



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

## STATE ETHICS COMMISSION

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JENNIFER K. ALLGAIR  
*Executive Director*  
WILLIAM J. COLQUHOUN  
*General Counsel*  
KATHERINE P. THOMPSON  
*Staff Counsel*  
KIRSTEN S. KROGEN  
*Assistant General Counsel*

### MINUTES OF THE STATE ETHICS COMMISSION MEETING

October 22, 2020

Commission Members Present: Janet E. McHugh, Chair (participated by phone)  
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  
Kirsten S. Krogen, Assistant General Counsel  
Darlene J. Gavel, Office Manager  
Emma Craig, Legal Assistant

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 August 20, 2020 Meeting

Discussion: The draft minutes of the August 20, 2020 meeting were reviewed and discussed.

Decision: The draft minutes were approved.

#### ITEM 3: Financial Disclosure Exemption Request

Discussion: Ms. Allgair briefed the Commission on the Chesapeake Bay Bridge Reconstruction Advisory Group; Equine Health, Safety, and Welfare Advisory Committee; Task Force on the Economic Future of Western Maryland; Stakeholder Workgroup on the Maryland Loan Assistance Repayment Program for Physicians and Physicians Assistants; and the Community Benefit Reporting Workgroup requests for exemption from the financial disclosure requirement.

Decision: The Commission granted exemptions for the Chesapeake Bay Bridge Reconstruction Advisory Group, Task Force on the Economic Future of Western Maryland and Stakeholder Workgroup on the Maryland Loan Assistance Repayment Program for Physicians and Physicians Assistants.

The Commission did not grant exemptions for the Equine Health, Safety, and Welfare Advisory Committee nor the Community Benefit Reporting Workgroup.

#### ITEM 4: 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 Maryland Office of the Inspector General for Education, Department of the Environment, Community College of Baltimore County, University of Maryland Global Campus, Maryland Port Administration, Department of Health, Department of Transportation, Maryland Energy Administration and the Maryland Transportation Authority.

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

#### ITEM 5: Local Government – Carroll County (20-0433)

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

Decision: The Commission approved the proposed amendments.

#### ITEM 6: Local Government – Town of Williamsport (20-0465)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for Town of Williamsport.

Decision: The Commission approved the proposed amendments.

#### ITEM 7: Local Government – City of Rockville (20-0478)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for the City of Rockville.

Decision: The Commission approved the proposed amendments.

#### ITEM 8: Local Government – Town of Boonsboro (20-0513)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for Town of Boonsboro.

Decision: The Commission approved the proposed amendments.

ITEM 9: Executive Director's Report – Introduction of Kirsten Krogen

Discussion: Ms. Allgair introduced Kirsten Krogen as the Commission's new Assistant General Counsel.

ITEM 10: Executive Director's Report – Temporary Office Move

Discussion: Ms. Allgair briefed the Commission on the notice received that 45 Calvert Street will close on April 18, 2021 until December 31, 2021. A draft relocation proposal was presented and discussed but there is no information on where the Commission may be placed.

ITEM 11: Executive Director's Report – General Assembly Briefing

Discussion: Ms. Allgair advised the Commission that she was requested to brief the General Assembly on the Ethics Commission on October 29<sup>th</sup>.

The Commission voted unanimously to close the meeting at 9:24 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 12: A-37-20

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

Decision: A complaint will not be issued in this matter since it is not within the Commission's jurisdiction.

ITEM 13: A-38-20

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

Decision: A complaint will not be issued in this matter since it is not within the Commission's jurisdiction.

ITEM 14: A-39-20 (Ms. Thames did not participate in this matter.)

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

Decision: This matter will be placed on the preliminary inquiry docket. (B-6-20)

ITEM 15: B-4-20

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

Decision: Staff will draft a letter and a non-participation agreement in this matter for Commission review.

ITEM 16: B-5-20

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

Decision: This matter will be closed with a letter.

ITEM 17: C-20-20

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

Decision: The complaint has been dismissed and the matter will be closed with a letter.

ITEM 18: A-15-20

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

Decision: The Commission wanted to note the importance of this matter and to thank the staff for all the work completed on this matter.

ITEM 19: A-40-20

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

ITEM 20: A-41-20

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

Decision: Complaints will be issued in these matters. (C-24-20, C-25-20)

ITEM 21: A-42-20

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

ITEM 22: C-22-20

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

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

ITEM 23: C-23-20

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

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

ITEM 24: C-36-19 (Mr. Roswell did not participate in this matter.)

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

Decision: The Commission issued an order dismissing the complaint.

(Ms. Thompson and Ms. Allgair participated in the briefings, but did not participate in the decisions regarding Items 12 through 23. Mr. Colquhoun participated in the briefings, but did not participate in the decision regarding Item 24.)

ITEM 25: Informal Matter – Non-Participation Plans and Mitigation Agreements

Discussion: Mr. Colquhoun briefed the Commission on one non-participation agreement and two mitigation agreements received for review from the Department of Transportation.

ITEM 26: Informal Matter – Lobbying Registration and Virtual Meetings

Discussion: Ms. Thompson briefed the Commission on questions regarding virtual meetings and whether it qualifies as “in the presence” to trigger registration.

Decision: The Commission determined virtual meetings would not be considered “in the presence” but lobbyists should be aware that any expenses relating to virtual meetings would count towards the expense triggers for “not in the presence” communications.

ITEM 27: Informal Matter – University of Maryland, Baltimore (20-0442)

Discussion: Ms. Krogen briefed the Commission on a secondary employment request regarding an employee at the University of Maryland, Baltimore wanting to serve as a board member for a national alliance.

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

ITEM 28: Informal Matter – Department of Human Services (20-0431)

Discussion: Ms. Krogen briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services wanting to be a care giver for a private in-home service.

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

ITEM 29: Informal Matter – Department of Labor (20-0439)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Labor wanting to be a Treasurer and President-Elect of a national association.

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

ITEM 30: Informal Matter – University of Maryland Global Campus (20-0463)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee at the University of Maryland Global Campus wanting to remain on the board of trustees of a county college while he is in a temporary position at the University.

Decision: The Commission determined the two positions are not inconsistent employment.

ITEM 31: Informal Matter – Department of Human Services (20-0402)

Discussion: Ms. Krogen briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services wanting to work as a cashier at a department store.

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

ITEM 32: Informal Matter – Department of Human Services (20-0554)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services wanting to work as a mail-handling associate with the USPS.

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

ITEM 33: Informal Matter – Department of Transportation (20-0494)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Transportation wanting to continue service on a town council.

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

ITEM 34: Informal Matter – Department of Health (20-0496)

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

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

ITEM 35: Informal Matter – Department of Natural Resources (20-0528)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Natural Resources wanting to be an appointed member of a county republican central committee.

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

ITEM 36: Informal Matter – Department of Human Services (20-0553)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services wanting to work as a mobile therapist with a private behavioral health-consulting group.

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

ITEM 37: Informal Matter – Department of Health (20-0519)

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

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

ITEM 38: Informal Matter – Maryland General Assembly

Discussion: Ms. Allgair briefed the Commission on a post-employment request regarding a former employee of the Maryland General Assembly wanting to be a lobbyist.

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

The meeting was adjourned at 12:05 p.m.