

**ETHICS TASK FORCE OF FREDERICK COUNTY
MEETING MINUTES
Thursday, May 7, 2015**

Task Force Members Linda Norris-Waldt, Chair; Karl Bickel, Vice-Chair; Craig Hicks, Secretary; Jo Ann Brown, Donald Foster, Kevin Grubb, Diana Halleman, Dr. Sayed Haque, John Helms, Anne Leffler, Rev. Conrad Link, and Nancy Pluhowski and were present for the meeting. Also present was Linda Thall, Senior Assistant County Attorney.

Bud Otis, County Council President; Gwen Romack, County Ethics Commission Chair; Thomas Gill, Jesse Goode, and John Shatto were absent from the meeting.

Task Force Chair Norris-Waldt called the meeting to order at 7:05 p.m. in the third floor meeting room, Winchester Hall, 12 East Church Street, Frederick Maryland.

Ms. Norris-Waldt opened the meeting by asking whether Task Force Members should meet as a group to discuss the final report when it is complete. Those present agreed that Task Force Members should review the report individually and then meet as a group to discuss the draft.

Mr. Hicks expressed strong support for achieving consensus on every recommendation if possible.

Ms. Norris-Waldt proposed, and Task Force Members agreed, that the Task Force would vote on recommendations at its May 18 meeting. A report subgroup will then assemble the recommendations and circulate a draft report to Task Members for review.

Ms. Norris-Waldt then noted that the Frederick County League of Women Voters will send proposed recommendations to the Task Force for consideration at the May 18 meeting.

Ms. Norris-Waldt began a review of issues discussed at previous Task Force meetings.

The Task Force continued the process from its previous meeting of organizing issues into broad topic areas, including

1. State Public Ethics Law
2. County Ethics Commission Standard Operating Procedures
3. Conflict of Interest and Financial Disclosure
4. Enforcement
5. Code of Conduct

Conflict of Interest and Financial Disclosure

The Task Force discussed the following issues related to conflict of interest and financial disclosure.

- Whether to recommend allowing County taxpayer suits against third-party vendors to recover County property
- Whether to recommend the County post financial disclosure forms on Web for elected officials, department heads, appointed officials, division directors, the chief administrative officer, and certain other County employees
- How to address privacy concerns and whether financial disclosure may discourage qualified candidates from seeking appointed or elected positions
- Whether to recommend that other appointed officials and county employees be required to file the “long” disclosure form. These might include members of boards, commissions and councils concerned with planning, zoning and zoning appeals, liquor licensing, affordable housing, agricultural preservation, building codes, gaming, business development, ethics, insurance, internal auditing, County employee retirement planning, small business revolving loans, and technology, as well as County employees responsible for managing and inspecting construction
- Whether to recommend expanding participation prohibitions on contributions from applicants in individual land use planning and zoning cases
- Whether to recommend requiring an affidavit of disclosure in all land use planning and zoning cases
- Whether to recommend defining certain violations of the County Ethics Ordinance as misdemeanors, which were specified as such in the 2007 Ethics Ordinance, with a maximum penalty of 11 months and 29 days instead of six months
- Whether to recommend expanding the definitions of relationships relevant to disclosure and participation provisions applying to Elected and Appointed Officials

Enforcement

The Task Force discussed the following issues related to enforcement.

Whether to recommend amending the County Ethics Ordinance to provide authority to the Ethics Commission to issue administrative subpoenas.

Whether to recommend restoration of criminal penalties specified in the 2007 County Ethics Ordinance

Whether to recommend amending the County Charter to provide for removal of Elected and Appointed Officials from office for certain ethics violations

Whether to recommend that the County Council adopt a process providing for censure of an Elected or Appointed Official for certain ethics violations

Code of Conduct

Mr. Grubb asked the Task Force whether a Code of Conduct should be an aspirational document apart from the County Ethics Ordinance or incorporated into the Ordinance itself.

Ms. Halleman suggested the Code of Conduct might be included as a preamble to the Ordinance.

Mr. Grubb reviewed items from a proposed Code of Conduct that he will distribute to Task Force Members in the form of a recommendation at the May 18 meeting.

Action Items

The Task Force agreed on the following action items.

Ms. Norris-Waldt will create a list of boards and commissions that the Task Force will consider recommending be subject to a higher standard of public disclosure.

Mr. Hicks will review examples from other ethics policies and laws of relationships that hold the potential for conflict of interest

Mr. Helms will consider whether elements of the Ethics Commission standard operating procedure should be specified in the County Ethics Ordinance, and provide a recommendation to the Task Force about the same.

Public Comments

No comment was offered during the Public Comment period.

Adjourn

The meeting adjourned at 9:30 p.m.

Craig Hicks, Secretary
County Ethics Task Force