

**LOUISVILLE/JEFFERSON COUNTY  
METRO ETHICS COMMISSION  
SPECIAL MEETING MINUTES  
OCTOBER 30, 2012 4:00PM  
MEMORIAL AUDITORIUM**

**MEMBERS PRESENT**

Ms. Thelma Clemons  
Mr. Terry Conway  
Mr. Skip Daleure  
Ms. Enid Trucios-Haynes  
Mr. Jonathan Ricketts  
Ms. Susan Rhodes

**METRO STAFF & LEGAL COUNSEL PRESENT**

Ms. Kate Dunn, HR  
Ms. Andrea Moran, Admin. Support, HR  
Ms. Deborah Kent, Legal Counsel  
Ms. Ann Sheadel, Hearing Officer

**OTHERS PRESENT**

Mr. Dan Klepal – Courier Journal  
Elizabeth Hoffman– Metro Council

**Meeting Called to Order**

The meeting of the Louisville/Jefferson County Metro Ethics Commission was called to order at 4:04 pm by Jonathan Ricketts.

**Introduction of Ann Sheadel, Hearing Officer for Complain 12-P-014**

- a. Hearing Officer Sheadel reviewed her role and goals as a hearing officer.
- b. Clarified that the complaint will have a “trial-like” hearing

**Chair opened the floor for questions for the hearing officer:**

Q: Commissioner Trucios – Haynes: Does the record not include anything before the hearing?

A: Hearing Officer Sheadel: The record created by the agency is the whole record of the case; however, the only record that the commission is to consider as evidence is what will be put before them at the hearing.

Q: Commissioner Delure: Explanation the concept of Voir Dire and will it be on an individual basis?

A: Hearing Officer Sheadel: Based on the questioning of the Commissions fairness, general questions will be asked, such as: Can you come to the hearing with an open mind, can you reserve your judgment on the case until you’ve heard all the evidence that is presented at the hearing, etc. Voir Dire can be conducted as a group or individually.

Commissioner Delure objects to Voir Dire questioning that would be based upon an unsworn statement from Councilman Dan Johnson and an affidavit presented by Attorney Aubrey Williams.

Hearing Officer Sheadel’s response was that no questions will be asked in regards to allegations or the document based on the prior denial to the motion to recuse. The purpose questioning of the commission allows it to be shown on record that the members have made the decision and understand their obligation during the hearing.

Q: Commissioner Delure: Is there any case law regarding Voir Dire questioning pertaining to fairness?

A: Hearing Officer Sheadel: One case law involving the University of Louisville where a question has been raised about a comment that had been made by one of the board members. It was determined that prior knowledge of the case does not disqualify a member from hearing the case, as long as they were able to make a decision based on the record.

Chair reminded commission of the hearing schedule and advised to plan accordingly for voting, parking, etc. Hearing officer Sheadel asked the commission not bring any materials to the hearing that is specific to the case.

Commissioner Delure made a motion for adjournment with Commissioner Rhodes seconding the motion, the meeting adjourned at 4:51 PM