

**LOUISVILLE METRO GOVERNMENT  
ETHICS COMMISSION  
MEETING MINUTES  
16 Dec. 2021 @ 4:00 p.m.  
METRO HALL**

**MEMBERS PRESENT, METRO STAFF & LEGAL COUNSEL**

**Mr. David S. Waskey, Chair**  
**Mr. Robert Boyd**  
**Ms. Angela Edwards**  
**Ms. Kelli Morris**  
**Mr. Michael Oyler**  
**Mr. Wendell Townsend**  
**Mr. Mark R. Brengelman, Legal Counsel**  
**Ms. Wendy Hyland**  
**Ms. Celia Gregory**

**Absent: Ms. Delores Pregliasco**

**I. Meeting Called to Order**

Chairman Waskey called the meeting to order at 4:05 p.m. A quorum was present.

**II. Meeting Schedule**

The next regular meeting is scheduled for January 20, 2022 at 4:00 p.m. and may be canceled on or about the Monday prior to the meeting, if decided by the Chairman.

**III. Approval of the Minutes**

Chairman Waskey moved to approve the minutes of the June 2, 2021, and Commissioner Morris seconded the motion. The motion passed unanimously.

**IV. Advisory Opinions**

The Commission noted and reviewed each Advisory Opinion as previously issued; no further action was necessary.

**V. Old Business**

**a.** Informational update on *David Lee Fink v. Louisville/Jefferson County Metro Ethics Commission et al.*, 19-C1-03409, Jefferson Circuit Court, Division 6- Order Dismissing. Mr. Fink had asked the judge to reconsider the Judge's ruling to dismiss Mr. Fink's lawsuit, which was denied. Mr. Fink timely appealed to the Court of Appeals, and the Defendants filed a motion to dismiss the appeal due to lack of legal standing by Mr. Fink. The case is before the Court of Appeals, pending a decision on the procedural issue of standing.

b. The Commission discussed its 2021 annual report; Chairman Waskey suggested to the Commission Counsel, Mr. Mark Brengelman, to review previous annual reports for reference, prepare a draft for Mr. Waskey's review and to file by year's end. Mr. Brengelman stated he already had a draft of the annual report and will review the previous submitted reports to ensure consistency; no further action was necessary.

## **VI. New Business**

The Commission noted and reviewed the following documents and information; no further action was necessary:

1) Overview of the Ethics Training held on 10 September 2021 and 26 October 2021: Commission Counsel, Mr. Mark Brengelman commented on both dates stating it was a great event with maximum participation, he also stated the Mayor, Greg Fischer, attended the event. Commissioner Townsend requested an estimated number of attendees for the training. Metro Staff member, Ms. Wendy Hyland stated she will provide the requested information.

2) Overhaul and review of the Ethics Code and specifically how complaints are handled and how Metro Officer is defined: Commission Counsel, Mr. Mark Brengelman, recommended an update to the current Ethics Code be reviewed by the Commission for recommendations to the Metro Council in order to add specific parameters. Counsel Brengelman stated he will have a draft of the suggested update prior to the next Ethics Commission meeting. Commissioner Morris agreed to assist Mr. Brengelman with a suggested update.

## **VII. Information Items**

None.

## **VIII. Closed Session**

At 4:15 p.m., on motion of Commissioner Waskey, seconded by Commissioner Morris, Commissioner Waskey moved to go into Closed Session pursuant to KRS 61.810(1)(j)(deliberations of judicial or quasi-judicial bodies regarding individual adjudications or appointments) All were in favor to discuss Ethics Complaint No. 21-PHA-001, Complaint, *Martin Baker v. Daniel Johnson*.

The Ethics Commission went into Closed Session.

## **IX. Open Session**

On motion of Commissioner Oyler, seconded by Commissioner Edwards, the Commissioners came out of Closed Session at 4:30 pm. All were in favor.

## **X. Action Taken After Closed Session**

Commissioner Oyler made a motion to dismiss the complaint due to lack of

jurisdiction, regarding Ethics Complaint No. 21-PHA-001, Complaint, *Martin Baker v. Daniel Johnson* and seconded by Commissioner Morris. All were in favor. The Commission directed Counsel Brengelman to draft and to file the Order of Dismissal for the reason stated.

## **XI. Adjournment**

There being no other business before the Commission, Commissioner Waskey moved to adjourn. The motion passed, and the meeting was adjourned at 4:46 p.m.