

2018 ANNUAL REPORT
OF THE
ANNE ARUNDEL COUNTY ETHICS COMMISSION

The 2018 annual report, which is mandated by [§7-2-104](#) of the Public Ethics Law, provides a summary of the work conducted by the ethics commission during the calendar year just ended. This and other information about the commission is also available on its [website](#). A copy of this report is also available in print upon request. The information provided in this report refers to calendar year 2018, unless otherwise indicated.

2018 MEMBERS

Name	Party	Dates of Appointment and Reappointment	Date of Term Expiration
Karl J. Appel	Republican	May 1, 2016	April 30, 2020
Vanessa S. Carter	Democrat	January 19, 2016	April 30, 2019
Katherine K. Cawood	Democrat	August 20, 2012 May 1, 2016	April 30, 2020
Emerson C. Davis Chair	Republican	November 18, 2013 May 1, 2017	April 30, 2021
Jonathan P. Kagan Resigned August 2, 2017	Democrat	July 21, 2014 May 1, 2015	April 30, 2019
Thomas J. Mulrenin Resigned Oct. 11, 2018	Democrat	September 18, 2017	April 30, 2019
J. Adger Stokes	Republican	July 6, 2015	April 30, 2019
John W. Van de Kamp	Republican	January 10, 2017	April 30, 2020

The commission's staff includes Michael S. Botsaris, Esq., the director, and Gina Scerbo, the commission secretary. Ms. Scerbo is a part-time employee. Mr. Botsaris was hired by the commission to be general counsel and executive director on December 15, 2016.

The commission conducts most of its business via email or conference call. It met in formal meetings at the call of its chair on the following dates:

March 12, 2018
July 9, 2018
October 8, 2018

2018 UPDATE INFORMATION:

INQUIRIES

The commission received 63 ethics inquiries in 2018, up from 49 in 2017. In addition, the commission's staff handled numerous lobbying, financial disclosure, and other types of general questions and inquiries. (Inquiries from lobbyists and other filers are not numbered or summarized unless they result in an administrative decision from the ethics commission.) The sources and primary issues raised in these inquiries were:

TOTAL INQUIRIES: 63

Employees	30
Appointed Officials	14
Elected Officials	2
Citizens	7
Covered Volunteers	5
Lobbyists	0
Anonymous	2
Outside Agency	0
Other	3

The primary issue raised in these inquiries breakdown as follows:

Gifts	2
Prestige of office	5
Secondary employment	18
Non-participation	7
Other	10
Asst/Representation	1
Lobbying	1
Financial Disclosure	5
Post-employment	2
Political Activity	12

ADVISORY OPINIONS

The commission issued 6 formal written advisory opinions. Each opinion is summarized on the commission's [website](#). Published opinions can be keyword searched and read in full through the search engine available on the [opinions](#) page of the commission's website. Please note that only advisory opinions issued from 2009 or later are available on the website at this time. Earlier advisory opinions are available by request. Many informal requests and inquiries for advice are handled by the director and staff where there is sufficient precedent to provide guidance or where time does not

permit consideration of the full commission. In each such case, the ethics commission subsequently reviews and retroactively approves or amends each response.

COMPLAINTS

The commission received and resolved 4 formal written complaints of ethics violations in 2018.

FINANCIAL DISCLOSURE STATEMENTS

The commission is charged with the responsibility of reviewing and making available for public inspection, each financial disclosure (FDS) and conflict of interest (COI) statement received from required County employees, elected officials, candidates for elected office, compensated and uncompensated board members, and covered volunteers. Each statement is reviewed for completeness, accuracy, and for potential conflicts of interest. This year the commission received 211 disclosure statements as follows:

Regular employees and covered volunteers	180
New employees	1
Departing employees	5
Candidates	25

Each statement of covered filers was reviewed for completeness and potential conflicts as required by law and employee filers were directed to correct any omissions or deficiencies. All disclosure statements, including corrections and additions, are available for inspection and copying with advance notice at the commission’s office as required by law. The statements of volunteers who are required to file, but are not otherwise covered by the ethics law, were not reviewed.

There were no late filing fees assessed in 2018.

There were 2 requests to examine/copy 23 separate disclosure filings. As required by law, all filers whose statements were examined were notified of that fact in writing.

Total review and copying charges collected in 2018 was \$400.00 deposited to the general fund.

LOBBYING

The commission received 111 lobbying registrations from 58 lobbyists.

Lobbying registrations, employer authorizations, and activity reports are public documents. The ethics commission staff received, reviewed, and compiled the statistics on 147 bi-annual activity reports. There were no late filing fees assessed.

The following information summarizes the compensation and expenditures

reported by registered lobbyists in 2018:

Compensation paid to lobbyists.....	\$475,810.24
Office expenses in addition to compensation	5,118.93
Professional and technical research and assistance	60,533.00
Publications or letter writing campaigns	88,553.56
Witnesses.....	215.00
Meals and beverages for county employees and their immediate families	55.00
Special events (parties, dinners, athletic events, entertainment, and other functions)	0.00
Food, lodging, or other expenses at a conference or meeting.....	0.00
Other gifts.....	0.00
Miscellaneous expenses.....	180.00

EDUCATION

The ethics commission director presented a training session for the Department of Aging and Disabilities employees, at their request. About 125 people were in attendance. Training includes the use of multi-media as well as printed hand-outs and copies of the *Pocket Guide*, a mini-brochure summarizing the ethics law’s conflicts of interest provisions. At the request of the personnel office, the ethics commission also provides the *Pocket Guide* to all new employees. The *Pocket Guide* is also available to the public upon request.

The commission also updates and publishes two brochures: *What You Need to Know about the Public Ethics Law- Lobbyists* and *What You Need to Know about the Public Ethics Law- Vendors and Contractors*. Both brochures are available at the ethics commission’s office and are distributed freely upon request.

The commission, in conjunction with the Office of Information Technology, is finalizing an on-line Ethics Training Course to allow County employees and officials to take ethics training, at their convenience, on-line. The course was delayed in 2018 in anticipation of new legislation passing that significantly amended the Public Ethics Law. The training course will take about an hour to complete and will consist of several chapters and a few questions at the end of each chapter. Upon successful completion (score of 80% or better) employees will be able to print out a Certificate of Completion and the commission will maintain a list of County employees who successfully complete the training. The training should be available by the first quarter, 2019.

The commission instituted a new periodic newsletter for educational purposes (see below).

The director is a member of the Council on Governmental Ethics Laws (COGEL), an international organization of ethics agencies and ethics law practitioners. The director attended a 4 day COGEL convention in Philadelphia, PA in December 2018 for recurrent training on ethics issues and professional discussion of ethics topics from industry leaders across the globe.

NEWSLETTER

The commission publishes a periodic newsletter sent to all employees and elected officials via countywide email and posted on the commission's website. In 2018, a newsletter was published in March, June and December.

NEW FORMS

A new online form, *REQUEST FOR REVIEW OF SECONDARY EMPLOYMENT*, was created and approved by the commission in 2017. It is available on the commission's website for use by County employees. In addition, a new form titled *BOARD OR COMMISSION MEMBER CANDIDATE PRE-EXISTING CONFLICT OF INTEREST DISCLOSURE* was created in 2018 to address certain issues created by the newly amended Public Ethics Law and in accordance with Section 7-5-102(b)(4) of the ethics law.

BUDGET

Saving money while performing the duties assigned to the commission by the Anne Arundel County Charter has always been a priority. Use of email has largely replaced paper - the commission sends all notifications and disclosure forms to County employees by email in lieu of first-class mail. The commission also requests all disclosure filers (covered volunteers and lobbyists) to accept email notifications and to access all forms via the commission's website. Many of these filers have agreed to accept email only notifications. The anticipated budget for FY2020 is unchanged.

ETHICS LAW CHANGES

In October 2017, the State's ethics law was amended as more particularly described in House Bill 879. Since we are required to keep our local Public Ethics Law "equivalent" and "substantially similar" to the State's ethics law, it was mandatory that we amend our law to maintain compliance.

In addition to the mandatory changes required by House Bill 879, the director and commission worked closely with the administration to implement several other important changes to the Public Ethics Law as contained in Ethics Bill 80-18 that was passed by the County Council at the end of last year and recently became effective. Two of the important changes require mandatory ethics training for all employees every 5 years, and amendment to the definition of 'employee' to include compensated and uncompensated board and commission members.

CONCLUSION

The commission schedules its regular meetings for the second Monday of each month at 4:00 p.m. in the conference room at the commission's office on an "as needed or as requested basis". Any citizen or employee is welcome to attend the open session of the meeting or make an appointment to address the commission concerning any ethics

issue. Much of the commission's work is done by email and telephone conference. Contingent meetings are also scheduled for specific dates, but are only held if specially called by the chair. The dates of all scheduled and contingent meetings are available on the ethics commission's website online.

Questions or comments about this report are welcome and may be mailed, emailed, or faxed to the ethics commission.

Respectfully submitted on January 31, 2019 by:

Anne Arundel County Ethics Commission:

Michael S. Botsaris, Esq., Executive Director
Gina Scerbo, Secretary
Emerson C. Davis, Chair
Karl J. Appel, Member
Vanessa S. Carter, Member
Katherine K. Cawood, Member
J. Adger Stokes, Member
John W. Van de Kamp, Member