



## MONTGOMERY COUNTY ETHICS COMMISSION

Public Meeting of July 16, 2012

### Minutes

#### IN ATTENDANCE:

Commissioners:	Nina Weisbroth, Chair Stuart Rick, Vice Chair Kenita Barrow Rachel Brown
Staff Members:	Robert Cobb, Chief Counsel

Item 1. The Meeting was called to order at 7:05 p.m.

Item 2. The Commission members welcomed Rachel Brown as a new member of the Commission.

Item 3. The Minutes from the June 12, 2012, meeting were approved without change.

Item 4. Robert Cobb gave a status report on certain issues. Cobb described efforts towards enforcement of financial disclosure requirements. He explained that the system does not identify whether delinquent filers are initial, annual, or termination filers, and, furthermore, the system does not identify whether the delinquent filers are employed by the county, former employees or in fact, deceased. Because the system does not provide this insight, it is very difficult to manipulate the system to provide information that is based on an ordering of priorities; so, for example, Cobb has indicated that his priority is to ensure that current employees have filed their annual reports. Because the system does not lend itself to identification of these persons, extra work has to be performed to identify the likely persons in this group. Errors and mistakes increase when these manual processes to elicit information are used, which include, as has happened efforts at having deceased persons file disclosure reports. Cobb reported that he has obtained from OHR a list of departed (and deceased employees from 2011 to July of 2012) which will have to be manually compared with the delinquent list from the financial disclosure system. Cobb has proceeded to focus on current delinquent annual filers; he has also worked on board and commission filers by contacting the board liaisons. Meanwhile, Sheila Laryea has been diligently helping dozens of filers with various issues associated with the filing of reports. These efforts are time consuming and require great attention to detail.

Montgomery County Ethics Commission

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The discussion relating to enforcement and system shortcoming led to a discussion on the approach toward responding to the IG's report regarding financial disclosure. For discussion purposes, Cobb had prepared a draft letter raising staffing issues and an approach to the financial disclosure issue. Also relevant to this discussion was a note from Councilmember Navarro regarding her expectation that a responsive plan and actions taken to implement it will need to be presented to the GO Committee in the fall. The Ethics Commission directed Cobb to coordinate with Fariba Kassiri to the extent possible to present a unified approach to a response to the IG Report. Cobb is to draft a communication that puts forth at a high level the most important elements of a Plan from the Ethics Commission perspective, and seek agreement and inclusion of those principles in the plan being developed by Fariba and others.

Separately from the communication with Fariba, the Ethics Commission endorsed the idea that Cobb should seek a supplemental from the County Council to address the excess costs associated with the Program Specialist II position upgrade and the Program Manager I position.

The Commission then considered the lobbying fee issue and a memorandum from Councilmember to Cobb addressing a series of issues relating to lobbying. The Commission directed Cobb to draft a response to the inquiry. There was discussion of the lobbying issues raised in various communications and GO committee worksession documents; moreover, there was discussion of alternative methods of charging fees, such as whether fees should be charged to each representative of a lobbyists rather than just one fee per registration as is currently the practice. The Commission discussed a number of problems with a fee raise. As regards the fee issue, a motion was made by Commissioner Rick whether the Commission should consider at this meeting a vote on the issue of raising the lobbying fee to \$250. The motion was not seconded. The Commission expects to review the lobbying fee issue at its next meeting. The expectation is that by then Cobb will have developed a draft response to Councilmember Navarro's inquiry and that new Commissioner Brown will be by then completely up to speed on the lobbying issue.

While strategic planning was on the agenda, the Commission's discussion of strategic planning was brief given all of the other issues being addressed at the Commission's meeting.

The meeting adjourned at 9:05.

Respectfully Submitted,



Robert W. Cobb  
Chief Counsel