



MONTGOMERY COUNTY ETHICS COMMISSION

Public Meeting of October 6, 2016

Minutes

IN ATTENDANCE:

Commissioners:

Steve Rosen, Chair
Kenita Barrow, Vice-Chair
Barbara Fredericks
Rahul Goel
Claudia Herbert

Staff Members:

Robert W. Cobb, Chief Counsel
Erin Chu

Item 1. The meeting was called to order at 7:15 p.m.

Item 2. The minutes from the August 30, 2016, meeting were approved as presented.

Item 3. Mr. Cobb outlined the process going forward for the proposed ethics regulation. First, the Ethics Commission would need to approve any changes to the proposal based on the comments and make any other changes believed to be warranted. In making a submission to the County Council, the package would need to include such elements as required by the Council. Cobb will investigate whether Council requires a fiscal and economic impact statement for the regulation, which would need to be prepared by the Office of Management and Budget.

The Commission discussed the comments to the regulation. In particular, the Commission confirmed that the direction that it was taking regarding police outside employment was appropriate. Vice Chair Barrow emphasized that Mr. Cobb should reach out to Chief Manger to emphasize appreciation for the Chief's comments and his

desire to work cooperatively to achieve appropriate changes to the ethics program. The Commission considered three provisions added to the proposed regulation by Mr. Cobb. The first was a provision expressly allowing the Commission to revoke an outside employment approval where the outside employment was found to be inconsistent with the Public Ethics Law. The second provision makes clear an employee may seek a waiver of the policies on misuse of prestige of office and improper influence in 19A.14.01. The third concerns the appointment of persons to serve in a representative capacity to County task forces and similar bodies to make clear that in so serving the individuals will not have a conflict of interest by doing exactly what they were appointed to do. There were a mix of views expressed by the Commission on the proposed language and whether including the provision was necessary. Cobb suggested that he edit the provision and share it with the County Attorney's office to gauge whether that office thought the provision was warranted. Cobb will get back to the Commission with the County Attorney's views.

Item 4. Mr. Cobb indicated that the annual certification required by the State Ethics Commission had been submitted.

The meeting adjourned at 8:10.

Respectfully Submitted,

A handwritten signature in black ink that reads "Robert W. Cobb". The signature is written in a cursive style with a large, prominent "R" and "C".

Robert W. Cobb
Chief Counsel