

ST. MARY'S COUNTY ETHICS COMMISSION

MINUTES OF February 2, 2004

Rm. 14, St. Mary's County Governmental Center

Present: **David Deaderick, Vice Chair**
 Viola Gardner, Member
 Zora Siemasko, Member
 Shirley Baldwin, Executive Secretary

Absent: **M. Martha Neal, Ph.D., Chair**
 George Baroniak, Member

CALL TO ORDER:

The meeting was called to order by Mr. Deaderick at 2:00 p.m.

ANNOUNCEMENTS:

Mr. Deaderick announced the receipt of a letter from Mr. John M. Dixon thanking the Ethics Commission for the plaque and providing us with his new address in Florida.

REVIEW/APPROVE MINUTES

Minutes of January 5, 2004 The motion was made by Ms. Siemasko to approve the minutes as written, seconded by Ms. Gardner. The motion carried.

FINANCIAL DISCLOSURE STATEMENTS

- Status 2002 Outstanding. No change in the status of 2002.
- Review Session. Five financial disclosure statements for 2003 were reviewed and five were approved.

UNFINISHED BUSINESS

- Advisory Opinions Completed. The three Advisory Opinions discussed at the last meeting were completed and posted on the Ethics Commission website. The Opinions were signed by three of the five Ethics Committee members, as one member recused herself and another member was not present at the meeting.

NEW BUSINESS

- Letter from Mr. Fitzgerald Mr. Deaderick read a letter sent to Ms. Gardner from William J. Fitzgerald, Sr., in response to phone conversation initiated by Ms. Gardner. The letter informed the Ethics Commission that he felt since the Economic Development Commission had been disbanded, he did not feel it his duty to file a financial disclosure statement (FDS). He also said he had not participated in any meetings in 2002.
- Letter from David S. Johnston. A letter was sent to Shirley Baldwin in response to mailing the 2003 FDS. Mr. Johnston indicated he is no longer active in the natural gas industry and would not be likely to be able to make a meaningful contribution to the St. Mary's County Plumbing Board. He asked that this letter be considered as his notice of resignation from the Board, effective immediately. The Ethics Commission's response

will be that since he was active in 2003 he will be required to file an FDS for 2003 and that we will forward his letter to the Plumbing Board for its consideration of the resignation.

- Former Employees Required to File FDS. With regard to those employees who left County Government and have not filed their FDS for 2003, it was decided to request their addresses from Human Resources and send them a generic letter requesting them to file and explaining that issues that they participated in could come up in the future for review or complaint.
- Memo from County Attorney re Resoluton and Bylaws Establishing the St. Mary's County Transportation Task Force. The County Commissioners adopted a Resolution and Bylaws to establish the Transportation Task Force. The County Attorney is requesting that the Ethics commission review and determine whether the membership criteria, that is, persons that actively engage in business activities that are affected by the subject matter to be considered by this Task Force would present a conflict of interest.

After discussion, Ms. Siemasko made the motion that we respond to Mr. Norris that the membership as stated in Article III, paragraph 2, does not present a conflict of interest, reference Ethics Ordinance 5-A.1 and Advisory Opinion 2004-03. The motion was seconded by Ms. Gardner. The motion carried. A letter to Mr. Norris advising him of our findings will be prepared by Mr. Deaderick.

- E-Mail from Walter Burch regarding Development Review Forum. An e-mail from Mr. Burch to Mr. Deaderick and attachments (DRF Meeting Minutes Excerpts for 2003 and Development Review Forum Bylaws) were distributed. Mr. Deaderick requested the Committee members review these and come back to the next meeting prepared to respond.
- Complaint 2004-01. Ms. Siemasko made the motion, seconded by Ms. Gardner, to move to Executive Session to discuss this. The Commission moved to executive session at 2:50 p.m. and returned to regular session at 3:00 p.m.

ADJOURNMENT

Ms. Gardner made the motion to adjourn, seconded by Ms. Siemasko. Meeting adjourned at 3:02 p.m.