



MONTGOMERY COUNTY ETHICS COMMISSION

Public Meeting of February 27, 2019

Minutes

IN ATTENDANCE:

Commissioners:

Rahul Goel, Chair
Steven Rosen, Vice-Chair
Kenita Barrow
Susan Beard
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 December 5, 2018, meeting as presented.

Item 3. The Commission discussed initiatives relating to messaging about fraud and ethical conduct. A commissioner suggested that care be exercised in promoting “doing the right thing” as individuals’ values differ on what the right thing may be; this messaging should emphasize the presence of laws and regulations relating to conduct of County employees. An additional point concerned making clear that the County has protections for retaliation against those who raise issues concerning fraud or unethical conduct. And, it was noted that the proposed messaging appeared to be focused on senior leadership when all County employees might appropriately be the target audience.

Item 4. Erin Chu discussed the roll-out of the annual financial disclosure cycle and the status of filings to date.

Item 5. Mr. Cobb discussed the results of a survey of persons whose outside employment approvals had expired. In particular, it was found that this survey was a good way to get those whose approvals had expired but still wanted to engage in outside employment to make a request for a new approval.

Item 6. Mr. Cobb discussed the Commission's staff policy and procedure manual by referencing the index created by Kelly Uhas. Cobb indicated that staff had been working towards updating the manual to reflect the many changes to processes over the past couple of years. The manual will be updated on a regular schedule each year.

Item 7. The Commission authorized the issuance of the 2018 annual report.

Item 8. 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. The Commission was advised about the resolution of a matter that had been brought to it by a citizen after implementation of a decision made by the Commission at its December 5 meeting.
- b. The Commission was advised of an issue addressed by Mr. Cobb concerning an application for use of County facilities.
- c. The Commission was advised of informal advice given by Mr. Cobb regarding a donation by a vendor to a charity in an employee's name.
- d. The Commission was informed as to the resolution of a matter where an employee was engaged in outside employment without approval; the Commission was informed that outside employment had ceased.
- e. The Commission decided to grant a waiver of the prohibition of 19A-12(b)(1)(B).
- f. The Commission was informed of an allegation of violation of outside employment requirements at a particular agency and how the violations allegedly could be impairing the provision of services by an installation at the agency.
- g. The Commission considered how 19A-12(b)(1)(B)'s restriction applies to an employee at an agency who wishes to contract with another division of the agency to provide needed services. The Commission decided the employee would need a waiver to be a vendor for another division in the agency.
- h. The Commission discussed two requests for outside employment from County Councilmembers. It granted one of the requests, subject to a condition, and requested additional information in connection with the other.
- i. The Commission considered the outside employment requests for police and for other County employees, and approved the requests subject to conditions where recommended by staff.

The meeting reopened at 9:25.

Item 10. The Commission scheduled its next meetings for April 3, 2019, and May 1, 2019.

The Public Meeting adjourned at 9:30.

Respectfully Submitted,



Robert W. Cobb
Chief Counsel