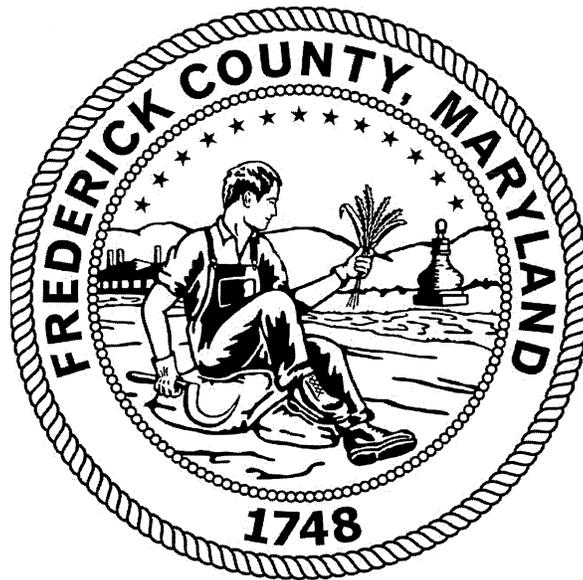


Administration of the
Frederick County Ethics Law
October 2020 – September 2021

Report to the
Frederick County Executive and the
Frederick County Council



Frederick County Ethics Commission
September 29, 2021

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Report on the Administration of the Frederick County Ethics Law

October 2020 – September 2021

This report to the County Executive and the County Council describes the Frederick County Ethics Commission's work to administer the Ethics Law from October 2020 through September 2021. State law requires that this report be provided annually.

I. Ethics Commission meetings

During the reporting period, the Ethics Commission met on March 10, 2021, June 9, 2021 and September 8, 2021.

Copies of the meeting agendas and the approved minutes for these meetings are included in Appendix A and Appendix B of this report, respectively. The Commission's agendas and meeting minutes are also posted online.

II. Review of financial disclosure statements

A. Financial Disclosures

The Commission members review the financial disclosure statements filed by those County elected and appointed officials, employees and members of boards and commissions who are subject to the Ethics Law's annual filing requirements. (Financial disclosure statements are due in April of each year. The statements provide information for the previous calendar year.) Once the disclosure statements are received, the Commission reviews the statements to identify and address existing or potential conflicts of interest. Financial disclosure statements that are incomplete or raise questions about potential conflicts of interest are identified and the filers of those statements are contacted to obtain the additional information required for the Commission to determine whether there are conflicts of interest or violations of the Ethics Law. When concerns arise about compliance with the Ethics Law, the Commission provides guidance and direction to the official or employee.

During the period covered by this report, the Ethics Commission completed its review of the financial disclosure statements filed in 2020 and found no conflicts of interest. The Commission is in the process of reviewing the financial disclosure statements it received in 2021.

B. Advisory Opinions issued

The Commission issued no advisory opinions during the reporting period.

C. Action on complaints

The Ethics Commission received an ethics complaint in February 2021. The complaint alleged that a County official violated the “use of prestige of office” provision in the Ethics Law through postings on the official’s Facebook page. At the March 10, 2021, the Ethics Commission voted to dismiss the complaint, finding that the facts contained in the complaint, even if true, were insufficient to state a violation of the Ethics Law.

There were no other complaints filed during the period covered by this report.

Attachments:

Appendix A – Ethics Commission Agendas

Appendix B – Ethics Commission Meeting Minutes

Appendix A
Ethics Commission Agendas

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ETHICS COMMISSION

Public Meeting Agenda for March 10, 2021

Meeting location: Virtual - Webex

Meeting Time: 7:00 PM

AGENDA

1. Approval of the minutes from September 9, 2020 meeting.
2. Distribution of the County Executive’s Public Ethics Report for July 1, 2020, through December 31, 2020.
3. Vote to conduct an administrative function meeting to discuss a new complaint.*

* If Commission votes to conduct an administrative function meeting, the public meeting will be adjourned.

Upcoming 2021 meeting dates:

April 14th
May 12th
June 9th
July 14th
August 11th
September 8th
October 13th
November 10th
December 8th

Annual calendar items:

Month	Item
July	Elect Chair and Vice-Chair
August/September	Begin work on annual report to the County Executive and County Council
September	Chair to sign the annual certification to the State Ethics Commission
October	Annual report and annual certification due by October 1

ETHICS COMMISSION

Public Meeting Agenda for June 9, 2021

Meeting location: Virtual - Webex

Meeting Time: 7:00 PM

AGENDA

1. Approval of the minutes from March 10, 2021 meeting.
2. Update on Status of Financial Disclosure Statements*

* If Commission votes to conduct an administrative function meeting, the public meeting will be adjourned.

Upcoming 2021 meeting dates:

July 14th
August 11th
September 8th
October 13th
November 10th
December 8th

Annual calendar items:

Month	Item
July	Elect Chair and Vice-Chair
August/September	Begin work on annual report to the County Executive and County Council
September	Chair to sign the annual certification to the State Ethics Commission
October	Annual report and annual certification due by October 1

ETHICS COMMISSION

Public Meeting Agenda for September 8, 2021

Meeting location: Virtual – Teams

Meeting Time: 7:00 PM

AGENDA

1. Election of Chair and Vice-Chair;
2. Approval of the minutes from the June 9, 2021;
3. Selection of Ethics Commission representative on the Ethics Nominating Committee;
4. Acceptance of Report pursuant to Section 5-861 of Maryland Public Ethics Law;
5. Discussion of Commission’s Annual Report to the County Executive and County Council and Annual Certification;
6. Discussion of 2022 Legislative Considerations; and
7. Update on Review of Financial Disclosure Statements.

Public Call-In Number: 1 667-217-6643
Meeting ID: 554283714#

Upcoming 2021 meeting dates:

October 13th
November 10th
December 8th

Remaining Annual calendar items:

Month	Item
August/September (Due October 1, 2021)	Annual Report to the County Executive and County Council
September (Due October 1, 2021)	Chair to sign the annual certification to the State Ethics Commission
October	Finalize Review of Financial Disclosure Statements

Appendix B
Ethics Commission Minutes

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Minutes of the Public Meeting of the Frederick County Ethics Commission

Wednesday, March 10, 2021

Present: Ernest A. Heller, Chair
Stephen K. Hess, Vice-Chair
Deborah L. Lundahl, Commission Member
Rev. Douglas P. Jones, Commission Member
Deidre R. Davidson, Commission Member
Dr. Anna Johnson-Winegar, Commission Member
M. Shane Canfield, Commission Member

James Stanker, Alternate Commission Member

Absent: None

Secretary: Andrew J. Ford, Assistant County Attorney

Agenda:

1. Approval of the minutes from September 9, 2020 meeting.
2. Distribution of the County Executive's Public Ethics Report for July 1, 2020, through December 31, 2020.
3. Vote to conduct an administrative function meeting to discuss a new complaints.

The Frederick County Ethics Commission meeting started at approximately 7:00 p.m. on Wednesday, March 10, 2021, via WebEx.

1. Agenda and Minutes.

MOTION: Rev. Jones moved approve the Agenda. Shane Canfield seconded the motion, which was unanimously approved.

The draft minutes from the September 9, 2020 public meeting were emailed to the members before the meeting. Mr. Ford noted that the draft incorrectly identified the day as Monday instead of Wednesday.

MOTION: Dr. Johnson-Winegar made a motion to approve the minutes, as corrected. Rev. Jones seconded the motion, which was approved unanimously.

2. Distribution of the County Executive’s Public Ethics Report for July 1, 2020, through December 31, 2020.

MOTION: Ms. Lundahl moved to accept the Public Ethics Report. Ms. Canfield seconded the motion, which was unanimously approved.

3. Administrative Function.

The Commission recently received an ethics complaint against a County official. The Commission discussed whether it should conduct an administrative function meeting to discuss the complaint.

MOTION: Ms. Davidson made a motion to hold an administrative function meeting. Rev. Jones seconded the motion, which was approved unanimously.

Required information regarding the administrative function meeting – The Commission ended the WebEx broadcast and after a break, reconvened via Microsoft Teams. The Commission began its administrative function meeting at approximately 7:15 on March 10, 2021, via Teams. Present for the meeting were Mr. Heller, Mr. Hess, Dr. Johnson-Winegar, Rev. Jones, Ms. Lundahl, Ms. Davidson, Mr. Canfield, Mr. Stanker and Mr. Ford.

The Commission discussed whether the facts alleged in the complaint, if true, would constitute a violation of the Ethics Law by the County official named in the complaint. By consensus, the members agreed that the facts alleged in the complaint did not state a violation of the Ethics Law. The members asked Mr. Ford to draft the necessary dismissal notice.

The Ethics Commission adjourned its meeting at approximately 7:25 p.m.

/s/
Andrew J. Ford
Assistant County Attorney

Minutes of the Public Meeting of the Frederick County Ethics Commission

Wednesday, June 9, 2021

Present: Ernest A. Heller, Chair
Stephen K. Hess, Vice-Chair
Deborah L. Lundahl, Commission Member
Rev. Douglas P. Jones, Commission Member
Dr. Anna Johnson-Winegar, Commission Member
M. Shane Canfield, Commission Member
James Stanker, Alternate Commission Member

Absent: Deidre R. Davidson, Commission Member

Secretary: Andrew J. Ford, Assistant County Attorney

Agenda:

1. Approval of the minutes from March 10, 2021 meeting.
2. Update on Status of Financial Disclosure Statements.

The Frederick County Ethics Commission meeting started at approximately 7:06 p.m. on Wednesday, June 9, 2021, via WebEx.

1. Minutes.

The draft minutes from the March 10, 2021 public meeting were emailed to the members before the meeting.

MOTION: Rev. Jones made a motion to approve the minutes. Mr. Hess seconded the motion, which was approved unanimously.

2. Notice of Resignation

Mr. Heller announced that effective June 15, 2021, he would be stepping down from the Ethics Commission because he is moving out of Frederick County.

3. Update on Status of Financial Disclosure Statements.

Mr. Ford provided a report on the status of the annual financial disclosure process. He indicated that there are currently 23 outstanding disclosure statements which his office is following up with. Once all have been received, his office will put together a list of any exceptions or concerns regarding the statement received. He expects to report back to the Commission in late July for a review of such statements in the August meeting.

MOTION: Mr. Hess made a motion to adjourn. Rev. Jones seconded the motion, which was approved unanimously.

The Ethics Commission adjourned its meeting at approximately 7:11 p.m.

_____/s/_____
Andrew J. Ford
Assistant County Attorney