



*Queen
Anne's
County*

QUEEN ANNE'S COUNTY ETHICS COMMISSION

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Advisory Opinion from December 15, 2008

The Commission considered the facts that were provided regarding payment to a member of the County Housing Authority Board of Commissioners for consulting work for the Housing Authority and whether there was a potential conflict of interest in these circumstances under the County Public Ethics Laws.

The Commission determined that there would be an actual violation of the County Public Ethics Law, specifically §8-11.A(2) (a), in this board member "being employed by...an entity that is subject to the authority of that official or employee or of the governmental unit with which the official or employee is affiliated. Similarly, these facts present an actual conflict of interest under §8-11.A(2)(b), in that the individual would be "doing business . . . with the governmental unit with which the official . . . is affiliated."

The Commission further determined that there would be an appearance of a conflict of interest under §8-11.A(7), in that an informed person could reasonably infer that the Chairman of the Housing Authority Commission Board would be "using the prestige of [his] office, or confidential information acquired in [his] official county position" to obtain the contract for paid consulting services to the Board.

The request further implies a question whether there might be an exemption that could be applied by the Ethics Commission to allow such an arrangement. The Commission reviewed the factors in §8-15 and determined that the three statutory conditions for granting an exemption do not apply under these circumstances.

Advisory Opinion 08-30