

**Howard County Ethics Commission
3430 Courthouse Drive
Ellicott City, Maryland 21043**

DRAFT OPEN MEETING MINUTES¹

A duly advertised public meeting of the Howard County Ethics Commission was held in the Ellicott City/Columbia Room, George Howard Building, 3430 Courthouse Drive, Ellicott City, Maryland 21043 on Thursday, May 12, 2016, at 6:00 p.m.

Commission Members Present: Charles Fuller, Chair
Joanne Drielak
Joseph Markwordt
Jonathan Kromm

Absent: Nellie Hutt

Staff Members Present: Beverly Heydon, Asst. County Solicitor and Counsel and
Executive Secretary to the Commission

Heydon called the open meeting to order at approximately 6:04 p.m. The following items of business were discussed in open session:

1. Heydon provided an update on the electronic filing of Financial Disclosure Statements for calendar year 2015. The deadline for filing was April 30th. There are approximately 15 Board and Commission members who have not filed a financial disclosure statement. Drielak asked for an update on the delinquent filers at the next meeting, but no later than July 1.
2. The Commission reviewed the draft minutes from the February 16, 2016, meeting. Grammatical corrections were made. Fuller moved to accept the draft minutes as corrected. Drielak seconded. The Commission voted 3-0 to accept the draft minutes as final. Those voting to adopt the minutes were Fuller, Drielak, and Markwordt. Kromm abstained because he was not present for the February meeting.

Motion by Markwordt to adjourn Open Meeting and go into closed meeting, which was seconded by Drielak and passed unanimously. Open Meeting adjourned at approximately 6:13 p.m.

3. After the closed meeting was adjourned, the Commission returned to and commenced the Open Meeting at approximately 8:14 p.m. The Motion was made by Marwordt and seconded by Drielak to commence the Open Meeting. The Commission voted unanimously to return to the Open Meeting. The Commission discussed the outdated (1983) Rules of Procedure and the practicality of updating them. Upon motion made by Kromm and seconded by Drielak, the

¹ Subject to Commission Approval at next Open Meeting

Commission voted unanimously to re-instate the 1983 procedures as it relates to voting and quorums in section 3, part D. Upon motion made by Fuller, and seconded by Markwordt, the Open meeting was adjourned unanimously at 8:18 p.m.

Closed Meeting: Pursuant to the Open Meetings Act, minutes of this open session are required to include the following:

Date of Closed Meeting: May 12, 2016

Time of Closed Meeting: Approximately 6:13 p.m.

Place of Closed Meeting: George/Howard Building, Columbia/Ellicott City Room, 3430 Courthouse Drive, Ellicott City, MD 21043

Purpose: To discuss, deliberate, and seek legal advice, on six confidential advisory opinions.

Authority to Close: 1) Md. Code Ann., Gen. Prov. Art. §3-305(b)(7): To consult with counsel to obtain legal advice on a legal matter; 2) Md. Code Ann., Gen. Prov. Art. §3-305(b)(13): To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; 3) To comply with the Commission's Rules of Procedure set forth in Rule 03.C, "the Commission may be in closed sessions to consider an advisory opinion request to the extent that consideration of the request would necessarily lead to identification of the subject of the request;" 4) Howard County Code §22.203(m)(3): "The Commission shall publish or otherwise make available to the public copies of the advisory opinions, with the identities of the subjects deleted."

Listing of topics discussed:

1. Advisory Opinion 2016-07: The Commission reviewed, deliberated, and sought legal advice regarding a request for an advisory opinion by an employee seeking guidance on secondary employment issues.
2. Advisory Opinion 2016-08: The Commission reviewed, deliberated, and sought legal advice regarding a request for an advisory opinion by officials requesting guidance related to conference attendance and gifts.
3. Inquiry 2016-01: The Commission reviewed, deliberated, and sought legal advice regarding a complaint.
4. The Commission sought legal advice regarding the applicability and interpretation of the Rules of Procedure as they applied to a confidential Advisory Opinion.
5. Review of closed minutes from February 16, 2016, meeting.

Persons present: Heydon, Drielak, Fuller, Kromm, and Markwordt.

Actions taken: Deliberated, consulted with counsel, reviewed Howard County Code, and issued verbal authorization to the Commission's attorney for two written advisory opinions and one letter addressing Inquiry 2016-01. A motion was made by Markwordt to close the close meeting and return to open meeting. The motion was seconded by Drielak and at vote passed unanimously with Kromm and Fuller joining in the vote. The Commission then returned to and commenced an open meeting to further their discussion about the Rules of Procedure.

Respectfully submitted and approved:

Beverly Heydon
Executive Secretary

Date

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