



STATE OF RHODE ISLAND

RHODE ISLAND ETHICS COMMISSION

40 Fountain Street

Providence, RI 02903

(401) 222-3790 (Voice/TT) Fax: (401) 222-3382

ethics.email@ethics.ri.gov

<https://ethics.ri.gov>

NOTICE OF OPEN MEETING

AMENDED AGENDA

11th Meeting

DATE: Tuesday, June 29, 2021

TIME: 9:00 a.m.

TO ATTEND: **ANTICIPATED REMOTE MEETING:** It is anticipated that this meeting will be conducted remotely in Zoom webinar format. Authority to conduct remote meetings is pursuant to Governor Daniel J. McKee's Executive Order No. 21-59, which extended Executive Order No. 20-46 (EO20-46) until June 25, 2021. This remote meeting on June 29, 2021 will only occur if Governor McKee further extends EO20-46, which is expected but has not yet occurred as of the publishing of this agenda.

POTENTIAL FOR IN-PERSON MEETING: If EO20-46 is not extended, and if no other legal authorization occurs prior to the meeting date, the Ethics Commission will conduct an in-person meeting with no remote component on June 29, 2021, at 9:00 a.m., at the Rhode Island Ethics Commission, Hearing Room – 8th Floor, 40 Fountain Street, Providence, RI. Please contact the Ethics Commission at (401) 222-3790 or at ethics.email@ethics.ri.gov for updated information as to meeting format and location.

REMOTE MEETING ACCESS: Any member of the public who wishes to attend and view this video meeting may do so by:

- Clicking this link to join the webinar:
<https://us02web.zoom.us/j/85673312721>
and using Webinar ID: 856 7331 2721
- Or using iPhone one-tap US:
 - +13017158592,, 85673312721# or
 - +13126266799,,85673312721#

- Or by Telephone, Dial (for higher quality, dial a number based on your current location) US:
 - +1 301 715 8592 or
 - +1 312 626 6799 or
 - +1 646 558 8656 or
 - +1 253 215 8782 or
 - +1 346 248 7799 or
 - +1 669 900 9128 or
 - 833 548 0276 (Toll Free) or
 - 833 548 0282 (Toll Free) or
 - 877 853 5247 (Toll Free) or
 - 888 788 0099 (Toll Free)
- International numbers available:
<https://us02web.zoom.us/j/kdBC7dscZO>
Webinar ID: 856 7331 2721

1. Call to Order.
2. Discussion of Remote Meeting Format; Identifying and Troubleshooting any Remote Meeting Issues.
3. Motion to approve minutes of Open Session held on June 8, 2021.
4. Director's Report: Status report and updates regarding:
 - a.) Discussion of impact of COVID-19 crisis on Ethics Commission operations and staffing;
 - b.) Complaints and investigations pending;
 - c.) Advisory opinions pending;
 - d.) Access to Public Records Act requests since last meeting;
 - e.) Financial Disclosure: Update on 2020 filing period.
5. Advisory Opinions (petitioners may participate remotely):
 - a.) James B. King Jr., a member of the Jamestown Zoning Board of Review, requests an advisory opinion regarding whether he qualifies for a hardship exception the Code of Ethics' prohibition on appearing before the municipal agency of which he is a member to seek a setback variance in order to construct a garage on his personal residence.
 - b.) Matthew McGeorge, AIA, LEED AP, the chairperson of the East Greenwich Historic District Commission, who in his private capacity is an architect, requests an advisory opinion regarding whether he qualifies for a hardship exception to the Code of Ethics' prohibition on representing another person before the municipal agency of which the Petitioner is a member.

- c.) David J. DeCost, Jr., a principal civil engineer for the Rhode Island Department of Environmental Management's Division of Planning and Development, who in his private capacity owns and operates an apple cider orchard, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from applying for a Local Agriculture and Seafood Act Grant advertised by the Rhode Island Department of Environmental Management's Division of Agriculture and, if so, whether he qualifies for a hardship exception to the Code of Ethics' prohibition against representing himself before the state agency by which he is currently employed for purposes of seeking the grant.
- 6. New Business proposed for future Commission agendas and general comments from the Commission.
- 7. Motion to go into Executive Session, to wit:
 - a.) Motion to approve minutes of Executive Session held on June 8, 2021, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
 - b.) In re: Suzanna Alba, Complaint No. 2020-5, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
 - c.) In re: Brett Smiley, Complaint No. 2021-1, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
 - d.) Motion to return to Open Session.

NOTE ON REPORTING OUT OF ACTIONS TAKEN IN EXECUTIVE SESSION: *After the Commission votes to go into Executive Session, the Open Session Zoom meeting will temporarily close and viewers will not be able to join the Executive Session which is being held in a separate Zoom meeting. At the conclusion of the Executive Session, which has no set duration, the Commission will reconvene in the Open Session meeting solely for the purpose of reporting out any actions taken in Executive Session and sealing the executive session minutes. You may rejoin the Open Session by following the same instructions on Page 1 of this agenda that you followed to join the original Open Session meeting. If you attempt to rejoin the Open Session Zoom meeting while the Executive Session portion is occurring, you will see a message that the meeting host is in another meeting. Eventually, once the Executive Session meeting concludes, the host will reconvene the Open Session meeting and you will be able to view the Commission Chair report out any actions taken in Executive Session. Alternatively, it may be more convenient for you to view a written report of any actions taken in Executive Session by visiting our website (<https://ethics.ri.gov/>) later in the day.*

- 8. Motion to seal minutes of Executive Session held on June 29, 2021.

9. Report on actions taken in Executive Session.

10. Motion to adjourn.

ANYONE WISHING TO ATTEND THIS MEETING WHO MAY HAVE SPECIAL NEEDS FOR ACCESS OR SERVICES SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CONTACT THE COMMISSION BY TELEPHONE AT 222-3790, 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. THE COMMISSION ALSO MAY BE CONTACTED THROUGH RHODE ISLAND RELAY, A TELECOMMUNICATIONS RELAY SERVICE, AT 1-800-RI5-5555.

Posted on June 24, 2021