

QUEEN ANNE'S COUNTY ETHICS COMMISSION



*Queen
Anne's
County*

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Advisory Opinion on May 17, 2010

The Commission considered the facts that were provided regarding a request for an advisory opinion as to whether there would be a conflict of interest for a member of the Planning Commission to sit and vote on any matter on which a "developer" might appear relating to land owned by him. The context of the potential conflict of interest is that the Planning Commission member is the brother of the developer's grandmother.

The Commission determined that the only subsection of Section 8-11, Conflicts of Interest, that might be implicated is subsection (7), which precludes using the prestige of a county position or confidential information gained through a county position for personal gain or gain of another. The question is whether there would be an appearance of such a conflict under these circumstances. The Commission concluded that, on the facts presented -- without additional facts that would demonstrate the family dynamics or the factual context of a particular situation -- the relationship was so remote that an informed member of the public could not reasonably believe that the Planning Commission member, if sitting on a matter involving the developer's land, would be using the prestige of his position on the Planning Commission or information gathered in that position for the personal gain of the developer.

Advisory Opinion 10-07