



**MINUTES OF THE CHESAPEAKE BEACH
ETHICS COMMISSION MEETING
April 23, 2021**

Commission Members Present: Phillip Kete, Chair
Ingrid Lamb
Michael Linsenbigler

Staff Members Present: Fred Sussman, Commission Counsel
Sharon L. Humm, Commission Clerk

The virtual meeting convened at 1:02 p.m. Those listed as present participated in all portions of the meeting unless otherwise noted. If other individuals participated in aspects of the meeting, they will be identified in the specific line item where their participation occurred.

Item 1: **Approval of the minutes of the April 9, 2021 Ethics Commission Meeting.**

Discussion: The draft minutes of the April 9, 2021 Ethics Commission meeting were presented.

Decision: The Commission unanimously approved the April 9, 2021 Ethics Commission meeting minutes as presented.

Item 2: **Consider one or more complaints of violations of Ethics Ordinance.**

Chairman Kete moved to go into closed session to perform an administrative function at 1:04 pm. Seconded by Commissioner Lamb, all in favor.

Chairman Kete re-opened the regular meeting at 1:36 pm.

The Commission conducted a virtual closed meeting from 1:04 p.m. until 1:35 p.m. to engage in an administrative function – the review and consideration of a complaint alleging a violation of the Town’s Ethics Ordinance. Persons in attendance at the closed session were Commission Chair Phil Kete, Commission Members Ingrid Lamb and Mike Linsenbigler, Commission Counsel Fred Sussman, and Commission Clerk Sharon Humm.

Item 3: **Consider proposed changes in Rules of Procedure.**

Discussion: The Commission made the following changes in the Rules of Procedure:

1. Section I, 2(f) to capitalized the letter “t” in the word Town.
2. Section I, 2(h) to capitalize the letter “c” in the word Commission.

3. Section V- #10 capitalize the letter “a” in the word Advisory and the letter “o” in Opinion in two places.
4. Section VI- #12 change “target of the complaint” to “respondent”.

Decision: The Commission unanimously approved the changes.

Discussion: Chairman Kete presented proposed changes to “Section VI, Complaints” for consideration by the Commission.

1. Strike paragraph #4 “Complaints will be treated by the Ethics Commission as confidential.” and replace with “Upon receipt of a complaint, the Commission will forward it to the respondent and both parties will be informed of the procedure the Commission intends to follow.” **Unanimously approved.**
2. Paragraph #5, change “15” days to “21” days. **Unanimously approved.**
Paragraph #5, remove the wording “party filing the complaint and the subject of the complaint” and replace with “complainant and the respondent”. **Unanimously approved.**
3. Paragraph #7, revise to read “Both the complainant and the respondent may be represented by counsel at all stages of the proceeding. Each will be responsible for any and all legal fees associated with the legal representation.” **Unanimously approved.**
4. Paragraph #8, Change “subject of a complaint” to “respondent”. **Unanimously approved.**
5. Paragraph #12, change the wording “target of the complaint” to “respondent”. **Unanimously approved.**
6. Paragraph #14, eliminate completely. **Unanimously approved.**

Item 4: **Chairman Kete presented the following resolution for Commission consideration:**

Whereas, Section §25-32 requires public disclosure statements to be filed by April 30th and;

Whereas, Section §25-35 allows the Commission to access a late fee of two dollars a day and;

Whereas, Section §25-36 authorizes the Commission to investigate any possible violations of the ordinance and;

Whereas, through no fault of the potential filers, they have not been given sufficient time to make their disclosures and;

Therefore Be It Resolved, that as to disclosures made on or before May 28, 2021 the Commission will not access a late fee nor investigate the late filing as a violation of the ordinance.

The Commission unanimously approved.

Chairman Kete moved the Commission approve the revised public disclosure forms and that potential filers be informed of their existence on the website along with the new

deadline of May 28th assuring no penalty if submitted after April 30, 2021.
Unanimously approved.

Item 5: **Commission Consideration of a recommendation change to the Ethics Ordinance.**

Discussion: Chairman Kete proposed the following recommendation to the Ethics Ordinance for Commission consideration. This would be a recommendation presented to the Town Council for approval of a revision to the ordinance.
SECTION §25-18 SPECIFIC CONFLICTS-REAL PROPERTY
“A covered person may not participate in any matter that would (add) “**directly**” affect value of real estate in which the covered person or a close relative has an ownership interest, except, where the (add) “**person has obtained an advisory opinion under Section §25-16 that the**” effect applies generally to real estate throughout the Town or a neighborhood or section of the Town.

Decision: The Commission will consider and take this up at a future meeting.

Item 6: **Schedule next Meeting.** The Commission will meet again on May 7, 2021.

Item 7: **Comments by Commissioners and members of the public.** None

The meeting adjourned at 1:38 pm.

Submitted by:



Sharon L. Humm
Town Clerk