

2020 ANNUAL REPORT
OF THE
ANNE ARUNDEL COUNTY ETHICS COMMISSION

The 2020 annual report of the ethics commission is mandated by §7-2-104(a)(8) of the Public Ethics Law and provides a summary of the work conducted by the ethics commission and the executive director 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 2020, unless otherwise indicated.

2020 was a challenging year for the commission and County government as a whole. The Covid-19 pandemic, social distancing, and the inability to meet and work in person caused the commission to conduct business differently to meet its objectives and mission of carrying out the legislative policy expressed in Article 7 of the Anne Arundel County Code, the Public Ethics Law. It is the responsibility of the commission to enforce the standards of ethical conduct imposed by law on all County employees, elected officials, volunteers, and board and commission members. The commission is tasked with providing both formal and informal ethics advice, training, investigating allegations of violations of the Public Ethics Law, and collecting and maintaining financial disclosure and lobbying information, to ensure the citizens of Anne Arundel County can maintain trust in County officials, employees and volunteers. The commission believes it is important that all County employees conduct business with impartial and independent judgment, and not subject to improper influence or even the appearance of improper influence. Despite the 2020 Covid-19 challenges, the commission believes it was successful in accomplishing its mission.

2020 MEMBERS

Name	Party	Dates of Appointment and Reappointment	Date of Term Expiration
Karl J. Appel	Republican	May 1, 2016	April 30, 2020 Has heldover through Dec. 31, 2020
Vanessa S. Carter Chair	Democrat	May 1, 2019 January 19, 2016	April 30, 2023
Katherine K. Cawood	Democrat	August 20, 2012 May 1, 2016	April 30, 2020
Emerson C. Davis Chair	Republican	May 1, 2017 November 18, 2013	April 30, 2021

John W. Van de Kamp	Republican	January 10, 2017	April 30, 2020 Has heldover through Dec. 31, 2020
Dale P. Kelberman	Democrat	June 3, 2019	April 30, 2023
Elizabeth B. Lewis	Democrat	November 18, 2019	April 30, 2023
Daniel J. Semick	Democrat	May 11, 2020	April 30, 2024

The commission’s staff includes Michael S. Botsaris, Esq., Executive Director and General Counsel, and Gina Scerbo, the commission secretary. Ms. Scerbo is a part-time employee.

In 2020 the commission conducted a majority of its business via email and conference call because of the Covid-19 pandemic and County policy and procedures regarding in person meetings or hearings. After overcoming many technical challenges, the commission was able to meet publicly via Zoom meetings at the call of its chair on the following dates:

- November 10, 2020
- December 14, 2020
- December 16, 2020

All Zoom meetings were publicly announced and made available to the public via AACO TV, Zoom links and call-in instructions in accordance with the County’s recommended OMA practices.

2020 UPDATE INFORMATION:

INQUIRIES

The commission received 60 ethics inquiries in 2020. 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: 60

Employees	20
Appointed Officials	15
Elected Officials	20
Citizens	3
Covered Volunteers	0

Lobbyists	0
Anonymous	1
Outside Agency	0
Other	1

The primary issue raised in these inquiries breakdown as follows:

Boards/commissions	3
Gifts	6
Prestige of office	16
Secondary employment	8
Non-participation	8
Conflict disclosure	10
Other	2
Asst/Representation	6
Lobbying	0
Financial Disclosure	0
Post-employment	0
Political Activity	1

ADVISORY OPINIONS

The commission issued 5 formal written advisory opinions. Each opinion is summarized and published 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 one formal written complaint of ethics violations in 2020. The complaint was reviewed by the commission and dismissed per Section 7-4-101(c).

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. In 2020 the commission received 244 disclosure statements as follows:

Regular employees and covered volunteers	242
New employees	2
Departing employees	1
Candidates	0

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. There were no late filing fees assessed in 2020. Due to Covid-19 emergency orders in place during 2020, the filing deadline of financial disclosure and conflict of interest documents was extended from April 30 to July 15.

There was 1 request to examine/copy 12 separate disclosure filings. As required by law, all filers whose statements were examined were notified of that fact in writing and provided the name of the requester. No copying charges were collected in 2020.

LOBBYING

The commission received 105 lobbying registrations from 74 lobbyists. Lobbying registrations, employer authorizations, and activity reports are public documents. The ethics commission staff received, reviewed, and compiled the statistics on 139 bi-annual activity reports. There were no late filing fees assessed. The following information summarizes the compensation and expenditures reported by registered lobbyists in 2020:

Compensation paid to lobbyists	\$272,564.07
Office expenses in addition to compensation	4,086.50
Professional and technical research and assistance	0.00
Publications or letter writing campaigns	0.00
Witnesses.....	0.00
Meals and beverages for county employees and their immediate families.....	0.00
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.....	0.00

EDUCATION

In 2020, 117 employees and 78 board and commission members completed on-line training. The ethics commission director presented live Zoom training sessions for the newly created Human Relations Commission and Youth Advisory Council at their request.

Training continues to include the use of multi-media and on-line sources as well as printed hand-outs and copies of the employee brochure summarizing the ethics law's conflicts of interest provisions. The ethics commission also updates and publishes the brochure, *What employees need to know about the Public Ethics Law* and distributes it to the Office of Personnel for distribution to all new employees. The brochure is also available to the public upon request and on the commission's website.

The commission also updates and publishes two other 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, on its website, and are distributed freely upon request.

In 2020 the commission, in conjunction with the Office of Information Technology, made available to all County employees and officials, an on-line Ethics Training Course to allow everyone to satisfy the mandatory ethics training requirements, at their convenience, on-line. The training course takes about an hour to complete and consists of several chapters with a few questions at the end of each chapter. Upon successful completion (score of 80% or better) employees are able to print out a Certificate of Completion. The commission also maintains an email list of County employees who successfully complete the training.

At the end of 2019, the training course began a beta testing program and in 2020 it began being rolled out on a department by department basis.

NEW FORMS

No new ethics forms were created in 2020.

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 FY2022 is unchanged.

RECENT ETHICS LAW CHANGES

New law passed in Feb. 2020 (Bill 94-19) regarding the Human Relations Commission - requiring voting members to file a Financial Disclosure Statement.

Amendment to Section 7-5-104 of the Ethics Code: Section 7-5-104 Employment restriction.

Amendment to Section 7-1-101(25) of the Ethics Code: Definition of “usual and customary constituent services.”

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”. Decisions on whether a physical meeting is called is made by the commission’s chair. Any member of the public 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, telephone conference, and in 2020 – Zoom meetings. 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 February 15, 2021 by:

Anne Arundel County Ethics Commission:

Michael S. Botsaris, Esq., Executive Director
Gina Scerbo, Secretary
Emerson C. Davis, Chair
Vanessa S. Carter, Member
John W. Van de Kamp, Member
Dale P. Kelberman, Member
Elizabeth B. Lewis, Member
Daniel J. Semick, Member
Robert J. Mansfield, Member