

May 10, 2007

RE: AO-07-34- Addendum

The ethics commission reconsidered its opinion in this matter based upon new facts that you presented. Specifically, you advised that the entity requesting the rezoning legislation is not the Knights of Columbus, Council 1384, but is actually the Columbus Club of Annapolis, Maryland, Inc. After reviewing this matter, the ethics commission affirms its previously issued opinion and advises that you may not participate in legislation proposed at the request of the Columbus Club.

The Knights, Council 1384, is a tenant of the property on Route 2 owned by the Columbus Club. The Knights pays \$2100/mo for leasing the facility. That payment is used exclusively by the club for upkeep of the property. The club has owned the property since the 1970s and the Knights has been the primary tenant all that time. The club does lease the facilities for one-day events to other private entities. They also lease portions of the facility to private entities for business purposes on a short-term basis. None of these events interferes with the Knights' occupancy.

The sole purpose of the club is to support the club members. It owns two properties, the one on Rt. 2 and a property on Bestgate Avenue adjacent to the St. John Neumann Church. It plans to develop the Bestgate Avenue property to house the Knights 1384, to provide additional facilities for church related functions, and to provide additional off-street parking for parishioners attending mass at the church. It hopes to sell the Route 2 property to the contract purchaser, but that sale is dependent upon the rezoning.

The bylaws of the club state that "the membership of this corporation shall consist of all men who are members of good standing of Annapolis Council No. 1384, Knights of Columbus." It follows that the board and officers of the club are also members of the Knights of Columbus Council 1384. In fact, the cover of the bylaws of the club refers specifically to the Annapolis Council, No. 1384.

It is true that the club is a separate entity from the Knights. It has a separate charter and separate by-laws. While there is a technical legal distinction between these entities, it is a distinction without a difference. The Columbus Club would not exist but for the Knights of Columbus, Council 1384. Both organizations have identical memberships.

The ethics law is to be "liberally construed to accomplish its purpose." §7-1-102. The purpose of the ethics law is to guard against improper influence. The ethics commission concludes that council members with direct or familial ties to the Knights of Columbus, may well feel obligated to support the mission of the Knights, regardless of the legal distinction between the various entities.

Thank you for you inquiry. Please call if you have any questions.

The Anne Arundel County Ethics Commission

By: Betsy K. Dawson
Executive Director