

Ethics Committee Meeting Minutes  
May 17, 2021, via Zoom

In Attendance:

Committee members: Marc Efron (chair), Debbie Roumell, Lorie Mitchell

Council Members: Todd Mann (liaison), Susan Fattig, Jeffrey Blander

Village Manager: Niles Anderegg

Residents: Andrew Kauders, Larry Wasson, Naomi Naierman, Paula Goldberg, Marty Langelan, Phil Lerman, Katie Howard, John Grasser, Brian Oliver, Kevin Marvelle, Alex Ghesquiere, Jean Sperling

The meeting was called to order at 7:00 pm.

Marc Efron introduced the Committee and noted that he would lead the meeting. In compliance with the MD Open Meetings Act, a notice of the meeting, including agenda, was posted on the calendar on the Village website; additionally, a notice of the meeting and agenda was published in the VMA Weekly Wrap-up on May 7th and May 14th, and an email was sent from the Village Manager to VMA Residents on May 17th.

The Committee unanimously approved the minutes from its December 1st meeting, which had been previously approved via email and are currently available on the Ethics Committee page of the VMA website.

Follow-up and New Business:

Debbie noted an inconsistency in the language of the ethics ordinance posted on the VMA website concerning the ordinance's limited applicability to the members of the Council, Ethics Committee, Election Committee, Tree Supervisor, and Village employees. In section 4-101D, the wording is correct, whereas section 4-204B should be revised to reflect the above limitations accurately. Council liaison Todd Mann will follow up.

Lorie, observing that Ethics and Elections Committee members in some of the surrounding jurisdictions serve staggered multi-year terms to ensure continuity, suggested that the next Ethics Committee further investigate and consider recommending a staggered term structure for Council consideration. Marc noted that said recommendation would require a change to the VMA Code.

Marc suggested that educational materials be developed for training volunteers on the new ethics ordinance. Input from residents who previously offered to write a volunteer handbook is welcome.

Todd suggested that these follow-up items be included in the Committee's report to the Council. Marc said they would be included.

#### Committee Email Discussion:

The Village Manager recently notified the Committee of the newly created official Ethics Committee email account, [ethics@martinsadditions.org](mailto:ethics@martinsadditions.org). Before the meeting, the Election Committee provided the Committee an outline of their email protocols. Using the Election Committee framework to guide the discussion, the Committee agreed on the following procedures to govern the use of the official account:

- All Committee members have direct access to the password and account ([ethics@martinsadditions.org](mailto:ethics@martinsadditions.org)) through the end of their term. If a member of the Committee resigns, the password will be changed immediately, and the new password shared with the remaining members and new members upon appointment.
- All Committee members are authorized to send emails from the account for official Committee functions. However, to assure accuracy, emails should be cleared with the chair before they are sent. In the chair's absence, a majority of Committee members must agree on communications sent from the official account.
- The account should be monitored for new emails on a daily basis. Any new emails should be forwarded to all Committee members as soon as practical by whichever member sees it.
- Should any member receive an email regarding official Committee business at his/her personal account, the email must be forwarded to the official account for a response.
- Emails sent among Committee members should be copied to [ethics@martinsadditions.org](mailto:ethics@martinsadditions.org)
- All Ethics Committee communications to the VMA community should be sent from [ethics@martinsadditions.org](mailto:ethics@martinsadditions.org), signed by the full Committee, and copied to each member's personal email.
- To ensure the confidentiality of emails received by the Committee, access to the account will be restricted to Ethics Committee members. Niles will investigate setting up a separate password-protected folder for confidential emails and follow-up with Lorie.
- All Ethics Committee emails must be retained in accordance with MD Public Record requirements.

#### Committee Actions:

Since the official email account was established eleven months into the Committee's twelve-month term, Committee emails currently stored in member's personal accounts must be migrated to [ethics@martinsadditions.org](mailto:ethics@martinsadditions.org). The Committee discussed the pros and cons of forwarding the emails one by one versus migrating the emails using the Village IT consultant or a thumb drive. The Committee agreed to migrate emails to the official email account using a thumb drive. Niles will assist Marc and Debbie.

#### Resident Comments:

Several residents attended the meeting to discuss potential ethical concerns within VMA, particularly related to the ongoing Council election, citing the new ethics ordinance and the duty of "impartiality." Marc reminded residents that the ethics ordinance provides a defined procedure mandating that complaints be submitted to the Ethics Committee in writing to preserve confidentiality. He explained that to raise an ethical complaint during an open meeting would be inappropriate and, therefore, not allowed. Marc reiterated that any complaints or other comments should be sent directly to the Ethics Committee via email at [ethics@martinsadditions.org](mailto:ethics@martinsadditions.org).

The meeting was adjourned at 8:15 pm.