

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

OPEN MEETING MINUTES

A duly advertised public meeting of the Howard County Ethics Commission was held in the Columbia/Ellicott City Room/1st Floor, George Howard Building, 3430 Courthouse Drive, Ellicott City, Maryland, 21043 on May 23, 2019, at 6:00 p.m.

Commission Members Present: Charles Fuller, Chair
Joanne Drielak
Joseph Markwordt
Jean Xu

Commission Members Absent: Jonathan Kromm

Staff Members Present: Kristen Bowen Perry, Senior Assistant County Solicitor, Attorney and Executive Secretary to the Commission

Fuller called the open meeting to order at approximately 6:05 p.m. The following items of business were discussed in open session:

1. Vote to Approve Agenda: Motion was made by Drielak and seconded by Markwordt. There was a unanimous vote to approve the Agenda.
2. Updates regarding Financial Disclosures: Counsel updated the Commission on the number of overdue financial disclosure forms. They discussed a continued outreach to the employees and/or board or commission members who are delinquent.

Motion by Fuller to adjourn open meeting and go into closed meeting, which was seconded by Drielak and passed unanimously. Open Meeting adjourned at approximately 6:15 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 23, 2019

Time of Closed Meeting: Approximately 6:15 p.m.

Place of Closed Meeting: George/Howard Building, Columbia/Ellicott City Room/1st Floor, 3430 Courthouse Drive, Ellicott City, MD 21043

Purpose: To discuss, deliberate, and seek legal advice, on reconsideration of a confidential Inquiry, 2019-01 and to seek legal advice regarding rules of procedure.

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; attorney-client privilege; 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;" and 5) §22.203(n)(9) (i) After a complaint is filed and until a final finding of a violation by the Commission, all actions regarding a complaint are confidential."

Listing of topics discussed:

Reconsideration of Inquiry 2019-01: The Commission reviewed, deliberated, and sought legal advice regarding the applicability and interpretation of the Code as it applied to the reconsideration request regarding Inquiry 2019-01, along with prior decisions from the Commission.

The Commission sought legal advice regarding certain rules of procedure.

Persons present: Attorney Perry; Members: Drielak, Fuller, Markwordt, and Xu.

Actions taken: Deliberated, consulted with counsel, reviewed Howard County Code and prior decisions from the Commission, and issued verbal authorization and directives to the Commission's attorney to notify the complainant with the result. Specifically, that the Commission's prior decision to dismiss Inquiry 2019-01 was affirmed. Counsel was instructed to include a brief explanation in the notification to the complainant.

Upon motion by Markwordt, and seconded by Xu, the Commission voted unanimously to adjourn the closed meeting and re-open the open meeting. The open meeting was then called to order by Fuller and re-opened for a short discussion about the next meeting, wherein members agreed that the next meeting will be scheduled as needed. Further, Fuller explained to the Commission that he was notified by the Charter Review Committee seeking input from the Commission on any requested changes or updates to the Charter. The Commission requested Counsel to forward copies of Section 901 of the Charter- Conflict of Interest provision to all members via email.

Upon motion by Markwordt and seconded by Drielak, the Commission voted unanimously to adjourn the open meeting at approximately 6:52 p.m.



Kristen Bowen Perry
Executive Secretary

Approved: June 6, 2019