**Vermont Ethics Commission**

**Meeting of February 27, 2019**

**Minutes**

1. Call to Order: The meeting was called to order at 10:09. Present were Commissioners Madeline Motta, Julie Hulburd, Suzanne Lowensohn and Executive Director Larry Novins. Also attending the meeting were Sue Racanelli, Paul Erlbaum, and Kate Rader from the League of Women Voters and T.J. Jones, enforcement Chief of the Connecticut Ethics Commission. Commission member Christopher Davis joined the meeting at 10:25.

2. Minutes: The minutes of the last meeting, January 9, 2019 were approved.

3. Resolution: Because of uncertainty of when the Commission would next be able to meet, a vote on a resolution to change the regular meeting time was postponed until the next Commission meeting.

4. Disclosure Reports. Larry Novins reported on the Executive Officer and Commission Member disclosure forms which the Commission received this year for the first time. There appeared to be excellent compliance with the disclosure requirement. The disclosure statements have been posted on the Commission website. The Commission did receive one question/comment about the formatting of the form. At a future date the Commission will review the form to see if any changes to it will be necessary.

5. Website development update. Commissioner Motta reported that the website developers are ready to upload the training video to the Commission website. Jule Hulburd will get access to the website so that she and Larry Novins can review how the video will appear. Chair Motta stated that the U.S. Department of Agriculture website would be a good prototype or model for future Commission website changes.

6. Commission marketing update. The Commission and Department of Human Resources have collaborated to ensure that Commission information posters are displayed at State of Vermont work sites throughout the State. Chair Motta and Larry Novins met last week with Kari Miner and Brian Remer of CAPS and will through CAPS distribute the Commission brochures to state employees who take the CAPS ethics courses.

7. Training efforts. Larry Novins contacted House and Senate leaders to offer ethics training. He will continue to reach out as he develops a training program for legislators. Novins attended a CAPS ethics training last week which he found “excellent.” At the meeting last week with Ms. Miner and Mr. Remer, they expressed a willingness to collaborate with the Commission in future ethics trainings. They will also assist the Commission in developing its training courses by lending their expertise in training and logistics.

8. New Appointee and nominations. Chair Motta is leaving the Commission. She was elected to serve as Assistant Judge in Lamoille County. Paul Erlbaum was appointed by the league of Women Voters to succeed her on the Commission. The Commission expressed its sincere thanks for Ms. Motta’s tremendous efforts in support of governmental ethics in Vermont.

9. Models for expanding scope of preliminary review and complaint investigations. Chair Motta gave the Commission copies of the attorney discipline (Professional Responsibility Board) model to consider. The Commission will review the PRB model. This item is to appear on the agenda for the next meeting.

10. Amendments to State Code of Ethics: General Principles of Governmental Ethical Conduct. The Commission accepted Larry Novins’ suggested change to the wording of #3 of the code. The change corrects an apparent editing error and does not affect substance. The change will appear in the next revision of the code. Another suggested change to accommodate and reflect the newly applicable 17 V.S.A. § 2950 (contractor contribution restrictions) was deferred so the Commission can review options. The current language of #7 is not inconsistent with the law, so needs no immediate revision. Mr. Novins will prepare a memo with possible options to address the new law.

11. T.J. Jones, Enforcement Chief of the Connecticut Office of State Ethics addressed the Commission and suggested areas where the Commission can make its offerings, processes and procedures more transparent, efficient, and understandable. Mr. Jones addressed a question put to the Commission in a recent legislative hearing. He described how Connecticut handles complaints against its ethics office and employees. He also highlighted some provisions of Connecticut law that enhance the fairness of ethics office’s proceedings. Among them is a confidentiality provision in Connecticut for ethics complaints that applies not only to the Ethics Office, but to those who file ethics complaints. Mr. Jones will be consulting with the Commission as it develops. After the meeting, Mr. Jones will address the Senate Government Operations Committee to provide it with an overview of the roles ethics commissions in other states. Discussion of how to handle any complaint against the Commission will continue in future meetings.

12. Complaints update. On motion of Commissioners Davis and Lowensohn, the Commission moved to executive session to review complaints. At the conclusion of that session, on motion by Commissioners Davis and Lowensohn, the Commission ended its executive session.

13. As mentioned in the January 9 minutes, the Executive Director explored options for the purchase a standing desk for the option. The Commission approved the expenditure.

14. Nomination and election of new chair. With Ms. Motta’s departure from the Commission Chair seat becomes vacant. Commission member Julie Hulburd was the sole nominee and unanimous selection to succeed Ms. Motta. Ms. Hulburd will assume the Chair position at the end of this meeting. Ms. Motta shared with the Commission her thoughts on tasks for the Commission and, to ensure a smooth transition, information about the people she has worked with on Commission business.

15. Adjournment. The Commission agreed to hold its next meeting on Wednesday, March 6, 2019 at 10:00 a.m. at the Commission Office in Montpelier. The meeting adjourned at 12:30 p.m.