



**COMMISSION MEMBERS:**  
JANET E. McHUGH, *Chair*  
ARUNA MILLER  
JAMES N. ROBEY, JR.  
CRAIG D. ROSWELL  
GENEAU M. THAMES

## STATE ETHICS COMMISSION

45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MARYLAND 21401  
410-260-7770 / 1-877-669-6085  
FAX: 410-260-7746

JENNIFER K. ALLGAIK  
*Executive Director*  
WILLIAM J. COLQUHOUN  
*General Counsel*  
KATHERINE P. THOMPSON  
*Staff Counsel*

### MINUTES OF THE STATE ETHICS COMMISSION MEETING

August 20, 2020

Commission Members Present: Janet E. McHugh, Chair  
Aruna Miller (participated by phone)  
James N. Robey, Jr.  
Craig D Roswell  
Geneau M. Thames (participated by phone)

Staff Members Present: Jennifer K. Allgair, Executive Director  
William J. Colquhoun, General Counsel  
Katherine Thompson, Staff Counsel  
Darlene J. Gavel, Office Manager

The meeting convened at 9:00 a.m. at 45 Calvert Street, Room 164 in Annapolis. Those listed as present participated in all portions of the meeting unless otherwise noted. If other individuals participated in aspects of the meeting, they will be identified in the specific line item where their participation occurred.

#### ITEM 1: Tentative Agenda

Discussion: The Commission reviewed the tentative agenda.

Decision: The tentative agenda was approved as adjusted.

#### ITEM 2: Minutes of the April 16, 2020 Meeting

Discussion: The draft minutes of the April 16, 2020 meeting were reviewed and discussed.

Decision: The draft minutes were approved.

#### ITEM 3: Boards and Commissions - Executive Unit Determination

Discussion: Ms. Allgair briefed the Commission on whether or not the following should be considered an executive unit covered by the Public Ethics Law:

Partial Expungement Workgroup  
Law Enforcement Body Camera Task Force  
Task Force on Fishing License Penalties  
Vehicle Height Monitoring System Workgroup  
Chesapeake Bay Bridge Reconstruction Advisory Group  
Pesticide Transition Task Force  
Equine Health, Safety, and Welfare Advisory Committee  
Accountability and Implementation Board  
Accountability and Implementation Board Nominating Committee  
Career and Technical Education Committee  
Career and Technical Education Skills Standards Advisory Committee  
Task Force on the Economic Future of Western Maryland  
Two Generation Family Economic Security Commission  
Maryland Efficient Grant Application Council  
Advisory Stakeholder Group on Autism-Related Needs  
Electricians State Licensing Workgroup  
Stakeholder Workgroup on the Maryland Loan Assistance Repayment Program for Physicians  
and Physician Assistants  
Community Benefit Reporting Workgroup  
Department of State Police Law Enforcement Coordinating Council  
Department of State Police Regional Law Enforcement Councils  
Alcohol and Drug Counselor Subcommittee  
Collaborative Planning and Implementation Committee for the Crisis Intervention Team  
Center of Excellence

Decision: The Commission determined that the following were an executive agency and its members are public officials covered by the Ethics Law:

Task Force on Fishing License Penalties  
Chesapeake Bay Bridge Reconstruction Advisory Group  
Pesticide Transition Task Force  
Equine Health, Safety, and Welfare Advisory Committee  
Accountability and Implementation Board  
Accountability and Implementation Board Nominating Committee  
Career and Technical Education Committee  
Career and Technical Education Skills Standards Advisory Committee  
Task Force on the Economic Future of Western Maryland  
Two Generation Family Economic Security Commission  
Maryland Efficient Grant Application Council  
Advisory Stakeholder Group on Autism-Related Needs  
Electricians State Licensing Workgroup  
Stakeholder Workgroup on the Maryland Loan Assistance Repayment Program for Physicians  
and Physician Assistants  
Community Benefit Reporting Workgroup  
Department of State Police Law Enforcement Coordinating Council  
Department of State Police Regional Law Enforcement Councils  
Alcohol and Drug Counselor Subcommittee  
Collaborative Planning and Implementation Committee for the Crisis Intervention Team  
Center of Excellence

The Commission determined the following were not an executive unit:

Partial Expungement Workgroup  
Law Enforcement Body Camera Task Force  
Vehicle Height Monitoring System Workgroup

ITEM 4: Financial Disclosure Exemption Request

Discussion: Ms. Allgair briefed the Commission on the Provider Review Panel of the State Emergency Medical Services Board and the Hearing Accessibility Advisory Board requests for exemption from the financial disclosure requirement.

Decision: The Commission did not grant exemptions for the Provider Review Panel of the State Emergency Medical Services Board nor the Hearing Accessibility Advisory Board.

ITEM 5: Financial Disclosure Additions and Deletions

Discussion: Ms. Allgair presented a listing of the proposed additions and deletions to the financial disclosure list recommended by State agencies and reviewed by Financial Disclosure Administrator, Young Smith and Executive Director, Jennifer Allgair. The recommendations covered the Department of Budget & Management, Department of Natural Resources, Department of Transportation, Department of Health, Motor Vehicle Administration, Montgomery College, Department of Veterans Affairs, Morgan State University, University of Maryland-College Park, Maryland Health Benefit Exchange, Department of the Environment, Frostburg State University, Department of Labor, Salisbury University, University of Maryland Global Campus, Maryland Aviation Administration, Department of Human Services, Maryland Transportation Authority, State Highway Administration, Maryland Port Administration, University of Maryland-Baltimore County, State Retirement Agency, Maryland State Library Agency, Harford Community College, Anne Arundel Community College, Maryland Office of the Inspector General for Education, University of Baltimore and the Maryland Technology Development Corporation.

Decision: The Commission approved Ms. Allgair's recommendations.

ITEM 6: Local Government – Anne Arundel County (20-0254)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for Anne Arundel County.

Decision: The Commission approved the proposed amendments.

ITEM 7: Local Government – City of Westminster (20-0045)

Discussion: Ms. Thompson briefed the Commission on the status of the proposed amendments to the local ethics ordinance for the City of Westminster.

Decision: The Commission approved the proposed amendments.

ITEM 8: Executive Director's Report – Status of Workplace

Discussion: Ms. Allgair briefed the Commission on the status of the staff's remote work plan.

ITEM 9: Executive Director's Report – Assistant General Counsel Position

Discussion: Ms. Allgair briefed the Commission on the status of the vacant Assistant General Counsel position. The Commission was granted a hiring freeze exception and eight interviews are scheduled early in September.

ITEM 10: Executive Director's Report – Budget Cuts

Discussion: Ms. Allgair briefed the Commission on the status of the FY 21 Budget. The Commission was asked to return approximately \$60,000.

ITEM 11: Executive Director's Report – Protocol for Media Inquiries

Discussion: There was a general discussion on the protocol for media calls. All calls are to be handled by the Executive Director.

ITEM 12: Election of Chair (July 1, 2020 to June 30, 2021)

Discussion: Ms. McHugh was unanimously elected chair for a one-year term.

The Commission voted unanimously to close the meeting at 9:20 a.m. pursuant to §3-305(b)(13) of the Open Meetings Act to consider confidential enforcement matters per §5-407 of the Public Ethics Law and confidential advice matters per §5-303 of the Public Ethics Law.

ITEM 13: A-6-20

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: The Commission determined not to issue the complaint in this matter. The Commission directed Mr. Colquhoun to follow-up on matters related to this matter with certain individuals.

ITEM 14: A-7-20

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: The Commission determined not to issue the complaint in this matter. The Commission directed Mr. Colquhoun to follow-up on matters related to this matter with certain individuals.

ITEM 15: A-17-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be placed on the preliminary inquiry docket. (B-3-20)

ITEM 16: A-27-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: A complaint will be issued in this matter. (C-20-20)

ITEM 17: A-30-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be placed on the preliminary inquiry docket. (B-4-20)

ITEM 18: A-31-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be placed on the preliminary inquiry docket. (B-5-20)

ITEM 19: A-32-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be closed with a letter.

ITEM 20: A-33-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: A complaint will not be issued in this matter and it will be referred to the appropriate agency.

ITEM 21: B-2-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission granted a financial interest exception and this matter will be closed with a letter.

ITEM 22: C-1-19

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: The Commission will subject to revision grant an order moving this matter to be a formal advisory opinion.

ITEM 23: A-13-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 24: A-14-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreements in this matter.

ITEM 25: A-18-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 26: A-19-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 27: A-20-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 28: A-21-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 29: A-22-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 30: A-23-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 31: A-24-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 32: A-25-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 33: A-26-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 34: A-28-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 35: A-29-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the lobbyist filing agreement in this matter.

ITEM 36: A-35-20

Discussion: Ms. Thompson briefed the Commission on these matters.

Decision: Complaints will be issued in these matters. (C-22-20, C-23-20)

ITEM 37: C-12-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the late filing as a cure.

ITEM 38: C-14-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the late filing as a cure.

ITEM 39: C-15-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the late filing as a cure.

ITEM 40: C-17-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the late filing as a cure.

ITEM 41: C-18-20

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the late filing as a cure.

(Mr. Colquhoun and Ms. Thompson participated in the briefings, but did not participate in the decisions regarding Items 13 through 41.)

ITEM 42: Informal Matter – Department of Health (20-0177)

Discussion: Ms. Thompson briefed the Commission on a participation request regarding an employee in the Department of Health whose daughter's employer has a specific interest with the Department.

Decision: The Commission granted a participate exception for certain aspects of her job.

ITEM 43: Informal Matter – Department of Health (20-0203)

Discussion: Ms. Thompson briefed the Commission on a secondary employment request regarding an employee in the Department of Health wanting to work and have a financial interest in a medical information technology start up business.

Decision: The Commission granted an exception to allow this secondary employment with restrictions.

ITEM 44: Informal Matter – Department of Health (20-0216)

Discussion: Ms. Thompson briefed the Commission on a secondary employment request regarding an employee in the Department of Health wanting to work as an independent contractor for a recovery house for women.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 45: Informal Matter – University System of Maryland (20-0221)

Discussion: Ms. Thompson briefed the Commission on a secondary employment request regarding an employee in the University System of Maryland wanting to serve on a county board of education.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 46: Informal Matter – Comptroller's Office (20-0298)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Comptroller's Office wanting to work for a political committee for a State Senator.

Decision: The Commission allowed this secondary employment subject to certain restrictions.

ITEM 47: Informal Matter – Department of Health (20-0232)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health wanting to work as a recovery coach.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 48: Informal Matter – Department of the Environment (20-0258)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of the Environment wanting to work as a security officer at a hospital.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 49: Informal Matter – Department of the Environment (20-0264)



Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of the Environment wanting to work and have a financial interest as a property owner of a rental home.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 50: Informal Matter –Department of Human Services (20-0280)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services wanting to work as PRN staff at a private health foundation.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 51: Informal Matter – Department of Health (20-0297)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health wanting to work as an art therapist and mental health counselor at a private business.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 52: Informal Matter –Department of Labor (20-0346)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding a board member of the Department of Labor wanting to be an adjunct professor teaching business-writing classes at a private university.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 53: Informal Matter – Department of Health (20-0367)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health wanting to work as a social worker at a county hospital.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 54: Informal Matter – Executive Department (20-0294)

Discussion: Ms. Allgair briefed the Commission on a secondary employment request from the Executive Department who would like have all the employees under the five coordinating offices within the Executive Department be reviewed and approved by management of that unit and then forwarded to the Commission.

ITEM 55: Informal Matter –University of Maryland (20-0372)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the University of Maryland wanting to work for a private advisory board providing advice for training programs.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 56: Informal Matter –Maryland Transit Administration (20-0356)

Discussion: Mr. Colquhoun briefed the Commission on a post-employment request regarding a former employee in the Maryland Transit Administration wanting to work on a contract to draft a manual for a product used by the agency. While employed by the Maryland Transit Administration, the former employee led the project for which the manual is to be created.

Decision: The Commission agreed with the previous advice given that this activity is significant participation that prevents the former employee from participating in this contract.

ITEM 57: Informal Matter – Maryland Arts Council (20-0236)

Discussion: Ms. Allgair briefed the Commission on a secondary employment request regarding a member of the Maryland Arts Council wanting to continue serving on a private county arts council.

Decision: The Commission granted an exception to allow this secondary employment and a time of appointment exemption form should be filed.

ITEM 58: Informal Matter –Executive Department (20-0163)

Discussion: Ms. Allgair briefed the Commission on a Governor’s Coordinating Offices employee’s request for review of a financial interest in a residential curatorship agreement with the Department of Natural Resources. Ms. Allgair outlined relevant guidance on the conflict of interest provisions application to this matter.

Decision: The Commission determined that the financial interest was not prohibited and confirmed Ms. Allgair’s proposed guidance to the employee.

ITEM 59: Informal Matter – Zoning Board (20-0353)

Discussion: Ms. Allgair briefed the Commission on a zoning board issue and the advice she gave.

ITEM 60: Commission Meeting Dates for 2021

Discussion: The Commission approved the following 2021 meeting dates: February 18, 2021, April 8, 2021, June 10, 2021, August 26, 2021, October 21, 2021 and December 16, 2021.

The meeting was adjourned at 11:53 p.m.