



MONTGOMERY COUNTY ETHICS COMMISSION

Public Meeting of December 10, 2013

Minutes

IN ATTENDANCE:

Commissioners:

Stuart Rick, Chair
Kenita Barrow
Rachel Brown
Mark L. Greenblatt
Nina Weisbroth

Staff Member:

Robert Cobb, Counsel
Erin Chu, Program Manager I

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

Item 2. The minutes from the 11/19/13 meeting were approved with one minor edit.

Item 3. Robert Cobb discussed the roll-out of the annual financial disclosure cycle on January 2. He indicated that although there are substantially new procedures in place, he cannot identify significant risks in connection with the new procedure.

Item 4. Cobb discussed the kickoff of the new lobbying registration year 2014. Staff will issue a kickoff letter in the next few days. There were some technical issues on the website that had to be fixed prior to the letter's issuance, and these have been addressed.

Item 5. The Commission discussed Administrative Procedure 1-16, Acceptance of Gifts to the County, which is open for comment until December 20. The Commission directed Cobb to comment on the Procedure by indicating the Commission believes the procedure will be very helpful in providing guidance on the acceptance of gifts by the County, that the procedure is well-crafted, and the Commission appreciates that it was consulted before the issuance of the guidance, with many of its recommendations incorporated into the Procedure. The Commission has the additional comments that:

- Section 3.0 of the procedure suggesting that “Section 19A-16(e) . . . permits County officials to accept unsolicited gifts to the County” could be read to mean that the cited provision of the Ethics Law authorizes gift acceptance by the County. In fact, the cited section only provides that the prohibition in Section 19A-16(c) “does not apply to unsolicited gifts to a County agency.” What authority there is for County officials to accept gifts for the County does not derive from the County’s Ethics Law.
- Section 4.2 of the procedure uses the word “compliment” several times where the word “complement” is likely the intended word.
- In Section 4.3.A, the procedure, in describing when an event is “public” parenthetically excludes, among other things, “representatives of the donor”. The Commission thought this parenthetical exclusion could be clarified.

Item 6. The Commission discussed a legislative proposal concerning the Financial Disclosure section of the Public Ethics Law. There was discussion about who should file as senior employees. The consensus of the Commission was that those positions, including Boards, Commissions and Committees, that do not present a significant risk of a conflict of interest should not be listed for filing financial disclosure. The Chair suggested that 19A-18(a)(2) be edited to conform it to existing law as regards filing for the current year if a report has been filed for the prior year. The Commission directed Cobb to finalize the draft for approval at the next Ethics Commission meeting.

Item 7. Pursuant to the requirement in Section 19A-5(d) of the Public Ethics Law for the Ethics Commission to select a Chair annually, Kenita Barrow was nominated for the position of Chair and Mark Greenblatt for Vice Chair. By unanimous vote, Ms. Barrow and Mr. Greenblatt were elected Chair and Vice Chair, respectively, with the new positions to be effective January 1, 2014.

The meeting adjourned at 8:10 p.m.

Respectfully Submitted,



Robert Cobb
Counsel