



Ethics Commission

APPROVED FY19 BUDGET

\$463,283

FULL TIME EQUIVALENTS

3.00

ROBERT W. COBB, DIRECTOR

MISSION STATEMENT

The Ethics Commission exercises authorities granted to it under the Public Ethics Law to promote the public's trust of County government and to ensure the impartiality of County employees, including elected officials, in the execution of their responsibilities.

BUDGET OVERVIEW

The total approved FY19 Operating Budget for the Ethics Commission is \$463,283, an increase of \$33,676 or 7.84 percent from the FY18 Approved Budget of \$429,607. Personnel Costs comprise 87.29 percent of the budget for three full-time position(s) and no part-time position(s), and a total of 3.00 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 12.71 percent of the FY19 budget.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following is emphasized:

A Responsive, Accountable County Government

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable). The FY18 estimates reflect funding based on the FY18 Approved Budget. The FY19 and FY20 figures are performance targets based on the FY19 Approved Budget and funding for comparable service levels in FY20.

Measure	Actual FY16	Actual FY17	Estimated FY18	Target FY19	Target FY20
Program Measures					
Number of financial disclosure statements required (calendar year)	1,702	1,723	1,723	1,723	1,723
Number of formal opinions, waivers and guidance (calendar year)	28	23	23	23	23
Number of lobbyists registered (calendar year)	262	266	266	266	266
Number of lobbyist activity reports (calendar year)	372	375	375	375	375
Number of outside employment requests processed (calendar year) ¹	1,568	897	897	897	897

¹ The number of outside employment requests, not including sworn police employment requests, spiked in 2016 due to the one-time impact of transitioning to the online outside employment system.

INITIATIVES

- ★ The Commission submitted to the County Council for approval a set of regulations providing guidance in several areas under the County's Ethics Law, including outside employment approval; misuse of position; gifts; and financial disclosure.

ACCOMPLISHMENTS

- ☑ The Commission instituted a new compliance program and a mandatory ethics training for executive branch financial disclosure filers in May 2017. The initial training cycle (training is every three years) will be completed by June 30, 2018. By the end of calendar year 2017, 1,260 employees received the mandatory ethics training, constituting more than 90 percent of employees subject to the requirement.

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

- ★ The Commission worked with the Department of Technology Services (DTS) on a new Financial Disclosure System as the existing system is built on a server that is no longer supported by Microsoft. The new system was implemented at the end of 2017.

PROGRAM CONTACTS

Contact Robert Cobb, Director of the Ethics Commission at 240.777.6674 or Phil Weeda of the Office of Management and Budget at 240.777.2780 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

★ Ethics Program Compliance

Financial Disclosure: The Public Ethics Law requires filing of financial disclosure reports by certain County employees. The Ethics Commission administers the electronic filing system for reporting and coordinates with the Office of Human Resources and all County agencies regarding the status of filers. It resolves all anomalous circumstances and questions from filers that routinely arise associated with the filing of financial disclosure reports and the system designed for that purpose.

Outside Employment: The Public Ethics Law requires that County employees obtain approval from the Ethics Commission prior to engaging in any employment other than County employment. The Ethics Commission administers an online process pursuant to which requests are made and reviewed by the employee's agency. The Ethics Commission staff prepares all requests for consideration by the Ethics Commission, including obtaining additional information from requestors and County agencies and conducting preliminary legal analysis of requests. The Ethics Commission approves requests, as appropriate, setting conditions on approval as necessary to ensure compliance with ethics requirements, and staff notifies requestors by letter of the disposition of requests. The Ethics Commission publishes and updates approved outside employment information required to be made public by the Public Ethics Law.

Lobbying: The Public Ethics Law requires certain persons who spend or receive over \$500 to communicate with County officials and employees to register as lobbyists and to file semi-annual activity reports with the Ethics Commission. Annual registration fees are required and are paid to the Ethics Commission and processed and deposited in the General Fund. The Ethics Commission publishes and updates information required to be made public by the Public Ethics Law.

Complaints, Investigations, and Hearings: Pursuant to the Public Ethics Laws, the Ethics Commission receives complaints and, as appropriate, conducts investigations, and/or hearings; makes findings,; and imposes sanctions and penalties if warranted.

Advisory Opinions, Waivers, and Advice: In accordance with the Public Ethics Law, the Ethics Commission answers inquiries on the application of the Public Ethics Law, publishes opinions, and grants waivers of Ethics Law requirements, as appropriate.

Education: The Ethics Commission conducts public education and other information programs regarding the Public Ethics Law.

Legislative and Regulatory: The Ethics Commission recommends and prepares new ethics legislation and regulations.

Coordination and Outreach: The Staff of the Ethics Commission coordinates with the Office of the County Attorney and the Office of the Inspector General as necessary on legal and investigative matters. The staff also serves as the principal public resource on the County's Ethics Laws, including managing a website that reflects Ethics Commission programs, activities, and publications such as annual reports, approvals of outside employment requests, lobbying data, and waivers and opinions.

Administration: The staff of the Ethics Commission is responsible for ensuring that Ethics Commission meetings are conducted in accordance with the Open Meetings Act and other applicable law, and the Ethics Commission members are informed and advised as to all material matters under their jurisdiction, Ethics Commission staff is also responsible for budget, procurement, human resources, and resource management for the operation of the office in accordance with Montgomery County policies.

BUDGET SUMMARY

	Actual FY17	Budget FY18	Estimate FY18	Approved FY19	%Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	300,105	312,090	319,729	325,812	4.4 %
Employee Benefits	74,171	74,355	77,521	78,588	5.7 %
County General Fund Personnel Costs	374,276	386,445	397,250	404,400	4.6 %
Operating Expenses	204,427	43,162	34,570	58,883	36.4 %
County General Fund Expenditures	578,703	429,607	431,820	463,283	7.8 %
PERSONNEL					
Full-Time	3	3	3	3	—
Part-Time	0	0	0	0	—
FTEs	3.00	3.00	3.00	3.00	—
REVENUES					

BUDGET SUMMARY

	Actual FY17	Budget FY18	Estimate FY18	Approved FY19	%Chg Bud/App
Miscellaneous Revenues	35,125	30,000	30,000	30,000	—
County General Fund Revenues	35,125	30,000	30,000	30,000	—

FY19 APPROVED CHANGES

		Expenditures	FTEs
COUNTY GENERAL FUND			
FY18 ORIGINAL APPROPRIATION		429,607	3.00
<u>Other Adjustments (with no service impacts)</u>			
Increase Cost: Outside Counsel		20,000	0.00
Increase Cost: Annualization of FY18 Personnel Costs		10,087	0.00
Increase Cost: FY19 Compensation Adjustment		7,626	0.00
Increase Cost: Retirement Adjustment		242	0.00
Increase Cost: Printing and Mail		21	0.00
Decrease Cost: Other Professional Services		(4,300)	0.00
FY19 APPROVED		463,283	3.00

FUTURE FISCAL IMPACTS

CC APPROVED (\$000S)

Title	FY19	FY20	FY21	FY22	FY23	FY24
COUNTY GENERAL FUND						
EXPENDITURES						
FY19 Approved	463	463	463	463	463	463
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Approved in FY19	0	(20)	(20)	(20)	(20)	(20)
Items recommended for one-time funding in FY19, including outside counsel, will be eliminated from the base in the outyears.						
Labor Contracts	0	4	4	4	4	4
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	463	447	447	447	447	447