



MONTGOMERY COUNTY ETHICS COMMISSION

Public Meeting of December 5, 2018

Minutes

IN ATTENDANCE:

Commissioners:

Steve Rosen, Chair
Kenita Barrow, Vice-Chair
Susan Beard
Rahul Goel
Bruce Romer

Staff Members:

Robert W. Cobb, Chief Counsel
Erin Chu, Program Manager

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

Item 2. The Commission approved the minutes from the October 24, 2018, as presented.

Item 3. Mr. Cobb discussed the media reports of the fraud perpetrated by Peter Bang.

Item 4. Mr. Cobb discussed seeking reauthorization from the new County Executive regarding citation issuance authority. The Commission agreed that this was worth doing.

Item 5. Mr. Cobb discussed matters pertaining to the transition to a new administration in the County, particularly as regards the filing and review processes for financial disclosure.

Item 6. Mr. Cobb discussed the launch of lobbying registration notices and the new elements of the lobbying registration system, particularly as regards electronic filing. He mentioned that Commission staff was preparing for launch of the annual financial disclosure cycle.

Item 7. Two issues relating to the design of the police outside employment electronic system were discussed. First concerns the requirement of certification of answers under the “penalty of perjury.” A representative of the Department had indicated that this language would not be acceptable to the police union. Mr. Cobb recommended that the

Commission delete the reference to “penalty of perjury” as any person who certified that they had submitted the form based on the best of their knowledge information and belief could nonetheless be appropriately disciplined without the reference to perjury.

The second issue concerns the inconsistency between the ethics law and the provision of the CBA allowing for police to begin certain short-term outside employment prior to obtaining approval. Mr. Cobb is hopeful that this issue will be addressed through use of the new electronic approval process.

Item 8. Mr. Cobb reported that the Council will be initiating an electronic sign-in process for visitors to Council offices.

Item 9. Pursuant to GP Art. 3-305, at 7:55 p.m. the Commission voted unanimously to close the meeting to the public to discuss legal advice and confidential matters.

- a. Mr. Cobb informed the Commission about interpretations given of the ethics law by another County entity without consultation of the Commission.
- b. The Commission discussed the status of a litigation matter.
- c. The Commission considered information Mr. Cobb had about whether a Commission investigation was necessary to resolve an informal complaint. The Commission concluded the matter could likely be resolved without an investigation. Mr. Cobb is to see if appropriate training can be delivered.
- d. The Commission considered information Mr. Cobb had about whether a Commission investigation was necessary to resolve an informal complaint. The Commission concluded the matter did not require an investigation. Mr. Cobb is to notify the complainant that the matter is closed.
- e. The Commission considered additional information regarding a request for a waiver. The Commission decided to issue the waiver. Mr. Cobb is to prepare the waiver document.
- f. The Commission reviewed advice given by Mr. Cobb concerning gifts to certain employees.
- g. The Commission considered requests for outside employment and approved the requests. Mr. Cobb was requested to follow up on an outside employment matter from a prior meeting.

The meeting reopened at 8:45.

Item 10. The Commission scheduled its next meetings for January 17, 2019, and February 27, 2019.

Item 11. Rahul Goel was elected Chair and Steve Rosen was elected Vice Chair of the Commission for 2019.

The Public Meeting adjourned at 8:55.

Respectfully Submitted,

Robert W Cobb

Robert W. Cobb
Chief Counsel