motion that passed 12-0-1 with Mr. Bickel abstained and Ms. Brown and Ms. Pluhowski absent.

Review of Current Ordinance and Requirements of State Ordinance for Localities

Senior Assistant County Attorney Linda Thall provided an overview of and answered questions from Task Force Members about the County Ethics Ordinance and sections of the State Public Ethics Law specifically relevant to local governments.

Ms. Thall noted that the State of Maryland offers two model ordinances for local governments, one intended for large jurisdictions and the other for small jurisdictions. The current County Ethics Ordinance is based mostly on the small jurisdiction model. The County's lobbying provisions are based on the large jurisdiction model.

Broad Goal Setting of Areas to be Addressed

Task Force Members discussed areas relevant to their charge and how to address them.

Ms. Norris-Waldt proposed that she and Mr. Hicks develop a list of topics based on the discussion and that the Task Force organize into groups, each focused on a particular topic. The proposal was adopted by unanimous consent with Ms. Brown and Ms. Pluhowski absent.

Council President Otis expressed support for requiring elected officials to follow the same rules as County employees.

Mr. Grubb volunteered to lead the Task Force group that will consider a code of conduct.

Mr. Helms expressed support for inviting someone from the Office of the State Prosecutor to meet with the Task Force to discuss civil and criminal penalty provisions and how these would be handled if added to the ethics ordinance.

Mr. Gill suggested that the Task Force invite representatives from the local news media to discuss when information about ethics complaints be made available to them.

Mr. Gill further suggested that the Task Force organize each section of its report to include recommended statutory language, supporting rationale and dissenting opinions.

Ms. Norris-Waldt proposed the next meeting focus on County Ethics Commission procedures and include a presentation by Mrs. Romack. The proposal was adopted by unanimous consent with Ms. Brown and Ms. Pluhowski absent.

Future Meeting Date Schedule and Approach to Goals

Ms. Halleman made a motion that the Task Force meet on the first Thursday and third Monday of every month at 7:00 p.m. Mrs. Romack seconded the motion that passed 13-0 with Ms. Brown and Ms. Pluhowski absent.

Ms. Norris-Waldt proposed that the Task Force use the March and April meetings for fact gathering and the May and June meetings for developing recommendations and completing the report. The proposal was adopted by unanimous consent with Ms. Brown and Ms. Pluhowski absent.

Mr. Hicks asked Ms. Thall whether any special considerations would apply to communication among Task Force Members conducted between meetings via email. Ms. Thall answered that Task Force Members should treat every email message as if it could be made public.

Public Comment

Comments were provided by Mr. Steve McKay of Monrovia (Council District 2) and Mr. Mark Long of Thurmont (Council District 5).

In response to public comment, Ms. Norris-Waldt made a motion that the time limit for individual public comments be extended from 3 to 5 minutes. Mrs. Romack seconded the motion that passed 13-0 with Ms. Brown and Ms. Pluhowski absent.

Mr. Gill made a motion to accept written applications from people who want to make longer presentations, laying out the points they want to raise and why we should hear this longer

presentation. Mrs. Romack seconded the motion that passed 13-0 with Ms. Brown and Ms. Pluhowski absent.

Mr. Grubb proposed the Task Force use a County email address to receive public comment and presentation applications. Ms. Norris-Waldt proposed that she check with County staff about how to obtain an email account for Task Force use. The proposals were adopted by unanimous consent with Ms. Brown and Ms. Pluhowski absent.

Mr. Grubb further proposed that Ms. Norris should act as Task Force spokesperson in response to public and media inquiries. The proposal was adopted by unanimous consent with Ms. Brown and Ms. Pluhowski absent.

Adjourn

The meeting adjourned at 9:00 p.m.

Craig Hicks, Secretary
County Ethics Task Force