

THE REPORT



Vincit Omnia Veritas

Maryland Troopers Association, Inc.

December 2009



President's Message

Greetings:

As you will see later in this newsletter, there are still questions being brought forward concerning the desire to somehow change the bargaining position of troopers in the collective bargaining process. The fact is that the bargaining unit for Maryland troopers is the State Law Enforcement Officers Labor Alliance (SLEOLA). It is important to realize that the Board of Directors of SLEOLA is comprised of 12 members including representatives from each of the four MSP employee groups, other State Law Enforcement Agencies and the four member Executive Committee. Members of the Maryland State Police currently hold 6 of the 12 positions on the Board of Directors. The Maryland State Police currently has sufficient representation in the organization to effectively represent the needs of the troopers. This will not be the case if the Executive Committee positions are filled by other organizations in the next election.

The problem is that it has been very difficult to get active members covered by SLEOLA to become involved in the organization. If the Maryland State Police is to continue in its leadership role in SLEOLA, it is imperative that active members of the MSP become involved immediately and run for the four executive committee offices. The next election will be held in the Spring of 2010 with the terms in office to begin in July. Jimmy Dulay has indicated that he will not be seeking another term as SLEOLA President. Jimmy has done an outstanding job and should be commended for all he has done over the past several years. The MSP needs someone to take the torch from Jimmy and carry it forward.

SLEOLA by-laws requires anyone who runs for office to be a member in good standing for 12 months prior to the election and to have attended 2 regular meetings in the prior 12 months. As it stands right now, there are very few members from the MSP who meet this criteria. MSP members need to attend meetings now.

The organization can be what everyone has been asking for, if only the membership would become involved. The future of MSP's role in SLEOLA depends on you. Until next time, I remain.....

Fraternally yours,

A handwritten signature in black ink that reads "M. Kirk Daugherty". The signature is written in a cursive style with a large, stylized initial "M".

M. Kirk Daugherty
President

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The Maryland Troopers Association's December 2009 Executive Board Meeting was called to order on December 15, 2009 at 1800 hours by President Kirk Daugherty. Vice-President Chris Sasse, Secretary Treasurer Vicki Patterson and Executive Director Bob Devers were present. Roll call was taken by the Secretary/Treasurer and the following Lodge Presidents were present:

Tri-County - C. Horner; Lodge 1 - D. Cameron; Lodge 13 - V. Patterson for D. Morris; Lodge 14 - R. Ruff; Lodge 15 - A. Michael, Lodge 17 - B. Gill; Lodge 19 - S. Murphy; Lodge 20 - M. Smith for E. Bredenburg; Lodge 40 - O. Artfitch; Lodge 51 - P. Grotte; Lodge 76 - J. McLeary; Lodge 88 - B. Kloos; Lodge 96 - C. Creswell. With a quorum present, the President declared the meeting in order.

The minutes from the November 2009 Executive Board Meeting have been distributed to the Lodge Presidents. A motion was made by Tri-County Lodge to adopt the minutes as recorded. The motion was seconded by Lodge 76 and passed.

President

M. Kirk Daugherty

11-17-09 I attended a fundraiser for Senator Norm Conway in Salisbury.

I would also like to commend the Finance Committee on an outstanding Convention last month. I would also like to thank Harry Edwards for his hard work in the hospitality suite.

Vice-President

Christopher Sasse

I attended the December 8, 2009 meeting of the Finance Committee. I also followed up with Officer Williams of the Ocean City Police Department concerning the progress of the theft and MDOP case at the Convention. He informed me that he had interviews set up with the two suspects who reside in Ocean Pines.

The Old Frederick Barrack will be razed sometime in the near future. I will be meeting with the firm that is developing the property in January about salvaging certain things from the old barrack and possibly erecting a sign depicting the 55 year history of the old barrack.

Secretary/Treasurer's Report

Vicki Patterson

Nothing to Report

Executive Director's Report

Robert Devers

Nothing to Report

National Troopers Coalition Liaison

Charles Horner

I have been asked to discuss the possibility of the NTC organizing states to file a suit against the AAST. I am still working on that.

COMMITTEE REPORTS

By-Laws: S. Murphy - Shawn Murphy deferred to Bob Devers concerning an amendment to the MTA By-Laws. Bob Devers noted that due to changes in IRS regulations, the MTA would be required to revise our code of ethics by-law and include a whistleblower section. The proposed by-law has been provided to the board for your review before next months meeting.

Article XII. Code of Ethics

Section 1. Purpose

This article is established to govern the actions of the members of the MTA Board of Directors so as to prevent the appearance of impropriety in connection with any official action.

Section 2. Business Transactions

(a) Upon enactment of this article, the members of the MTA Board of Directors are prohibited from entering into any business transactions with the MTA.

(b) Employees of the MTA shall be prohibited from providing products or services, other than through their regular employment, to the MTA for compensation.

Section 3. Employment

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No family member of the MTA's Board of Directors may be hired by the MTA while the director serves as a member of the Board.

Section 4. Conflict of Interest

No member of the Board of Directors or the Executive Committee shall participate in any matter concerning which the member may have a conflict of interest as determined by legal counsel. [Board members, the Executive Committee and staff shall complete a "Periodic Disclosure of Conflict of Interest" form upon appointment and annually thereafter while holding a position with the MTA.]

[Section 5. Whistleblower Policy

The Maryland Troopers Association requires directors, officers and employees to observe high standards of business and personal ethics in the performance of their duties and responsibilities. It is the responsibility of all directors, officers and employees to report ethics violations or suspected violations in accordance with this Whistleblower Policy.

No director, officer or employee who in good faith reports an ethics violation shall suffer harassment, retaliation or adverse consequence.

Violations, or suspected violations, can be reported to any member of the Executive Committee. Reported violations shall be thoroughly investigated consistent with policies and procedures outlined in Article IV of these By-Laws. Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Anyone filing a complaint must be acting in good faith and have reasonable grounds to believe that a violation exists. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary matter.

Finance: J. Diggs - On December 8, 2009, the Finance Committee held its December meeting at the MTA Office. In attendance were Finance Chairperson Jay Diggs, Bill Bernard, Earl Bredenburg,, Walt Mills, Mike Smith, Vice

President Chris Sasse and Executive Director Bob Devers.

MEETING DATES: January 12, 2009, 10am @ the MTA Office

STATE OF THE MTA:

1. UBS Account – \$467,964.04

OLD BUSINESS:

1. The Board approved the November Finance Report.
2. An update was provided on the American Association of State Troopers. A motion was made, seconded and passed to have our NTC representative contact all NTC State Representatives to advise them of AAST fundraising efforts and to explore a class action lawsuit to stop their activities.
3. The 2009 Convention was discussed. The Committee is already planning for the 2011 Convention. We are looking for a few good people to be part of the Convention Committee with ideas on how to improve the convention and attract active members.

Otto Artfitch suggested that the committee consider having the convention in Western Maryland. Discussion was held and Bob Devers indicated that he would take the suggestion back to the committee.

NEW BUSINESS:

1. Requests for Donations: - None
2. FORM 106 REVIEWS:
 - A. Executive Director's MTA Form 106 for November 2009 in the amount of \$741.33 was reviewed. A motion was made, seconded and passed to accept this report.
 - B. Lobbyist Bernard Shaw's Form 106 for November 2009 in the amount of \$322.99 was reviewed. A motion was made, seconded and passed to accept this report.
3. The Treasurer's Report for November 2009 was reviewed. A motion was made, seconded and passed to accept this report.

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4. Lead Marketing Contract Renewal – The contract has been reviewed and revised. A motion was made, seconded and passed to approve the revised contract so we can then send it to LEAD Marketing for final approval.

5. Kirk Daugherty has asked me to remain as the Chairman of the Finance Committee and I have agreed. As such, I would like everyone to remain as members of the Committee.

GOOD OF THE ORDER: Time Start: 1000 hours
Time Ended: 1235 hours

Motion was made by Lodge 1 to accept the Finance Committee report. The motion was seconded by Lodge 40 and passed.

Legislative/Political Action: Bernie Shaw

11-10-09 I attended a breakfast reception for Senator Norm Conway in Annapolis. After the reception, I attended the report of the National Transportation Safety Board concerning the crash of Trooper 2. Later that evening, I attended the fiscal briefing in Appropriations.

11-19-09 I attended a reception for Senator Glassman.

12-2-09 I attended a breakfast fundraiser for Delegate Valario who is the Chair of Appropriations. Later that evening I attended a reception for Delegate Rudolph in Cecil County.

12-8-09 Attended a Pension Sub-Committee decision meeting where they decided what bills would be submitted this session.

12-9-09 Attended Senator Jones reception in Baltimore and Delegate James reception in Annapolis.

The next session begins on January 13, 2009.

Last but not least, I would like to thank everyone who supported this year's golf tournament for the Foundation. After all is said and done, it looks like we will clear a little over \$2,000.

Kirk Daugherty questioned Bernie concerning the Pension Sub-Committee's discussion surrounding the 2010 negative COLA issue. Bernie noted that he attended the meeting for this issue but they tabled any discussion until session begins and they have a clearer view of the numbers involved.

Legal Advisory - G. Tracey - Mr. Nichols is here representing the Warnken Firm and would like to address two issues which have come up in recent months.

Mr. Nichols noted that the accuracy of form 31's has become an issue recently. The longstanding practice of "informal comp time" seems to be the problem. Troopers are working past shift, not claiming the overtime due to the overtime restrictions, and then taking the time later informally. Doing so makes the troopers form 31 inaccurate and subject to disciplinary action. The administration has taken a very hardline approach to these cases and troopers should be aware of the potential consequences.

The other issue involves the investigation of the above case in that the department is pulling cell phone records of agency issued cell phones to determine the locations of the troopers at any given time based on cell phone pings. There was recently a ruling in the ninth circuit concerning this issue. The California officer involved asserted that he had an expectation of privacy when texting on the telephone and the court ruled in his favor. This may or may not be overturned in the future. Troopers should be aware.

Minority Affairs - Ron Ruff - On November 23, 2009, the President of the Coalition had a meeting with the Legislative Black Caucus concerning the consistency of disciplinary action and penalties. There have been a number of administrative cases involving minorities where the incidents and penalties are inconsistent with other cases. I will keep you abreast of any developments.

Scholarship: Brian Kloos - Nothing to Report

Retirees: Dave Cameron - I attended the MSPAA luncheon in Waldorf on November 14, 2009. Mo Krome addressed the group about the impact of negative COLA in 2010. This issue has not been resolved.

SLEOLA - B. Gill - SLEOLA bargaining has begun. Initial indications are that there will be no additional pay cuts but they may extend the current 2% cut through the next fiscal

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year.

Issues concerning sick leave occurrences have arisen surrounding doctors appointments and notes being provided. Jimmy will discuss this at the next LMC meeting.

The next election for SLEOLA will be in July, 2010. Jimmy Dulay has indicated that he will not be running again. Under current guidelines, there are very few individuals eligible to run for office in SLEOLA. You need to attend two meetings to be eligible. We need participation at SLEOLA meetings by MSP personnel if the MSP is going to continue to have any influence in the organization going forward.

Jimmy Dulay has also contacted me concerning new rumors of the MTA attempting to take over bargaining for MSP. Jimmy wanted to remind the MTA that they can be removed from the Board for attempting to undermine SLEOLA.

Bob Devers noted that the MTA is not attempting to take over or undermine SLEOLA. C. Horner, president of the Tri-County Lodge, noted that members of his lodge asked him to address the Executive Board concerning possibly creating a separate bargaining unit for MSP.

Kirk Daugherty noted that the MTA cannot be the bargaining unit for MSP. By nature of our very make-up of active and retired, we are not eligible to be a bargaining unit.

Following the discussion, the Executive Board's position concerning this issue is that SLEOLA is the bargaining unit for Maryland Troopers. It is incumbent upon the active members of the MSP covered by SLEOLA to assume an active role in the organization and to move that organization forward with a strong MSP presence.

LODGE REPORTS

Tri-County: C. Horner - The issue I was to bring to the Board has been discussed and resolved under SLEOLA.

Lodge 1: D. Cameron - Nothing to Report.

Lodge 13: - D. Morris - Nothing to Report

Lodge 14: R. Ruff - Just wanted to send out get well wishes to Retired Sgt. Terry Roberson.

I would also like to address the posting of a news article at the barrack following the recent court conviction of a former trooper at the Forestville Barrack. I do not think it is appropriate for the agency to gloat by prominently posting this information at the Barrack.

Lodge 15: A. Michael - We wanted to wish Kevin Desmond much success in his retirement from the Maryland State Police. I attended his dinner which was very nice.

Al also indicated that he still has all the original paperwork from the law firm concerning state bargaining units. He will provide a copy to Tri-County Lodge if they would like one.

Lodge 17: B. Gill - We are winding down our annual gun raffle. I have tickets for anyone who would like to purchase them. We have 31 different guns and the raffle will be based on the daily lottery drawing.

Lodge 19: - S. Murphy - Nothing to Report

Lodge 20: M. Smith for E. Bredenburg - MTA Lodge 20 will hold it's Christmas for Kids shopping and party this coming weekend.

Lodge 40: O. Artfitch - Nothing to Report

Lodge 51: P. Grotte - Lodge 51 will be sponsoring the Frederick Barrack Christmas Party at the Cozy Restaurant this Thursday.

Lodge 76: J. McLeary - FOP and MTA Lodge 76 held their annual Christmas Party for family members last week.

Lodge 88: B. Kloos - Nothing to Report

Lodge 96: C. Creswell - Nothing to Report

OLD BUSINESS

NEW BUSINESS

Bob Devers noted that under revised IRS regulations, Board Members of Non-Profit and Charitable Organizations are required to review the 990. Attached is a copy of the Maryland Troopers Association 2008 990 IRS Filing with the Internal Revenue Service and a guide to assist you in

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your review. Before the next Executive Board meeting, please examine the document and if you have any questions, please feel free to call me.

GOOD OF THE ASSOCIATION

Ron Ruff announced that member Darrel Morgan is running for Sheriff in Prince Georges County.

Brian Gill announced that December 22, 2009 is the next scheduled SLEOLA meeting in Annapolis.

On behalf of the Executive Board, President Daugherty wished all of our members a very Happy Holiday Season and Healthy and Safe New Year.

At 7:00 P.M. a motion to adjourn was made by Lodge 96, seconded by Lodge 14 and passed. The next scheduled meeting will be held on January 19, 2010 @ 1800 hours at the MTA Office in Pikesville, Maryland.

Chesapeake Investment Advisors

Martin Knight

If you have questions concerning the DROP (or any other investment issues), give Marty a call (410-810-0735). The best time to do the research is before your exit-date so very little time is lost reinvesting your assets. Marty can help your transition from active State Trooper to retired investor. And rest assured, he will always put your financial interests first.

Martin Knight

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Bethany Beach Condo's "The Quiet Family Resort"

4 Bedroom Condo – 1950 square ft. w/4 Full Bathrooms - Fully equipped Kitchen - Sleeps 10 comfortably (king, queen, queen sleeper sofa, 4 twin beds) one car garage - custom decorated third floor unit that overlooks the Bay and golf course.



****New Cleaning arrangement for In Season renters "as requested"....I have coordinated with a professional cleaning company to take the hassle out of that last day of cleaning. The cleaning fee has been added to the June 28- Aug 30 week's rent. For other dates: You have the option of notifying me if you want the cleaner (extra \$125.00) or as before, you may complete this cleaning detail.**

2009 Price: 4BR:

*May 22 - June 28th \$125/night with 2 night minimum

**June 28 – Aug 30 In-Season week - \$1,425.00
(Includes rent + cleaning)

*Aug. 30 – Oct. 4 \$125/night with 2 night minimum

*Other dates are considered "Off season" 4Br - \$80/night

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with 2 night minimum

*Renters must clean condo before departing or contact me for the cleaner.

2 Bedroom Condo – 1250 square ft. w/2 Full Bedrooms on first floor – Fully equipped Kitchen, Sleeps 6 comfortably w/queen size bed and two sets of bunk beds

**New Cleaning arrangement for In Season renters as requested....I have coordinated with a professional cleaning company to take the hassle out of that last day of cleaning. The cleaning fee has been added to the June 28-Aug. 30 week's rent. For other dates: You have the option of notifying me you if want the cleaner (extra \$75.00) or as before, you may perform this cleaning detail.

2009 Price: 2BR

*May 22 - June 28th \$75/night with 2 night minimum

**June 28 - Aug. 30 In-Season week - \$800/week

(Includes rent + cleaning)

*Aug. 30 – Oct. 4 \$60/night with 2 night minimum

*Other dates are considered "Off Season" 2BR - \$55/night with 2 night minimum.

*Renters must clean condo before departing for next family or contact me for the cleaner.

Reservations or questions? Contact F/Sgt. Chris Sasse at the Frederick Bk. 301-600-4164 or csasse@mdsp.org

New in 2009: Pool Hours 9am to 9pm – Pool Open 2 weeks past Labor Day - New workout room equipment - hot tub, tennis & basketball courts, horseshoe pit, 9 hole golf course, boat ramp and available boat storage w/pier access to Indian River, Bay & Atlantic Ocean. New "Giant Food" & "Food Lion" within 1 mile. Improved "Recycling area" moved to road adjacent to main entrance. Check out www.bethany-bay.com

Vacation Home for Rent - Nags Head

This beautiful 5 bedroom home is located in the upscale Old Nags Head Place development. Beach, fishing pier are just steps from the beach house. Also Jockey's Ridge State Park is conveniently located across the street. Enjoy the relaxing atmosphere and everything else the Outer Banks has to offer. Enjoy quiet streets for strolling or biking; a community walkway leads the way to the beach. OBIE'S offers everything you need to make your stay in the Outer Banks memorable. After spending your days on the beach, relax by the large private pool, or you can relax on one of several decks or in the screened porch. For the more adventurous, a short walk takes you to Jockey's Ridge for a spectacular view of the sunset. On cooler evenings, you can gaze at the stars while you enjoy the hot tub. The first floor game room includes a pool table, wet bar, stereo, TV/ VCR/DVD. This home has everything you need for a lively evening with friends and activities to keep the kids entertained. Also, a gas fireplace is available. For those who must "stay connected," will enjoy the high speed internet access! I am offering a 10% discount for all Troopers and family members. Members can call the management company direct and get the discount. Internet site for description is www.obies1.com / Any questions can be directed to me at jeff.wobbleton@dc.gov or jwobbleton4613@comcast.net

MTA Store Closing for Inventory

December 31, 2009 to January 12, 2010