

BOWIE CITY ETHICS COMMISSION

Minutes

March 17, 2015 – Open Meeting

A meeting of the Bowie City Ethics Commission was held on Tuesday March 17, 2015 in the City Manager's conference room. Commission members in attendance were Benjamin Woolery, Chair, Vince Canales, Jim Holderbaum, Karl Stehmer and Lee Weimer. Also in attendance was Fred Sussman, Counsel for the Commission and John Fitzwater, Assistant City Manager, and liaison to the Commission.

The meeting was called to order at 3:05 p.m. by Chairman Woolery.

The Commission welcomed new Counsel for the Commission Fred Sussman. The following topics were discussed with the new attorney:

- Mr. Sussman suggested the Commission may wish to establish written rules of procedures for dealing with requests for advisory opinions and for handling complaints. The current process for receiving requests for advisory opinions and for handling complaints was reiterated. Requests for advisory opinions and complaints will be opened by Mr. Fitzwater. These will be then scanned and distributed to the Commission members and Mr. Sussman. Mr. Fitzwater will assist the Commission and Mr. Sussman in providing any additional information that may be required in analyzing these items. All of these matters will be treated in a confidential fashion.
- Mr. Sussman was briefed on the existence of a filing cabinet in City Hall that is the repository of the official records for the Commission. This filing cabinet is locked and maintained in a confidential fashion. Mr. Fitzwater was asked to make sure that the confidential minutes of the Commission are up to date and maintained in this file. Mr. Fitzwater was also asked to confirm what Ethics Commission records are maintained by the City Clerk in the file that is open to the public. Finally, Mr. Fitzwater was asked to review the City's Records Retention Policy in terms of how long Ethics Commission records must be maintained by the City.
- Mr. Fitzwater was asked to check with the City's Information Technology Department about whether the Ethics Commission should have City e-mail because of the confidential aspects of their e-mail exchanges.

The minutes for the March 3, 2015 minutes were reviewed. Mr. Canales moved approval. This was seconded by Mr. Stehmer and unanimously approved by the Commission.

The Commission discussed the proposed presentation for City Council scheduled for May 18, 2015. A PowerPoint of the presentation the Commission made to City Council on April 7, 2014 was reviewed. The Commission requested that staff make several minor adjustments to the presentation. The Commission determined that they would make this presentation to Council as follows:

- Introduction – Mr. Woolery
- Purpose – Mr. Canales
- Processes – Mr. Holderbaum
- Outreach – Ms. Weimer
- Questions – Mr. Stehmer

There being no further business to conduct in an open session, a motion was made (Holderbaum) and seconded (Canales) to close the meeting pursuant to §10-508 of the Maryland Open Meetings Act to meet with the Commission's Counsel and to perform executive functions. The motion was carried unanimously by written vote and the open portion of the meeting was closed at 4:08 p.m.

Public Minutes of Closed Session

During the closed meeting, the following actions were taken:

The Commission reviewed a Request for an Advisory Opinion.

The Commission reviewed Financial Disclosure Statements that had been submitted by City Council, City staff and City Committee members for calendar year 2014.

There being no further business to be conducted in closed session, Mr. Canales moved to close the meeting and Mr. Stehmer seconded this motion, which was unanimously approved by the Commission. Mr. Woolery adjourned the meeting at 4:53 p.m.

[The next meeting of the Ethics Commission will be held on Tuesday, April 21, 2015 at 3:00 in the City Manager's conference room.]

John L. Fitzwater
Staff Liaison to the Ethics Commission

STATEMENT FOR CLOSING A MEETING

March 17, 2015

Motion By: Canales

Seconded By: Stehmer

Vote to Close Session

AYE

NAY

ABSTAIN

ABSENT

Benjamin Woolery, Chairman

MVP →

Ismael "Vince" Canales

James Holderbaum

2nd →

Karl Stehmer

Lee Weimer

BW
ASW
KS
LW

STATUTORY AUTHORITY TO CLOSE SESSION
General Provisions Article §3-305(b):

To discuss:

- 1. (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance, evaluation of appointees, employees, or officials over whom it has jurisdiction; or
- (ii) any other personnel matter that affects one or more specific individuals.
- 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- 3. To consult with counsel to obtain legal advice on a legal matter.
- 4. To consult with staff, consultants, or other individuals about pending or potential litigation.
- 5. To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- 6. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevent public disclosures about a particular proceeding or matter.

Topics to be discussed in close session: