

ST. MARY'S COUNTY ETHICS COMMISSION

MINUTES OF AUGUST 2, 2004

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

Members Present: David Deaderick, Chair
George Baroniak, Vice Chair
Joseph B. Bush, Member
Viola Gardner, Member
Zora Siemasko, Member
Arthur F. Goeller, Alternate Member
Heidi Dudderar, Assistant County Attorney

CALL TO ORDER:

The meeting was called to order by Mr. Deaderick at 2:03 p.m.

ANNOUNCEMENTS:

- The next meeting is scheduled for Aug. 16, 2004.

REVIEW/APPROVE MINUTES:

Minutes of July 19, 2004. The motion was made by Ms. Gardner and seconded by Ms. Siemasko to approve the minutes as presented. The motion carried.

FINANCIAL DISCLOSURE STATEMENTS

Review Session: Two Financial Disclosure Statements were reviewed and approved, those being two new appointees to the Ethics Commission. Mr. Bush and Mr. Goeller were then invited to participate at the table.

UNFINISHED BUSINESS

Revisions to Ethics Ordinance: Ms. Dudderar is filling in today for Mr. Norris who has been working with the Ethics Commission on revisions to the Ethics Ordinance. The alternative language provided by Mr. Norris regarding Section 9 "Enforcement" was discussed. Ms. Dudderar distributed a package which contained a survey of some other jurisdictions to find out how they handle this matter. After discussion, it was agreed the Commission would like to look at the State Ethics law for further discussion at the next meeting. The Commission requested that the office of the County Attorney consult with the State Ethics Commission to seek their opinion on this.

The Ethics Commission then reviewed the other revisions as follows. Section 4 – Administration, Section F, add the phrase "or who are unsure whether they might be governed." Motion made by Ms. Siemasko and seconded by Mr. Baroniak to approve this revision. Motion carried. With regard to Section 4, G, the motion was made by Mr. Baroniak and seconded by Mr. Bush that the revisions to the first sentence be approved. Motion carried. The next sentence under Section G, add "or, upon its own motion and." The motion was made by Ms. Gardner and seconded by Ms. Siemasko that this be approved. Motion carried. Other changes in this section are administrative in nature.

Section 4, H2. The sentence was added "Any final order of the Commission shall be stayed automatically until the time for requesting judicial review has expired." Ms. Siemasko made the motion to approve this addition, seconded by Ms. Gardner. Motion carried.

Section 4, H3. The motion was made by Mr. Baroniak and seconded by Ms. Gardner that the additions and deletions as noted in this section be approved.

Section 4, H5. The language "and the period for filing an appeal has passed without an appeal being noted," was inserted. Mr. Baroniak made the motion that this section be approved, seconded by Mr. Bush. The motion carried.

Section 4, J2. This is an editorial change to delete the word "further." The motion was made by Ms. Siemasko and seconded by Ms. Gardner that this be approved. Motion carried.

Section 5, D2.c. Editorial change approved by common consent.

Section 5, E4. This is a substantial change to the Ordinance. The "one year" was changed to "two years" and the words, "compensated," "specific," and "substantially" were deleted. The motion was made by Mr. Baroniak and seconded by Ms. Gardner that "one year" be changed to "two years." The motion carried. Ms. Gardner made the motion to approve deletion of the words "compensated," "specific," and "substantially" from that section, seconded by Mr. Baroniak. The motion carried.

Section 6, A. The phrase "or the duties of the position listed below are delegated, in whole or in part, to a subordinate position, i.e., a 'Deputy Director,'" was added. An editorial change was made to that phrase changing "i.e.," to "e.g." The motion was made by Ms. Siemasko to approve this addition and making the editorial change "i.e." to "e.g." This was seconded by Mr. Bush. Motion carried.

Section 6, A1&2 This is an updated list of elected officials and employees of St. Mary's County who are required to file financial disclosure statements. Mr. Baroniak made the motion to approve the list, seconded by Ms. Gardner. Motion carried.

Section 6, B. The revisions and additions to this section were discussed. The adding of "Employees" to the last sentence was discussed. Ms. Dudderar pointed out that the Employee Manual provided for that. The motion was made by Mr. Baroniak and seconded by Ms. Gardner that this section be approved. Motion carried.

Section 6, C. This is re-lettering of the items under Section 6. Mr. Bush made the motion to approve this, seconded by Ms. Gardner. Motion carried.

Section 6, D. This has been re-lettered and the additional sentence added "When April 30 or any other deadline for filing in this Section falls on a Saturday, Sunday or legal holiday, the financial disclosure filing date shall be extended to the next working day." Mr. Baroniak made the motion to approve this section, seconded by Ms. Siemasko. Motion carried.

Section 6, F. Upon leaving office: the words "or employee's" was added. This was approved by common consent.

Section 6, G5. The word "any" was added. Mr. Bush made the motion that this be approved, seconded by Ms. Gardner. Motion approved.

Section 6, H. deleted as the language was moved to Section 6, D.

Section 9 – Enforcement. The approval of the revisions to this section are being held until further information is received.

Section 10 – Effect of Adoption. Additional language added that an amendment to one part of this Ordinance does not nullify the rest of the Ordinance. Mr. Baroniak made the motion to approve, seconded by Mr. Bush. Motion carried.

NEW BUSINESS

- Updated Roster. An updated roster of the Ethics Commission will be prepared for distribution.
- Recognition of Dr. Neal's Leadership. Dr. Neal's leadership as the former Chair of the Ethics Commission should be recognized and a plaque presented to her at a time convenient to her.

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Siemasko moved to adjourn at 3:30 p.m., seconded by Mr. Baroniak. Motion carried