

**Vermont State Ethics Commission**

**Minutes of February 3, 2021 (approved)**

**1. Call to Order:** The meeting, held remotely via Zoom, was called to order by Commission Chair Julie Hulburd at 10:03 a.m. Also present for the meeting were Commission members Christopher Davis, Michele Eid, Sarah Biolsi Vangel, and Executive Director Larry Novins. Commission member Paul Erlbaum joined the meeting a moment later.

**2. Approval of Minutes:** On the motion of Sarah Biolsi Vangel second by Paul Erlbaum , the minutes of the January 6, 2021 meeting were approved. Chris Davis and Michele Eid who did not attend that meeting abstained.

**3. Public Comment**: None

**4. Executive Director’s Report**: Larry Novins briefed the Commission on office needs, including a printer so that when working at home, he won’t use his unsecured home printer for Commission work. The Commission approved motion by Michele Eid, seconded by Paul Erlbaum, to approve the purchase of a HP color printer, scanner, copier for $375.00.

Novins confirmed that all Commission members’ expense reimbursements had been made.

Legislative Appearances: Novins reported that he and Commission Chair Hulburd had appeared before both the Senate and House Government Operations Committees to discuss the Commission’s work and proposed legislation. Four members of the Senate Committee volunteered to sponsor the Ethics Commission’s proposed statutory code of ethics. It now appears that the bill will not be introduced in the Senate, but in the House. How and when this will occur is unknown. A house bill to replace H.634 which was sidelined last year by the COVID emergency has now been introduced as H.135. It has the provisions that H.634 had minus the requirement that the Ethics Commission submit a draft code of ethics that can be adopted as statute. That requirement was satisfied when the Commission submitted a draft code last November. Novins and Chair Hulburd will appear this afternoon before the House Government Operations Committee to discuss H.135. One provision in the bill changing terms of office for Commission members may need a special session law to implement its goal to have no more than one term of office of Ethics Commission members expire each year. Next Friday, February 12, 2021 Novins and Hulburd will testify before the House Appropriations Committee about the Commission’s budget.

Novins brief the Commission on receipt and posting of the Executive Officer Financial Disclosure forms.

Ethics Training: Novins will again participate in a CAPS sponsored government Ethics training on February 25, 2021.

**5. Annual Report Discussion:** All agreed that the Annual Report accurately reflected the Commission’s work and goals.

**6. Statutory Proposals for 2021:** H.135 contains several Commission proposed amendments so that the statutes can better achieve legislative and Commission goals.

**7. Other business: (discussion of possible conflict of interest scenarios)**

The Commission discussed a potential conflict of one member who *may* participate in a Parent Coordination program sponsored by the Vermont Judiciary. Whether the member will participate is not yet clear. If he participates under a contract with the State of Vermont, he will have to step down as a Commission member. 3 V.S.A. § 1221(a)(3)(b). An attorney member of the Commission asked whether her law firm’s contract with the Defender General to provide court-appointed legal representation to persons charged with crimes would violate that same statutory provision. The Commission concluded that since she does not have the contract and does not have a controlling interest in a company that holds a contract, she may continue to serve of the Commission. Both members assured the Commission they will recuse themselves from participation in any matter involving their activities above.

Chris Davis left the meeting at 10:46 to appear in court.

**8. Executive Session to Discuss Complaints and Guidance Requests:** On the motion of Michele Eid, second by Paul Erlbaum, the Commission went into executive session to discuss complaints and guidance requests. These matters are confidential per 3 V.S.A. §§ 1221(d), 1223(c), and 1225(a)(3). On the motion of Michele Eid and Paul Erlbaum the Commission voted to conclude the Executive Session and return to open session.

**10. Adjournment:** Paul Erlbaum moved to adjourn, second by Sarah Biolsi Vangel. The meeting adjourned at 10:52 a.m.

**Next Meetings:**  Next regular monthly meeting: March 3, 2021 at 10:00 a.m.