

ST. MARY'S COUNTY ETHICS COMMISSION

MINUTES OF NOVEMBER 17, 2003

Library, St. Mary's County Governmental Center

Present: Martha M. Neal, Ph.D., Chair
David Deaderick, Vice Chair
George Baroniak, Member
Viola Gardner, Member
Zora Siemasko, Member
Shirley Baldwin, Executive Secretary

Guests: John Norris, III, County Attorney
Heidi Dudderar, Assistant County Attorney

CALL TO ORDER:

The meeting was called to order by Dr. Neal at 2:00 p.m..

ANNOUNCEMENTS:

None.

REVIEW/APPROVE MINUTES

Minutes of November 3, 2003 Mr. Baroniak made the motion to approve the minutes as submitted, seconded by Ms.Siemasko Motion carried.

The Chair entertained a motion to go out of order on the agenda to permit the Committee to handle the items for which the County Attorney and the Assistant County Attorney were present. Motion made by Mr. Deaderick and seconded by Ms. Siemasko. Motion carried.

- Status 2002 Outstanding: Dr. Neal explained the procedures which the Ethics Commission uses to ensure that Committee and Board members fill out the Financial Disclosure Statements (FDS) in accordance with the Ethics Ordinance. At this time, we have only one person who continues to serve and has failed to file an FDS. We have taken the position that if a person is no longer serving, we would not pursue it. A letter was received from Mr. Forrest advising the BOCC believes it would not be in the best interest of the board or the citizens of St. Mary's County to take the actions against former board/commission members. Mr. Norris will obtain a copy of the letter. The question posed to Mr. Norris was whether the Ethics Commission had any legal liability in that it is not doing the job required of it. Mr. Norris responded that there is no exposure for the Ethics Commission. Mr. Norris will follow up to see if the person on the Plumbing Board is being treated as a regular member for purposes of a quorum.
- Verizon Wireless: In response to a memorandum received from Mr. Norris requesting an opinion from the Ethics Commission as to whether the State and County employee discount offered by Verizon wireless cellular phone service posed a conflict of interest,

Mr. Norris was invited to today's meeting to answer further questions. Dr. Neal pointed out that Verizon offered that same discount to all their corporate customers. The question posed was "what is the definition of the "pubic at large?" Mr. Norris explained that "Public-at-Large" is open to interpretation. It can be the entire population but is generally defined in specific circumstances. In this case to define "Public-at-Large" as members of Verizon Wireless' corporate customer companies with acceptable credit is a reasonable definition. Mr. Norris will obtain a copy of the State contract and forward it to the Ethics Commission to determine if the discount is offered with the contract as a standard practice or is a consideration of the contract.

The Committee returned to Regular Agenda

FINANCIAL DISCLOSURE STATEMENTS

- Status 2001 Outstanding. No change in the status of 2001.
- Status 2002 Outstanding. No change in the status of 2002.
- Review Session. Three financial disclosure statements were reviewed and two were approved.

UNFINISHED BUSINESS

- Education Program: It was noted that the article from the PIO office offering the Education Program has not been seen in the local newspaper recently. A check will be made to see if that is still being published. Dr. Neal will also check with the PIO Office to see if it is planning any more information sessions to which we could make a presentation.
- Recognition of Mr. Dixon Mr. Dixon was unable to attend the meeting where the plaque was to be presented. A personal note was sent to him inviting him to attend another meeting. No response has been received from him. Ms. Gardner volunteered to get his address in Florida and call Shirley Baldwin who will then mail it to him with a cover letter.

NEW BUSINESS

- County Ethics Ordinance Revisions: A list was distributed recently showing boards and committees that needed to be added to the Ethics Ordinance to file financial disclosure statements. The Revisions to the Ethics Ordinance will be put on the Agenda for the 2nd meeting in January.
- Update Financial Disclosure Statement for 2003. The following changes will be made to the 2002 statement. 1) change date from 2002 to 2003; 2) make reference to where the latest copy of Adobe can be found on the internet for downloading; 3) eliminate Property 4 on Schedule A to allow the other three columns to be larger; and 4) on Schedule F place a separate box to request an Advisory Opinion so that it stands out more.

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Siemasko made the motion to adjourn at 3:13 p.m., seconded by Mr. Baroniak.
Motion carried.