



## MONTGOMERY COUNTY ETHICS COMMISSION

Public Meeting of May 1, 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 April 3, 2019, meeting as presented.

Item 3. Mr. Cobb and Erin Chu updated the Commission on the status of financial disclosure. In particular, Mr. Cobb indicated that all but five full-time County employee financial disclosure reports had been received. Mr. Cobb indicated that he has sent a very direct email to the five persons who had not yet filed their disclosures. Ms. Chu has been spending her time reviewing the submitted reports and providing support to filers and reviewers of the reports.

Item 4. Mr. Cobb stated that while the system for sworn police to submit outside employment requests had been built, it had not been implemented yet. Mr. Cobb indicated that he had been in communication with Fariba Kassiri about the issue. He recommended to the Commission that it set forth a time frame (30 or 60 days, for example) upon the expiration of which the Commission would no longer receive the paper, non-complying, forms used for outside employment requests of police. The Commission decided that Mr. Cobb should request that the new online police OE form be launched. After the system is launched, the Commission can monitor compliance with the requirement to use it. For the time being, the Commission will still accept the submission of the noncomplying paper forms.

Item 5. Mr. Cobb stated to the Commission that he does not yet have a recommendation on how to proceed regarding filling Kelly Uhas's position. In the meantime, he stated that while Ms. Chu is primarily focused on financial disclosure, there is no crisis being confronted in terms of matters not being addressed by Commission staff.

Item 6. Pursuant to GP Art. 3-305, at 7:40 p.m. the Commission voted unanimously to close the meeting to the public to discuss legal advice and confidential matters.

- a. The Commission considered a question regarding the extension of benefits to board members of a quasi-governmental entity. Counsel to the Ethics Commission suggested the matter was beyond the jurisdiction of the Ethics Commission and the Commission concluded that no action should be taken.
- b. The Commission considered a request for advice regarding the hiring of an attorney by an employee to handle the employee's will. The employee is a manager. There is a possibility the attorney would represent persons who have interests before employees subject to the manager's supervision and authority. The Commission decided to grant an advisory opinion indicating that while the manager can hire an attorney who might practice before a group she supervises, she would need to be recused from any matter where the attorney is representing a party to the matter. This recusal should occur for the period the attorney is engaged to provide services to the employee, but would end when the engagement is concluded.
- c. The Commission reviewed advice given by Mr. Cobb concerning leadership structure at a particular agency.
- d. Mr. Cobb mentioned that the Commission had received an informal allegation and that Mr. Cobb was going to conduct a preliminary inquiry into the matter before presenting the matter to the Commission for consideration.
- e. The Commission considered a request by an employee of DHHS for an advisory opinion. The Commission directed Mr. Cobb to draft an advisory opinion stating the action contemplated in the request was not appropriate.
- f. The Commission considered a complaint regarding matters handled by the Circuit Court. The Commission dismissed the complaint as the matter did not raise ethics issues under the jurisdiction of the Commission or involve public employees subject to Commission has jurisdiction.
- g. The Commission considered and approved all outside employment requests that were presented with exception of one which it denied.

The meeting reopened at 8:35.

Item 7. The Commission's next meeting is scheduled for June 5, 2019 and the July meeting was scheduled for July 10.

The Public Meeting adjourned at 8:45.

Respectfully Submitted,

A handwritten signature in black ink that reads "Robert W. Cobb". The signature is written in a cursive style with a large initial 'R'.

Robert W. Cobb

Chief Counsel