



Vermont State Ethics Commission

Meeting Minutes

February 2, 2022 (Unapproved)

Remote Attendance*

1. Call to Order: The meeting, held remotely via Zoom, was called to order by Paul Erlbaum, Chair, at 10:13 a.m. Present for the meeting were Commission members Sarah Biolsi Vangel, Michele Eid, Executive Director Christina Sivret, and Administrative Assistant Carolyn Desch. Chris Davis was absent.

2. Approval of Minutes: Michele Eid pointed out numbering errors and the spelling of her name on item 6. On the motion of Michele Eid, second by Sarah Biolsi Vangel, the minutes of the January 5, 2022, meeting were approved as amended.

3. Christopher Davis reappointment. It was noted that Commissioner Davis' appointment expired at the end of December. Chair Paul Erlbaum has reached out to him to see if he wishes to be reappointed. It was noted that the statute for appointments was recently changed from every two years to every five years. A question arose as to whether the statute is retroactive, in which case Commissioner Davis' appointment has not expired. Carolyn Desch will check.

4. Public Comment: None

5. Executive Director's Report: The Executive Director updated the Commission on legislative advocacy efforts regarding passage of the draft Code of Ethics. The draft Code is currently with the Senate Committee on Government Operations. They are expected to hold final hearings on the draft bill in early February, with a potential Committee vote on February 4, 2022. The Executive Director has now participated in four public Committee hearings on the draft bill. One remaining issue to be discussed by the Committee is whether the Legislature needs to adopt the code by Rule for it to apply to legislators. If the Committee decides this is the case, the Commission will recommend that adoption by rule and the vote on the code of ethics takes place simultaneously. The Executive Director also reported that she had a brief introductory meeting with Senate President pro tempore Becca Balint and her Chief of Staff, Carolyn Wesley in mid-January. Ongoing outreach to the Judiciary resulted in a second meeting with the interim Court Administrator Scott Griffith, with the addition of John McGlynn. Despite attempts to engage them in the process, no one representing the Judiciary has participated in public hearings on the bill. The meeting participants indicated the Judiciary intends to oppose application of the statutory code of ethics to anyone in the judicial branch. They also suggested the Judiciary might object to language in the draft code but were unable to provide specifics. The Executive Director made it clear that the Commission believes the code needs to apply equally to all branches of government, including the Judiciary. Conversations will continue.

The Executive Director appeared before the House Appropriations Committee on January 31st to present the Commission's budget for FY23. A request was made for \$116,575, a 2.9% increase over last year, which covers the Executive Director's salary and office operating expenses. An additional request was made for \$37,000 to cover the salary for the administrative assistant position. The position was created by the legislature in 2021, but it was not funded at the time. The Commission is currently using one-time funds from its existing budget to cover the role for FY22.

6. Discussion of Short and Long-Term Commission Priorities: The Executive Director noted the substance of this discussion item was covered in the Executive Director's report.

7. Other business: Two members of the public reached out to the Commission in late January and indicated they plan to file ethics complaints. No formal complaints were filed in January. Carolyn Desch updated the Commission on budget numbers and actuals to budget. Budget detail is attached to these minutes.

Chair Paul Erlbaum asked the Executive Director how many hours she has been working. She indicated that she has been working in excess of 20 hours per week since starting in the role in November, generally between 30-40 hours a week. This is partially due to the extra work required before and during the legislative session. The Commission asked her to submit a proposal on how to balance out the demands of a part-time role when the workload may not be spread out evenly throughout the year.

8. Adjournment: Sarah Biolsi Vangel moved to adjourn, second by Michele Eid. The meeting adjourned at 10:58 a.m.