

**ST. MARY'S COUNTY ETHICS COMMISSION  
2008 ANNUAL REPORT**

***INTRODUCTION***

The St. Mary's County Ethics Commission was established on June 29, 1982 and is mandated under Article 40A of the Annotated code of Maryland. The commission is bound by St. Mary's County Public Ethics Ordinance 2006-10 and further operates under Ethics Commission Rules of Procedure. These documents are available for public review on the county's Ethics Commission website.

The Ethics Commission manages the financial disclosure process, hears and renders decisions on complaints involving violations of the Ethics Ordinance, provides Advisory Opinions on the Ethics Ordinance, and offers education on the requirements and application of the Ethics Ordinance.

***MEMBERS***

The Ethics Commission is a volunteer commission composed of five regular voting members and one alternate member who does not vote unless a regular member is not present. The members with their position and expiration date for calendar year 2008 were:

<b><u>Member</u></b>	<b><u>Position</u></b>	<b><u>Appointment Date</u></b>	<b><u>Expiration Date</u></b>
Joseph B. Bush	Chair	07/13/2004 (2 <sup>nd</sup> term)	06/30/2010
Robert W. Denning	Vice Chair	06/30/2007	06/30/2011
Warren Kunz	Member	06/30/2005	06/30/2008
George E. Baroniak	Member	02/18/2003 (2 <sup>nd</sup> term)	06/30/2009
Arthur F. Goeller	Member	07/13/2004 (2 <sup>nd</sup> term)	06/30/2010
Terri L. Holder	Member	01/15/2007	06/30/2009
Robert Elwood	Member	06/30/2008	06/30/2011
Elizabeth Long	Alternate	12/15/2008	06/30/2011

***MEETINGS***

The St. Mary's County Ethics Commission has regularly scheduled meetings on the first and third Monday of each month. During calendar year 2008, the Ethics Commission met a total of 23 times for a total of 11 hours and 49 minutes. One regularly scheduled meeting was not held due to lack of a quorum.

The minutes from these meetings are available for public review and are available on the commission's website.

***ELECTIONS***

Elections for the Chair and Vice-Chair positions are held each July. Mr. Joseph Bush was unanimously elected as the Chairman on July 21, 2008. Mr. Bush succeeded Mr. George Baroniak as Chairman. Mr. Robert Denning was selected as the Vice-Chair with a 5 – 0 vote by the membership. Mr. Denning succeeded Mr. Bush as the Vice-Chair.

## ***FINANCIAL DISCLOSURE STATEMENTS***

The establishment of the St. Mary's County Ethics Commission declares that certain public officials, employees, and non-compensated volunteers in county service are required to file financial disclosure statements. The disclosure statement is used to identify and declare potential conflicts of interest before they become issues and is needed to preserve public confidence in the integrity of county employees.

The Ethics Commission annually receives between 200 and 250 financial disclosure statements. The commission is charged with the responsibility of reviewing each statement received for completeness, as well as for potential conflict of interest issues. In accordance with Ethics Ordinance 2006-10, the financial disclosure statements are available for public inspection. The law requires the commission to notify any member whose financial disclosure statement is examined, providing the name and address of the person who requested the document. In 2008, there was one request to examine one statement for calendar year 2007.

During calendar year 2008, 249 Financial Disclosure Statements for calendar year 2007 were reviewed by the Ethics Commission. At the close of the year, four statements were still outstanding. Two individuals had resigned and were no longer available to file. The two remaining FDSs are being actively pursued

## ***COMPLAINTS AND ADVISORY OPINIONS***

Advisory Opinions are issued as a result of an official written inquiry. The advisory contains the original inquiry, the Ethics Ordinance section that covers the inquiry, the decision of the board, and any other information concerning the decision making process.

In 2008, the Ethics Commission issued five written Advisory Opinions. The opinions are summarized below:

### **2008-01 § 5 Conflicts of Interest: (D) Solicitation or Acceptance of Gifts**

An employee of the Public Safety Office asks to solicit funds from local businesses for the purchase of emergency preparedness kits to be given away as prizes during Emergency Preparedness Week. The Ethics Commission advises that solicitation of monetary donations from local vendors by a County entity would be improper.

### **2008-02 § 5 Conflicts of Interest: (E) General Restrictions**

An employee of a County facility claimed wrongful termination. The Ethics Commission finds no conflict in the termination as covered by the Ethics Ordinance.

### **2008-03 § 5 Conflicts of Interest: (E) General Restrictions**

An employee of the County asked for guidance concerning a possible conflict between their employment and appointment to the Alcohol Beverage Board. The Ethics Commission finds no conflict of interest exists.

### **2008-04 § 5 Conflicts of Interest: (A) Participation Prohibitions**

Deputy County Attorney asked for guidance on requirements for filing Financial Disclosure Statements for the Compensation Review Commission. The Ethics Commission advises that members should file Financial Disclosure Statements.

**2008-05 § 5 Conflicts of Interest: (C) Outside Employment Restrictions**

Advisory Opinion requested concerning an employee of the Public School who also has contracts with the school system to provide bus services. The Ethics Commission advises that the individual has no apparent conflict of interest; however, the employee may not hold a supervisory position over bus contracting or budgets. Additionally, the employee should file a Financial Disclosure Statement to ensure no conflict exists.

***EDUCATION AND TRAINING***

The Ethics Commission is charged with conducting information and education programs regarding the purpose and implementation of the Ethics Ordinance.

On June 27, St. Mary's County hosted the first Regional Ethics Training Conference for Southern Maryland. Calvert, Charles, and Anne Arundel Counties participated in a round-table discussion on a variety of ethics issues and recent changes to Ethics Law. Maryland State Ethics Commission members also attended and provided an informative briefing on new Lobbyist Law. The conference was a huge success and was followed up by a second conference in November which was hosted by Anne Arundel County Ethics Commission. Future regional conferences are now planned quarterly.

***MEMBERSHIP CHANGES***

The Commission welcomed two new members during 2008; Mr. Bob Elwood and Ms. Elizabeth Long. Both Bob and Elizabeth are valued members and have added a great deal of experience and knowledge to the Commission.

Ms. Terri Holder reluctantly left the Ethics Commission after relocating to Calvert County. Terri's tenure on the Commission was short but very memorable and she will be missed. We wish her the very best in her new home and County.

It is with great sadness that the Ethics Commission reports the loss of Mr. Warren Kunz who passed away in March 2008. Warren was a respected member of the commission for three years and was truly an extraordinary man and dear friend. He will be greatly missed by all that knew him.

***CONCLUSION***

The St. Mary's County Ethics Commission is dedicated to serving the citizens of the county with the utmost integrity and conviction. The commission strives to respond to citizen request and complaints in a timely and professional manner and all members look forward to serving the public during the 2009 session.

Questions or comments about this report are welcome and may be sent to the Ethics Commission via the Public Information Office or through submission on the County website.

