

QUEEN ANNE'S COUNTY ETHICS COMMISSION



2020
Annual Report

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Introduction

The Maryland General Assembly enacted a State Ethics Law in 1979, the purpose of which was to protect the public's confidence and trust in government by ensuring the impartiality and independent judgment of State officials and employees. This law required local jurisdictions to enact provisions that were at least equal to the State Public Ethics Law. Queen Anne's County has complied with this requirement through the passage of, and amendments to, the County Public Ethics Law (Chapter 8 of the Queen Anne's County Code).

On February 23, 1982, the Queen Anne's County Commissioners unanimously adopted an ordinance creating a County Ethics Commission to administer the Ethics Law and to encourage and enforce compliance with its requirements. The Commission does this by issuing **advisory opinions**, hearing and deciding **complaints**, ensuring County officials and employees comply with public **financial disclosure** requirements, overseeing the registration of **lobbyists** and their annual reporting requirements, and providing **educational and informational outreach**. These responsibilities are described in detail below.

This report summarizes the major activities of the Commission during the calendar year 2020.

The Ethics Commission

The Queen Anne's County Ethics Commission consists of five members and one alternate, each serving a five-year term. Terms are staggered to ensure the inflow of new ideas and perspectives while retaining continuity and experience. During 2020, the Commission included Stan Ruddle (elected by the Commission to be its Chairman for the calendar year), Valerie Hirsch, Patricia Jamison, Jerry Jordan and Kaarin Salisbury. Will Mulock joined the Commission in May, and Matt Baxter was appointed in November. Chairman Ruddle departed at the end of December when his term expired.

The Commission is staffed by a part-time clerk, Tina Miles, and is advised by an attorney who is appointed by the Commission with approval of the County Commissioners. The Commission's attorney at the beginning of the year, C. Lynn Knight, Esq., resigned in January to accept an appointment as Associate Judge of the Circuit Court for Queen Anne's County. Crystal S. Richard, Esq., became the Commission's attorney in April. Both the clerk and the attorney respond to informal questions to the Ethics Commission.

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 session of each meeting. During the open meeting the Commission discusses the status of financial disclosure reports, requests for advisory opinions, ethics training and other issues, and hears comments from the public.

When necessary, in accordance with the Maryland Open Meetings Act, the Commission meets in a closed or executive session to consult with counsel or to conduct confidential business, which may include

discussion of requests for advisory opinions, complaints, and the progress of any investigations. Hearings on complaints of ethics violations are also handled in a closed session. All final actions of the Commission are taken in open session as required by §8-8(D) of the Queen Anne's County Code.

The Commission may choose not to meet in a particular month when there is no formal business. Should there be a time-sensitive matter to discuss, the Commission may meet at a previously unscheduled time, as long as appropriate notice is given to allow the public to participate. In 2020, despite the challenges presented by the coronavirus pandemic, the Ethics Commission met on January 27, February 6, February 24, April 30 (remotely), May 18 (remotely), and September 21 (remotely).

The Commission regularly monitors developments to ensure that our County remains current with any changes to the Maryland State Ethics Code.

Advisory Opinions

Advisory opinions are initiated 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. An advisory opinion, as the name states, is advisory in nature and represents the Commission's interpretation of Ethics Law as it relates to the matter raised. Advisory opinions are based solely on the facts presented by the requesting individual(s); the Commission does not investigate the facts (although we may ask for clarification) and the opinions are not binding.

In 2020, the Commission issued one advisory opinion:

20-01 (February 2020). The County Administrator requested an opinion on whether a former political relationship between an elected official and a private citizen would affect that official's ability to vote on future matters regarding the citizen's business interests. The Ethics Commission determined that the former relationship in itself did not present a conflict of interest, but any future business between the two individuals would require the official to recuse himself from discussion and voting on the relevant issues.

Complaints

The Commission accepts complaints when legally sufficient according to the procedure specified in §8-10(G). A complaint may be made by any individual or by a majority of the Ethics Commission. After receiving a complaint, the Commission may conduct an investigation into the allegations and, if appropriate, proceed as follows: (1) dismiss the complaint; (2) give the parties an opportunity to cure the violation(s); or (3) hold a hearing on the complaint.

One complaint was filed with the Commission in 2020:

20-01 (May 2020). The Commission determined that this complaint made against a member of the Housing Authority of Queen Anne's County was legally insufficient under Queen Anne's County Public Ethics Law, as it failed to allege a violation of any of the provisions of the Ethics Law. As such, the alleged conduct was not under the jurisdiction of the Ethics Commission.

Financial Disclosures

Queen Anne’s County Public Ethics Law (§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. This serves as a tool to guard against conflicts of interest and to reassure the public that Queen Anne’s County business is being properly conducted.

In 2020, the Commission received and reviewed 231 financial disclosure statements—an impressive 100% employee participation, thanks to the efforts of Ethics Commission Clerk, Tina Miles.

Lobbying Disclosure

Lobbying disclosure under the Public Ethics Law (§8-14) 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, all lobbyists must file a year-end report with the Commission disclosing the value, date and nature of any food, entertainment or other gift provided to a County official or employee; the identification of the official or employee or their spouse or dependent children receiving gifts with an aggregate value of \$25 or more; the amount and source of all compensation paid to the lobbyist for, or in connection with, all lobbying activities; and a breakdown of expenditures on the activities described therein. These reports are public records available for inspecting and copying.

The Commission registered nine lobbyists in 2020, eight of whom submitted annual reports.

Educational and Informational Outreach

Ethics Commission members and staff are available to offer an overview of the purpose and concept of the Queen Anne’s County Ethics Ordinance. Our focus is to ensure that County officials and employees recognize potential issues, both on and off the job, that could be, or could appear to be, conflicts of interest related to their business or employment with the County. This service is provided throughout the year and specifically to new hires at orientation.

In Conclusion

Ethics in government should not be an oxymoron. Queen Anne’s County’s Public Ethics Law exists to assure the residents of this County that they are being served by impartial public officials and employees who are free of improper influence and held to expected standards of ethical conduct. As your County Ethics Commission, we invite you to hold us accountable for ensuring this law is applied equitably and universally.

Respectfully submitted,

Queen Anne’s County Ethics Commission

Kaarin Salisbury, Chair

Valerie G.S. Hirsch

Patricia Jamison

Jerry Jordan

Will Mulock

Matt Baxter, Alternate Member