

**LOUISVILLE METRO GOVERNMENT
ETHICS COMMISSION
MEETING MINUTES
November 21, 2019 @ 4:00 p.m.
MEMORIAL AUDITORIUM**

MEMBERS PRESENT, METRO STAFF & LEGAL COUNSEL

Mr. David S. Waskey, Chair
Mr. Robert Boyd
Mr. Michael Oyler
Ms. Delores Pregliasco
Mr. Wendell Townsend
Ms. Angela Edwards
Mr. Mark R. Brengelman, Legal Counsel
Ms. Rhonda Williams, Paralegal

I. Meeting Called to Order

Chairman Waskey called the meeting to order at 4:00 p.m.

II. Meeting Schedule

The next regular meeting is scheduled for December 19, 2019 at 4:00 p.m.

III. Approval of the Minutes

Commissioner Oyler moved to approve the minutes of January 17, 2019, and Commissioner Townsend seconded the motion. The motion passed unanimously.

IV. Advisory Opinions

Advisory Opinion No. 19-O-001. This request for an Advisory Opinion from a Metro Councilperson was in regard to whether he/she could participate in discussions, and vote on matters pertaining to an active Metro Government redevelopment project, given the fact that a family member had submitted an unsuccessful bid for the project. There was concern that some might question the ethics for the Councilperson taking part in upcoming economic decisions of the Council. The Commission opined that as the Councilperson's family would not benefit from any potential actions by Metro Council in regard to the project, there would be no conflict of interest, nor violation of the Ethics Ordinance, with the Councilperson's participation. Motion was made to ratify Advisory Opinion, 19-O-002, by Commissioner Pregliasco, with a second by Commissioner Townsend. The motion passed unanimously.

V. Old Business

VI. New Business

- a. Mark R. Brengelman, Attorney at Law, was introduced as legal counsel for the Ethics Commission;
- b. Angela Edwards was sworn in as a Commission member;
- c. The Annual Report was reviewed. Commissioner Oyler moved to approve, and Commissioner Pregliasco seconded. The motion was approved unanimously. Accordingly, the Annual report was signed by Chairman Waskey.
- d. Motion was made by Commissioner Boyd to nominate Commission Townsend as Vice Chair of the Ethics Commission. Said motion was seconded by Commissioner Oyler. Commissioner Townsend requested a tabling of the motion until the next meeting.

VII. Information Items

- a. Counsel Brengelman discussed the various informal requests for advisory opinions he has received, and his proposed responses. The Commissioners agreed that Counsel Brengelman will add wording in the responses to clarify responses are not legally binding, and cannot be relied upon as a future defense. If the requestors desire something official, in writing, then a formal request for Advisory Opinion from the Ethics Commission must be submitted in advance of a Commission meeting.

VIII. Complaints, Preliminary Investigations, and Litigation

- a. Ms. Williams updated the status of *Fink v. Louisville/Jefferson County Metro Government, et al.*, 19-CI-03409, Jefferson Circuit Court, Division 6. An AOC 280 – Submission of Case for Final Judication was submitted by Assistant County Attorney I, Joel Frockt, on October 16, 2019. No Order has been signed by the Judge to date, so the matter is still pending.

IX. Adjournment

Commissioner Oyler moved to adjourn. The motion passed and the meeting was adjourned at 4:45 p.m.