



COMMONWEALTH OF KENTUCKY  
**EXECUTIVE BRANCH ETHICS COMMISSION**

CRIT LUALLEN  
JUDGE ROGER CRITTENDEN (RET.)  
SEN. DAVID K. KAREM (RET.)  
JUSTICE DANIEL J. VENTERS (RET.)  
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**For Immediate Release**  
**Wednesday, July 8, 2020**  
**(502) 564-7954**

**Contact: Kathryn H. Gabhart**  
**Executive Director**

**FRANKFORT, KY---The Executive Branch Ethics Commission will be holding a Regular Meeting on Tuesday, July 14, 2020, at 9:00 a.m. Pursuant to KRS 61.826, this Meeting will be held via Video Teleconference on the Amazon Chime site with a primary physical location in the Commission's office in the Share Boardroom at Capital Complex East, 1025 Capital Center Drive, Suite 105, in Frankfort, Kentucky. The Open Session Agenda for the Regular Meeting is attached.**

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**EXECUTIVE BRANCH ETHICS COMMISSION**

**REGULAR MEETING**

**VIA VIDEO TELECONFERENCE**

(PURSUANT TO KRS 61.826)

**HOST SITE: AMAZON CHIME**

Click to join the meeting: <https://chime.aws/7631833802>

Meeting ID: 7631 83 3802

Call in using your phone:

United States Toll-Free (1): +1 855-552-4463

Meeting ID: 7631 83 3802

**PRIMARY PHYSICAL LOCATION – SHARED BOARDROOM**  
Capital Complex East

1025 Capital Center Drive, Suite 105  
Frankfort, Kentucky 40601

**OPEN SESSION**

**AGENDA**

Monday, July 14, 2020  
9:00 a.m.

**I. CALL TO ORDER**

1. Swearing of New Commission Members
2. Election of Commission Leadership

**II. MEETING SCHEDULE**

**III. MINUTES**

1. May 18, 2020 Special Meeting

**IV. ADVISORY OPINIONS**

1. AO 20-02 (071420.3)

**RE:**

- (1) Under the application of the post-employment rules in the Executive Branch Code of Ethics, is a contract for a 2020 construction project (Contract) in Henderson, Kentucky, to complete a section of the I-69 Ohio River Crossing considered to be a separate “matter” or the same “matter” as a 2016 agreement between Kentucky and Indiana (Agreement) to complete the environmental studies and preliminary development of the I-69 Ohio River Crossing?
- (2) May a former officer be listed as a point of contact on the Contract with his former agency within one year post employment even though he served as the agency contact on the Agreement during his final three years of state service without violating the post-employment provisions of the Ethics Code?
- (3) May a former officer work on the Contract with his former agency within one year post employment even though he served as the agency contact on the Agreement during his final three years of state service without violating the post-employment provisions of the Ethics Code?

**RECOMMENDED**

**DECISION:**

- (1) As defined in 9 KAR 1:025, the Contract and the Agreement are two separate matters for the application of the post-employment rules in KRS 11A.040(6) through (9).
- (2) Yes, the former officer may be listed as a point of contact on the Contract during his first year post-employment without violating KRS 11A.040(6) through (9) as long as he abides by KRS 11A.040(9) in limiting any contacts he has with KYTC concerning the Agreement.
- (3) Yes, the former officer may work on the Contract during his first year post-employment without violating KRS 11A.040(6) through (9) as long as he abides by KRS 11A.040(7) and abstains from working on the Agreement and abides by KRS 11A.040(9) and avoids contacts with KYTC concerning the Agreement.

**V. ADVISORY LETTERS and E-MAILS**

1. 071420.1 - KHG
2. 071420.2 – MWB

**VI. ADMINISTRATIVE PROCEEDINGS**

**A. PENDING**

1. Lori Scholl
2. Laura Dolan

**VII. ADMINISTRATIVE REGULATIONS**

1. 9 KAR 1:010
2. 9 KAR 1:040

**VIII. OLD BUSINESS**

1. Press Releases

**IX. NEW BUSINESS**

1. Resolution for Previous Commission
2. COVID-19 Expense Reimbursements

**X. INFORMATIONAL ITEMS**

1. Training
2. Statements of Financial Disclosure
3. Lobbyist Registration Update
4. Budget update
5. Case Management Software Update

**XI. COMPLAINTS, PRELIMINARY INVESTIGATIONS  
& LITIGATION**

**XII. ACTION TAKEN AFTER EXECUTIVE SESSION**

**XIII. ADJOURNMENT**