



QUEEN ANNE'S COUNTY  
ETHICS COMMISSION

2019

Annual Report

# Queen Anne's County Ethics Commission

## 2019 Annual Report

### **Introduction**

The Maryland General Assembly enacted the State Ethics Law in 1979. The purpose of the law is to protect the public's confidence and trust in government by assuring the impartiality and independent judgment of State Officials and employees. The Maryland Public Ethics Law requires local jurisdictions to enact provisions that are similar to the State Public Ethics Law. The Queen Anne's County Commissioners have complied with this requirement through the passage of and amendments to the Queen Anne's County Public Ethics Law.

The Queen Anne's County Ethics Commission administers the County's Public Ethics Law (Chapter 8 of the Queen Anne's County Code) by encouraging and enforcing compliance with its requirements. The Commission does so by various educational and informational outreach efforts, issuance of Advisory Opinions, consideration and resolution of Complaints, ensuring compliance with public financial disclosure requirements of various County officials and employees, and overseeing lobbyist registration and annual reporting requirements – all more specifically described below.

The Ethics Commission consists of five members and one alternate. Commission members serve a five-year term, and the terms are staggered. In this way it is possible to acquire new ideas and perspectives without sacrificing continuity and experience. During the year 2019, the Commission included Stan Ruddle, elected chair for the calendar year by a vote of the Commission, Merle Rockwell, Kaarin Salisbury, Valerie Hirsch, Patricia Jamison Ph.D., Jerry Jordan. Ms Rockwell resigned in January to relocate. Upon Ms. Rockwell's resignation, Jerry Jordan became a regular member and Gail Malle-Davis was appointed as an alternate member.

The Commission schedules meetings once a month, usually on the third Monday of each month, in the County Commissioners' Hearing Room in the Liberty Building in Centreville. Members of the public are welcome to attend the open sessions of each meeting.

Members of the public are welcome to attend the open sessions of each meeting. During the open portion of the meeting the Commission discusses the status of financial disclosure reports, ethics training, requests for Advisory Opinions and other issues, and hears comments from the public. If necessary, in accordance with the Maryland Open Meetings Act, the Commission also meets in a closed or executive session to conduct confidential business which may include discussion of requests for advisory opinions, complaints, the progress of any investigations and to consult counsel. Hearings on complaints of ethics violations are also handled during closed sessions. All final actions of the Commission are taken in the open portion of the meetings as required by Section 8-8D of the Queen Anne's County Code.

If there is no formal business to attend the commission may choose to not meet in a particular month. In 2019, the Commission met on the following dates: January 28, February 25, March 18, April 15, May 20, August 19 and November 18.

The Commission is staffed by a part time clerk, Tina Miles, and is advised by an attorney, Lynn Knight, who is appointed by the Commission with approval of the County Commissioners. Both Tina Miles and Lynn Knight respond to informal questions and inquiries to the Ethics Commission.

### **Maryland Public Ethics Law – Conflicts of Interest Training Education and Outreach**

The Ethics Committee members are available to offer an overview of the purpose and concept of the Queen Anne’s County Ethics Ordinance in order to prepare the new employees to recognize potential ethics issues, both on the job and off in some circumstances – primarily related to potential conflicts of interest with their county employment.

#### **Advisory Opinions:**

Advisory Opinions are initiated either upon request or by the Commission itself as a result of issues raised during its regular meetings. Each opinion, redacted as necessary to preserve confidentiality, is announced during the public portion of the meeting and becomes available to the public in written form after notification of the individual requesting the opinion. Unlike a Complaint, Advisory Opinions are as the name states, advisory in nature, and an opinion on the ethics matter rendered by the Commission. Advisory Opinions are based solely on the facts presented by the individual(s) or party requesting the opinion. The Commission does not conduct any investigation of the facts (although it may, on occasion, ask for clarification), and the opinions are not binding.

In 2019, the Commission issued three official Advisory Opinions:

February 2019 from a County Commissioner requesting an opinion if contracting with a vendor was a conflict of his duties as a commissioner. The Ethics Commission suggested that there would be a conflict and recommended recusal from discussion and voting as a commissioner. The participation could be perceived as use of office for personal benefit.

May 2019 another request was made by a County Commissioner appointed representative to the County Council for Children and Youth. This is a voluntary unpaid position. Consideration was that on the face it did not constitute a violation of §8-11. There may be circumstances that involve future financial matters that would require him/her to recuse themselves from involvement as a member of the Council.

November 2019, the Ethics Commission considered a County Employee whose spouse would violate the employee’s obligations under the law if the spouse provided services to an agency member who receives grants or loans. The opinion of the Commission is that under §8-11 (A) (2) if the employee was personally involved or had knowledge of the transaction that the possible future decision may constitute a violation. The Advisory Opinion suggested recusal and non-participation in these financial decisions on the part of the County employee.

**Complaints:**

No complaint was filed with the Commission in 2019.

The Ethics Commission accepts Complaints when legally sufficient. The Complaint procedure is specified in §8-10(G). The Complaint may be made by any individual or by a majority of the Ethics Commission. An investigation into the allegations may proceed and a hearing conducted with protections afforded to the Complainant. The Ethics Commission will issue an opinion finding as a matter of law.

**Financial Disclosures:**

The Queen Anne's County Public Ethics Law, Chapter §8-13, requires that elected County officials, certain employees, members of decision making authority boards or commissions, and various other individuals disclose their financial affairs annually, as well as upon employment/appointment and upon leaving office, as a tool to guard against conflicts of interest and to assure the public that Queen Anne's County business is being properly conducted.

In 2019, the Commission received and reviewed 231 financial disclosure statements. The Ethics Commission enjoyed 100% employee participation with the disclosure requirement, due to the efforts of Ethics Commission Clerk, Tina Miles.

**Lobbying Disclosure:**

In 2019 the Commission registered seven (7) lobbyists between January 1<sup>st</sup> and December 31<sup>st</sup> 2019.

Lobbying disclosure under the Public Ethics Law has two aspects. First, lobbyists are required to file a registration statement within five days of first acting as a lobbyist, and yearly thereafter. Second, any lobbyist who expends funds or receives compensation to influence County Government action, or who gives gifts (other than minimal value) to influence County government action, is required to file a detailed year-end disclosure report. These reports are public records available for inspecting and copying.

**Conclusion:**

In 2019, the Queen Anne's Ethics Commission continued to serve the citizens of Queen Anne's County by fulfilling its obligations under the Ethics Code of Queen Anne's County.

The Commission ensured that all new County Employees were educated on the Ethics Code, and was available to address any concerns through issuing Advisory Opinions and addressing registered Complaints. The Commission assured that all lobbyists complied with the required disclosure necessary according to the Code of Queen Anne's County.

The Ethics Commission has, and will, continue to monitor the Maryland State Ethics Commission, ensuring that Queen Anne's County remains current with any changes to the Maryland State Ethics

Code.

Respectfully Submitted,

Queen Anne's County Ethics Commission

Stan Ruddle, Chairman

Valerie G. Smith Hirsch

Kaarin Salisbury

Jerry Jordan

Patricia Jamison, Ph.D.

Will Mulock, Alternative Member