

ST. MARY'S COUNTY ETHICS COMMISSION

MINUTES OF MARCH 17, 2003

Second Floor Conference Room, Governmental Center

Present: Dr. M. Martha Neal, Chair
John J. Roberts, Vice Chair
George Baroniak, Member
David Deaderick, Member
Zora Siemasko, Member
Shirley Baldwin, Executive Secretary

CALL TO ORDER:

The meeting was called to order by Dr. Neal at 2:01 p.m.

ANNOUNCEMENTS:

Mr. Baroniak was formally welcomed as a member of the St. Mary's County Ethics Commission.

Mr. Roberts announced he is scheduled to be away April 20 – May 11, 2003. Mr. Deaderick will also be away in April; however, he will be available for all meetings.

REVIEW/APPROVE MINUTES

Regular Minutes of January 27, 2003. Mr. Roberts made the motion to approve the minutes as submitted, seconded by Mr. Deaderick. Motion carried

Executive Minutes of January 27, 2003. Mr. Deaderick made the motion to approve as submitted, seconded by Mr. Roberts. Motion carried.

Dr. Neal requested a motion to go out of order on the Agenda in order to consider Complaint #02-03 and give it the consideration that it deserves and then return to normal business. Mr. Deaderick so moved and Ms. Siemasko seconded. Motion carried.

PUD Zoning Ms. Springrose, Assistant County Attorney, was present and she addressed some questions regarding PUD zoning.

The Committee moved to **Executive Session** at 2:20 p.m. and resumed regular meeting at 3:45 p.m.

FINANCIAL DISCLOSURE STATEMENTS

Because of the large number of items on today's agenda, it was moved by Ms. Siemasko to table this item until the next meeting. This was seconded by Mr. Baroniak. Motion carried.

UNFINISHED BUSINESS

- **Advisory Opinions on Web Page**

Dr. Neal announced that we would soon have Advisory Opinions on web page. Shirley Baldwin is scanning the ones that have been issued and are not in electronic format. The Advisory Opinion Index has been sent to the Web Master. When finalized, you will be able to click on Index and find the Advisory Opinion

- **Education Program**

- **Board of Education:** The previous presentation was cancelled. It has been re-scheduled for Wed., March 19, 1:30 p.m. Mr. Roberts will be doing the presentation.
- **Publicity:** The PIO Office has placed articles in the newspaper offering to do a presentation. No calls received.

NEW BUSINESS

- **Resolution Establishing Economic Development Council to replace the Economic Development Commission**

Memorandum received from County Attorney that the St. Mary's County Department of Economic Development submitted for review by County Attorney's office revision to the previous draft Resolution to establish the Economic Development Council to replace the Economic Development Commission. Mr. Roberts made the motion that we advise Mr. Norris that pursuant to his request of Feb. 21, 2003 regarding the Resolution Establishing Economic Development Council to replace the Economic Development Commission, it is the Ethics Commission's position that members of the Economic Development Council be required to file Financial Disclosure Statements. Motion seconded by Ms. Siemasko and motion carried.

- **Resolution to Establish Adequate Public Facilities Taskforce and Request for Exemption from Ethics Ordinance Relating to Conflicts of Interest**

Memorandum from Assistant County Attorney enclosing Draft Resolution for the purpose of establishing the St. Mary's County Adequate Public Facilities Taskforce and requesting the Ethics Commission grant an exemption from the applicable requirements of the Ethics Ordinance concerning conflicts of interest for members of the Taskforce. Ms. Springrose was invited to attend the meeting to further discuss the memo.

Dr. Neal offered for the Ethics Commission to do an education presentation to this group at its first meeting. She feels there is a misconception about when you should recuse yourself. The Ethics Ordinance specifically precludes our granting an exemption to the Adequate Public Facilities Taskforce.

The motion was made by Mr. Roberts that the Ethics Commission respond in the negative because the Taskforce doesn't meet the Ethics Ordinance's three criteria for exemption 1) Constitute an unreasonable invasion of privacy; and 2) Significantly reduce the availability of qualified persons for public service and further; 3) Not be required to preserve the purpose of this Ordinance. The motion was seconded by Mr. Deaderick. Motion carried.

- **Public Information Request from Elizabeth Reeves**

Memo received from Ms. Springrose, regarding request for Financial Disclosure Statements for Ms. Shelby Guazzo from 1998 through 2002. Dr. Neal advised Ms. Springrose that we are only required to keep those on file for three years. We will be glad to provide those for the three years available.

- **BOCC letter regarding vote on sewer and water for Kings Christian Academy in Callaway**

Letter received from Board of County Commissioners advising us that the BOCC agenda for 3/24/03, includes an item for decision regarding a Comprehensive Water and Sewer Amendment request for the King's Academy property in the Callaway area of St. Mary's County following a previous public hearing. A response will be sent to the BOCC advising them that a decision has been rendered to dismiss the complaint and we see no conflict in any decision made by the BOCC.

PUBLIC COMMENT

None

ADJOURNMENT

The motion was made by Ms. Siemasko to adjourn, seconded by Mr Deaderick. Meeting adjourned at 5:06 p.m.