



MONTGOMERY COUNTY ETHICS COMMISSION

Susan Beard
Chair

Bruce Romer
Vice Chair

June 29, 2021

Waiver 21-06-009

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Scott Hoglander is a Background Screening Specialist for the Montgomery County Fire and Rescue Service (MCFRS). He requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that he can be employed by Patriot Fire, LLC, which sells fire apparatus and services and currently contracts with the MCFRS for services.

In his role as a Background Screening Specialist, Mr. Hoglander conducts background investigations on new hires. He does not have any contract monitoring or procurement responsibilities in his position with MCFRS. At Patriot Fire, Mr. Hoglander expects to have multiple responsibilities, including management of sales of new fire apparatus and ambulances in Delaware, Maryland, DC and Northern Virginia. He will also manage website and social media accounts and advertising.

In his County position, Mr. Hoglander is not involved in requesting or approving contracts for fire apparatus purchased by the County. As an employee of Patriot Fire, Mr. Hoglander will not conduct any sales activity in Montgomery County. His assigned sales territories will include places outside Montgomery County. Furthermore, Mr. Hoglander will be prohibited from communicating to Patriot Fire any information about the MCFRS or any other public or private fire departments in Montgomery County regarding their needs for apparatus or services. Furthermore, Mr. Hoglander will be prohibited from communicating to any public or private fire official in Montgomery County any information about goods and services that Patriot Fire provides to its customers.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Mr. Hoglander not conducting sales activity for Patriot Fire in Montgomery County or with the Montgomery County government and on his not having any involvement as a County employee in any participation in negotiations or transactions

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involving Patriot Fire or even communicating to County employees about goods and services that Patriot Fire provides to its customers. The waiver is also conditioned on his not communicating to Patriot Fire any information about needs for apparatus or service of the MCFRS or other public or private fire departments in Montgomery County.

In reaching this decision, the Commission has relied upon the facts as presented by Mr. Hoglander.

For the Commission:

A handwritten signature in cursive script that reads "Susan Beard".

Susan Beard, Chair