



MONTGOMERY COUNTY ETHICS COMMISSION

Public Meeting of August 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

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

Item 2. The Commission approved the minutes from the July 10, 2019, meeting as presented.

Item 3. Mr. Cobb advised on the implementation of the new online process for submission of outside employment requests. He indicated that the new system was working extremely well with no major issues upon implementation.

Item 4. The Commission continued discussion from the prior meeting regarding the proposed adoption of an exemption to the gift prohibition for bona fide awards. Between meetings, Mr. Cobb solicited comment from certain departments including DHHS, Departments of Police and the Fire and Rescue Service. One comment was received regarding the difficulty of applying the standard in the provision of what constitutes “interests that may be substantially affected by the performance of the public employee’s duties.” The example in the comment involved a DHHS employee who was receiving an award from a hospital to which referrals were made to an emergency room. The employee’s County work could affect the volume of the hospital’s business. If the hospital recognized the County employee’s work with an award, would this be permissible under the standard. The Commission acknowledged there would be a question of whether the hospital was “substantially affected,” but the Commission did not change the standard. The Commission recognized that the exemption clearly authorized awards from those who are not affected by the employee’s duties, but in those instances where there is some impact of the employee’s duties on the source of the award, there would be the question of whether the donor was “substantially affected”. This question should be posed to the Ethics Commission when it arises. The comment also thought raising the \$200 cap to an inflation adjusted number would be appropriate. The Commission decided to raise the cap to \$350, and with that change, the Commission approved moving forward with the exemption.

Item 5. Mr. Cobb reported on the office move to the Broome school, which will likely take place by September 14.

Item 6. Pursuant to GP Art. 3-305, at 7:45 p.m. the Commission voted unanimously to close the meeting to the public to discuss legal advice and confidential matters.

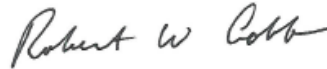
- a. The Commission was advised by counsel on the status of ongoing litigation.
- b. The Commission considered a question concerning solicitations of gifts. Mr. Cobb is to provide comments concerning the issue.
- c. The Commission considered a request for a waiver and decided to grant a waiver.
- d. The Commission considered allegations of violations of the ethics law.
- e. The Commission considered allegations of violations of the ethics law.
- f. The Commission considered allegations of violations of the ethics law.
- g. The Commission considered a request for a waiver and decided to grant a waiver.
- h. The Commission considered and approved outside employment requests.

The meeting reopened at 9:15.

Item 7. The Commission's next meeting is scheduled for October 23, 2019.

The Public Meeting adjourned at 9:20.

Respectfully Submitted,



Robert W. Cobb
Chief Counsel