

**LOUISVILLE METRO GOVERNMENT  
ETHICS COMMISSION  
MEETING MINUTES  
August 23, 2018 @ 4:00 p.m.  
MEMORIAL AUDITORIUM**

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

**Mr. Terry Conway  
Mr. David S. Waskey  
Mr. Wendell Townsend  
Mr. Robert Boyd  
Ms. Delores Pregliasco  
Ms. Susan Rhodes  
Ms. Rhonda Williams, Paralegal  
Ms. Dana Cox Nickles, Legal Counsel**

**I. Meeting Called to Order**

Chairman Waskey called the meeting to order at 4:05 p.m.

**II. Meeting Schedule**

The next regular meeting is scheduled for September 20, 2018 at 4:00 p.m.

**III. Approval of the Minutes**

Commissioner Townsend moved to approve the minutes of June 21, 2018, and Commissioner Conway seconded the motion. The motion passed unanimously.

**IV. Advisory Opinions**

None.

**V. Old Business**

Commissioner Conway motioned that the 2018 Draft Annual Report, which covers the time period of July 1, 2017 through June 30, 2018, be revised to include recommendations, including but not limited to, clarification and further definition of “privileges and advantages” language in §21.02(A) of the Ethics Ordinance. Commissioner Boyd seconded the motion. The motion passed unanimously.

## **VI. New Business**

None.

## **VII. Information Items**

None.

## **VIII. Complaints, Preliminary Investigations, and Litigation**

A brief discussion of Attorney General's Opinion 18-OMD-143 was conducted by Legal Counsel, Dana Cox Nickles. Counsel stated that, although disagreeing with the Attorney General's ruling, no appeal was filed in Circuit Court on behalf of the Commission, thus rendering the ruling final.

Pursuant to KRS 61.810(1)(c) and (j), the Kentucky Open Meetings Act, Commissioner Conway moved that the Commission will retire into closed, executive session and stated the following specific justification under the Open Meetings Act for this action:

1. There will be a discussion of a pending complaint, 18-MC-002, as referenced on the agenda for this meeting today; and
2. There will be a discussion of pending litigation, Jefferson Circuit Court Case No. 18-CI-04174, as referenced on the agenda for the meeting today, and dismissed complaint 18-MC-001, as it relates to the pending litigation.

Commissioner Townsend seconded the motion. This motion was passed by a majority vote of the members present, with enough members present to form a quorum. All individuals present at the meeting who were not Ethics Commission members, staff to the Ethics Commission, or legal counsel to the Ethics Commission left the meeting room and the doors to the meeting room were closed.

At the end of the closed, executive session, the Commission voted to return to open session. The doors to the meeting room were opened and the individuals who had left the meeting were permitted to re-enter the meeting room.

Regarding the pending litigation and 18-MC-001 as it relates to the pending litigation, Chairman Waskey announced that Commissioner Pregliasco voluntarily recused herself from the discussion. Commissioner Boyd motioned to Vacate the Commission's previous Order of Dismissal (dated June 29, 2018), and to place the item on the next scheduled meeting Agenda, due to perceived non-compliance with the Open Meetings Act. A motion was made and seconded by Commissioner Townsend. The motion passed unanimously.

Regarding 18-MC-002, Commissioner Boyd motioned to dismiss with prejudice allegations #1-3 of the Complaint pursuant to §21.06(A)(7), and to address the unintended technical violation in #4 with a written letter from the Commission, pursuant to §21.99(B). No further action will be taken. Motion was seconded by Commissioner Townsend. The motion passed unanimously.

## **IX. Adjournment**

Commissioner Conway moved to adjourn. The motion passed and the meeting was adjourned at 5:45 p.m.