

**2014 ANNUAL REPORT**

**OF THE**

**ANNE ARUNDEL COUNTY ETHICS COMMISSION**

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The 2014 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 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 2014, unless otherwise indicated.

**THE MEMBERS**

The commission included the following members during some portion of 2014:

<b>Name</b>	<b>Party</b>	<b>Dates of Appointment and Reappointment</b>	<b>Date of Term Expiration</b>
Cynthia H. Caldwell Resigned June 23, 2014	Democrat	2007, 2011	April 30, 2015
Katherine Cawood	Democrat	August 20, 2012	April 30, 2016
Cathleen M. Conlyn Replaced V. Steinberg	Republican	October 20, 2014	April 30, 2015
Emerson C. Davis Replaced V. Miller	Republican	November 18, 2013	April 30, 2017
Jonathan P. Kagan Replaced C. Caldwell	Democrat	August 21, 2014	April 30, 2015
Carol S. Lewnes	Republican	2000, 2006, 2010, 2011	April 30, 2015
Craig A. Reynolds Chair	Democrat	2008, 2012	April 30, 2016
Donna M. Schaeffer Replaced Thaddeus Toal	Republican	March 11, 2014	April 30, 2016
Vicki H. Steinberg Resigned Sept.24, 2014	Republican	May 1, 2011	April 30, 2015

The commission's staff includes Betsy K. Dawson, the director, and Gina Scerbo, the commission secretary, both of whom work on a part-time basis.

The commission met 10 times during the year.

## **INQUIRIES**

The commission received 88 ethics inquiries as well as many lobbying, financial disclosure, and other types of inquiries. (Inquiries from lobbyists and other filers are not numbered or summarized unless they result in an administrative decision from the ethics commission.) The inquiries came from the following sources:

Employees	20
Appointed Officials	25
Elected Officials	4
Citizens	12
Covered Volunteers	9
Lobbyists	5
Anonymous	5
Outside Agency	2
Candidates	2

The issues raised in these inquiries break down as follows:

Gifts	21
Prestige of Office	24
Political Activity	6
Secondary	
Employment	14
Non-participation	7
Other	11
Lobbying	2
Financial Disclosure	6
Post-employment	2

## **ADVISORY OPINIONS**

The commission issued 20 advisory opinions. Each opinion is summarized in the [yearly index](#) of the commission's website and in the quarterly newsletter, the [Ethics Update](#). Opinions may also be found through the [subject-matter index](#). The full text of each opinion is also available through these links.

Some requests for advice are handled by the staff directly, in cases where there is sufficient precedent to provide guidance or where time does not permit the consideration of the inquiry by the full commission. In each case, the ethics commission subsequently reviewed and retroactively approved each response.

## **COMPLAINTS**

The commission received or filed three complaints of ethics violations and three complaints for late or non-filing of required disclosure forms. After investigation, two of the complaints were dismissed for lack of evidence and three complaints were dismissed as a result of action taken by the respondents. In the absence of a finding of a violation or consent agreement and order, these complaints are treated confidentially.

And finally, on May 13, 2014, after a case lasting fourteen years, the Circuit Court for Anne Arundel County finalized the sanctions against former county attorney, Philip R. Scheibe, for violating the post-employment provisions of the ethics law. Scheibe wrongfully represented clients in a lawsuit against the county in a matter in which he had significantly participated while he was a county employee. Scheibe's award of attorneys' fees in the case of [\*Cambridge Commons v. Anne Arundel County\*](#) was reduced by 20% for his ethical misconduct. Another former county official, Robert Dvorak, who had consulted for the plaintiffs in the case and had provided expert testimony, was denied all fees for assisting in that case.

## **FINANCIAL DISCLOSURE STATEMENTS**

The commission is charged with the responsibility of reviewing each financial disclosure (FDS) and conflict of interest (COI) statement received from county employees and covered volunteers, for completion, accuracy, and for potential conflict of interest. This year the commission received 232 disclosure statements as follows:

Regular employees and covered volunteers	176
New employees	18
Departing employees	8
Candidates for county public office	30

Each statement of covered filers was reviewed as required by law and employee filers were notified of, and directed to correct, all omissions or deficiencies. All disclosure statements, including corrections and additions, are available for inspection and copying with advance notice. The statements of candidates and of volunteers who are not otherwise covered by the ethics law were not reviewed.

There were three late filings for which the commission collected \$296.00 in late fees. These late fees were returned to the general fund.

There were 16 requests to examine/copy filings. As required by law, all filers whose statements were examined were notified of that fact in writing.

## **LOBBYING**

The commission received 63 lobbying registrations from 50 lobbyists.

Lobbying registrations, employer authorizations, and activity reports are public documents. The ethics commission staff received, reviewed, and compiled the statistics

on 111 activity reports. All but one activity report were received in a timely fashion and the ethics commission received \$340.00 in late fees for the year.

The following information summarizes the compensation and expenditures reported by registered lobbyists in 2014:

Compensation paid to lobbyists .....	\$376,296.29
Office expenses in addition to compensation .....	49,233.94
Professional and technical research and assistance .....	8,864.08
Publications or letter writing campaigns.....	450.00
Witnesses .....	750.00
Meals and beverages for county employees and their immediate families.....	791.55
Special events (parties, dinners, athletic events, entertainment, and other functions) .....	2,894.80*
Food, lodging, or other expenses at a conference or meeting.....	0.00
Other gifts .....	20.00
Miscellaneous expenses .....	536.03

\* The law requires lobbyists to disclose costs for an event to which any employee is invited, regardless of whether the employee actually attends. See, [AO-14-72](#).

**Total Registered Lobbyists in 2014**

Erin Appel	Telmate
Bruce C. Bereano	Anne Arundel County Employees Health Care Coalition
Nathan Betnun	Stifel, Nicolaus & Company, Inc.
Harry C. Blumenthal	Ribera Development, LLC
Danny G. Boyd	Snyder Development Corporation, Snyder/Elvaton LLC
Robert Burdon	Annapolis and Anne Arundel Co. Chamber of Commerce, Inc.
George A. Carras	S/C Odenton Holdings, LLC
David Carroll, Jr.	Telmate
Charles F. Delavan	B&S/Eggerl, LLC – Parkside Elm Street Development PR II Arundel Gateway Land, LLC
Eric M. DeVito	Classic Group, LLC Elm Street Development Company, Inc.
Joseph F. Devlin	Novus Residences, LLC U.S. Home Corporation dba Lennar

Robert J. DiPietro	Greenberg Gibbons Commercial, Inc. Ribera Development, LLC
Ann M. Fligsten	Growth Action Network of Anne Arundel Co.
Bill F. Gibson	Cherrywood Development, LLC
Larry A. Gordon	Cherrywood Development, LLC
Anthony G. Gorski	Capitol Associates, LLC Tolson and Associates, LLC
Aaron J. Greenfield	Laurel Racing Association Limited Partnership
LaTara Harris	AT&T
Michael Harrison	Home Builders Association of Maryland
Alan J. Hyatt	Holy Temple Cathedral Church of God International, Inc.
Joseph R. Jackson	Northrop Grumman Electronic Systems
Bonnie L. Johansen	Baltimore Gas & Electric Company
Robert Johnson	Telmate
Robert Johnston	Anne Arundel County Association of REALTORS
Kevin Kennedy	Cherrywood Development, LLC
Claire Louder	West Anne Arundel County Chamber of Commerce
Walter E. Lynch	The Maryland Jockey Club
Ellen G. Miller	S/C Odenton Holdings, LLC
Cynthia Morgan	Southern Anne Arundel Chamber of Commerce
John S. Pantelides	The Anne Arundel County Alliance For Fair Land Use Chesapeake Landscaping and Design, Inc. Clarence and Margaret Jordan
Midgett S. Parker, Jr.	Payne Memorial African Methodist Episcopal Church
Thomas J. Pilon	St. John Properties, Inc.
David M. Plott	DMS Development, LLC Shelter Development, LLC Simms – Sewell Properties, LLC, General Partner of Koch Property Management, Inc.
Patrick Roddy	Wal-Mart Stores, Inc.
Charles R. Schaller	Gilbane Development Company SRC 214, LLC
David M. Schlachman	DMS Development LLC

Frances Schmidt	Northern Anne Arundel County Chamber of Commerce
Linda M. Schuett	Glen Abbey, LLC, Glen Abbey II, LLC, Glen Abbey III, LLC, Glen Abbey IV, LLC, Glen Abbey V, LLC Enterprise Homes
Christopher O. Sheehan	Stifel Nicolaus & Company
David M. Sheehan	Glen Abbey, LLC, Glen Abbey II, LLC, Glen Abbey III, LLC, Glen Abbey IV, LLC, Glen Abbey V, LLC, S/C Odenton, LLC, S/C Odenton II, LLC, S/C Odenton, III, LLC
Sushant Sidh	Telmate
David A. Simison, Trustee	Lee Family Irrevocable Trust
Matthew C. Tedesco	Clark Road Development Company, LLC
Andrew M. Teeters	Shelter Development, LLC
H. Walter Townshend	Baltimore Washington Corridor Chamber
Sager A. Williams, Jr.	Baltimore Gas and Electric Company
Judy Wilson	Greater Crofton Chamber of Commerce
Sally Wingo	Telmate
J. Steven Wise	Anne Arundel County Employees Health Care Coalition
Linda S. Zahn	Greater Severna Park and Arnold Chambers of Commerce

## **EDUCATION**

The ethics commission staff presented 11 small-group training sessions to 135 county employees. 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 for the present, available to the public upon request.

The commission continued to print its 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*. They are currently available upon request.

The commission published four issues of its online newsletter, the [Ethics Update](#). Although the *Update* is an online publication, it is available in printed form upon request. In 2014, the ethics commission added a new feature to its website, “Ethics in the News,” aggregating articles about public ethics issues around the country.

The ethics commission continues to be a member of the Council on Governmental Ethics Laws (COGEL), an international organization of ethics agencies and ethics law practitioners. Due to budget and travel constraints, the director has been unable to attend the annual COGEL conference for the last nine years.

## **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 ethics commission returned almost \$2,100 to the general fund from its operating budget (not including personnel costs) of \$11,200 at the end of the fiscal year.

## **CONCLUSION**

The commission holds its regular meetings on the second Monday of each month at 4:00 p.m. in the conference room at the commission office. Contingent meetings are also scheduled for specific dates but are only held if called by the Chair. The dates of all scheduled meetings are available online. Three contingent meetings were held in 2014.

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

The ethics commission acknowledges the assistance of the employees of the office of information technology, particularly Ligia Perales and Sandra Heisch. The commission also acknowledges the help of Gina Scerbo, the commission's secretary, whose flawless record keeping and compilation of statistics makes this report possible. Finally, the commission acknowledges those county employees and volunteers in every department and office who believe in the value of the effort and who hold themselves to the highest standards of ethical conduct.

Respectfully submitted on February 5, 2015 by:

### **Anne Arundel County Ethics Commission:**

Craig A. Reynolds, Chair  
Katherine Cawood  
Cathleen M. Conlyn  
Emerson C. Davis  
Jonathan P. Kagan  
Carol S. Lewnes  
Donna McCabe Schaeffer