

**LOUISVILLE/JEFFERSON COUNTY
METRO ETHICS COMMISSION MINUTES
May 17, 2012**

MEMBERS PRESENT

Ms. Thelma Clemons
Mr. Terry Conway
Mr. Skip Daleure
Mr. Jonathan Ricketts
Ms. Vickie Tabler
Ms. Enid Frances Trucios-Haynes

OTHERS PRESENT

Ms. Janet Black, Admin. Support, HR
Mr. Pete Karem, Attorney
Ms. Deborah Kent, Legal Counsel
Ms. Kyle Ethridge
Mr. Chris Lewis, Minority Caucus Dir.
Mr. Donnie Morris, Citizen
Ms. Sherri Toohey-Taylor, Asst. Dir., HR
Ms. Kellie Watson, Dir., HR

Meeting Called to Order

The meeting of the Louisville/Jefferson County Metro Ethics Commission was called to order at 4:01 pm by Chair Jonathan Ricketts. Mr. Ricketts asked for a motion to accept the minutes of the March meeting. Commissioner Conway asked that the minutes be amended to reflect his recusal from deliberations on Complaint 12-P-004. Thelma Clemons made a motion to accept the minutes as amended and Ms. Enid-Frances Trucios-Haynes seconded and the minutes were accepted.

Speaker-Council Member Jerry Miller, District 19th

Mr. Ricketts introduced the chair of the Metro Council Committee on Government Accountability and Ethics, Council Member Jerry Miller, District 19th to the Commission for questions. CM Miller thanked the Commission for their hard work and service to Metro Government Council Members and other Metro Officers. CM Miller commented about the amendments to the ordinance and that the Accountability Committee really appreciated the effort that was made. Mr. Ricketts stated that the Commission accepted the acknowledgement of appreciation and that the Commission was dedicated in to creating the best ethics program that they can.

Old Business

Mr. Ricketts asked Legal Counsel to update the Commission on the Ethics ordinance. The amendments were presented to the Metro Council and approved as submitted with one exception. The Government Accountability and Ethics Committee reviewed the Commission's proposed amendment to §21.06(G), changing the requirement that the Commission render decisions within 30 days following a hearing to 30 days following the closing of the record of the hearing was amended to require closure of the record within 60 days of the hearing record. The Mayor's office also requested an amendment to § 21.05 to authorize the Mayor to stagger the terms of Commission members to avoid simultaneous expiration of more than three members' terms in a single year.

New Business

Mr. Ricketts announced a monthly report on the activity of the anonymous Ethics Tip Line is provided to the Commission for review.

Mr. Ricketts recognized Ms. Kellie Watson, Director of Human Resources to present to the Commission the status of the Request for Proposal (RFP) for a Hearing Officer. Ms. Watson reported that the RFP was posted and they have received applications that are being reviewed. Mr. Terry Conway asked if that person would also serve as the Investigative Officer if needed for the commission. Ms. Watson stated that she believed that role could be performed by the Ethics Legal Counsel. Ms. Watson informed the Commission that the contract for the Ethics Legal Counsel would not have to be sent out for proposal and that it was being renewed for the upcoming fiscal year.

Mr. Ricketts reported that Legal Counsel would be working on the annual report to be completed by August and if members had suggestions to contact her.

Mr. Ricketts asked the commission to table the approval of the new regulations until the next meeting.

Advisory Opinion 12-C-002-Ms. Kyle Etheridge, Legislative Aide for Metro Council Member Tina Ward-Pugh appeared to answer questions on the Council member's request for an opinion before accepting a cash award from a non-profit in recognition of her leadership on environmental issues. Ms. Etheridge was asked about Ms. Ward involvement with U of L and whether or not she was member of any of the boards that recommended her. Ms. Etheridge response was no. Mr. Ricketts cited §21.02(F) "*No Metro officer shall be prohibited from giving or receiving an award publicly presented in recognition of public service.*" Mr. Daleure moved that it would not be a violation to accept the award, Ms. Trucios-Haynes seconded and the Opinion was approved.

Advisory Opinion 12-C-003-The Commission discussed this request and decided that more information was needed. Ms. Kent was asked to contact the Director of the Majority Caucus to receive clarification.

Consideration of Complaints

Mr. Ricketts asked visitors to introduce who they were and state their roles involved with the complaints.

Mr. Ricketts recognized Mr. Donnie Morris, Complainant, and asked if he believed his complaints address his concerns about Metro Council spending and his answer was probably not.

Mr. Pete Karem, attorney for Metro Council, acknowledged that Mr. Morris did updat his present complaints from the previous ones, but asked the Commission to dismiss the complaints against his clients based on the fact that they are not valid.

Commission members asked Mr. Chris Lewis, Minority Caucus Director, if a signature from the president was required for expenditures? If signature form was missing, is it a red flag? Mr.

Lewis responded by saying the President of the Council does sign the forms from members for public expenditures. Missing the signature is not considered a red flag to Council members.

The commission asked Mr. Morris several questions concerning his complaint and whether he was aware of the Louisville Metro Policies and Procedures that Metro Council use for guidance.

Executive Session

Chair Ricketts made a motion to go into Executive Session to discuss Complaints 12-P-007 through 12-P-012. Mr. Daleure seconded. Closed session began at 5:05 pm. The Commission reconvened at 5:35 pm.

After returning to open session, Chair Ricketts made a motion to dismiss Complaints 12-P-007, 12-P-008, 12-P-009, 12-P-010, 12-P-011 and 12-P-012. Mr. Conway seconded and the motion was carried unanimously. Mr. Ricketts stated that the minutes will reflect that the Commission considered referring the matter to the County Attorney to investigate the complainant and decided against it, but the minutes will reflect that the Commission admonished Mr. Morris on the lack of merit in his complaints. Mr. Ricketts asked Legal Counsel to reach out to Mr. Morris as a resource to discuss the drafting of a complaint.

Adjournment

As there was no other business to discuss, Mr. Conway made a motion to adjourn, Ms. Vicki Tabler seconded and the meeting was adjourned at 5:55 pm.

