



Francis Jack Russell, President

Lawrence D. Jarboe, Commissioner

Cynthia L. Jones, Commissioner

Todd B. Morgan, Commissioner

Daniel L. Morris, Commissioner

ETHICS COMMISSION

Sean J. Rogers, Chair

October 1, 2012

[REDACTED]

Re: Advisory Opinion 2012-01

Dear [REDACTED]:

You have requested an advisory opinion for the St. Mary's Ethics Commission (Commission) concerning your potential service on the Leonardtown Planning and Zoning Commission (LPZC) while you are employed as an assistant engineer with the St. Mary's County Metropolitan Commission (MetCom). You have asked whether your simultaneous LPZC service and MetCom employment would violate the St. Mary's County Public Ethics Ordinance.

The Commission understands that a MetCom assistant engineer reviews development plans proposing connection to water and sewer facilities for conformity to MetCom's design specifications. Further, the Commission understands that the assistant engineer also serves on the St. Mary's County Technical Evaluation Committee and attends St. Mary's County Planning Commission meetings on MetCom's behalf to respond to questions by the members regarding water and sewer facilities. A complete description of the assistant engineer's duties is included in the position description prepared and maintained by MetCom and has been reviewed by the Ethics Commission.

The Commission understands that the Town of Leonardtown owns and maintains its own sewerage treatment and water facilities. Further, an assistant engineer at MetCom has no duties in connection with development proposals within Leonardtown. Moreover, the LPZC has no authority over facilities owned and maintained by MetCom.

Based on these facts, the Commission finds no conflict of financial or employment interests covered by the St. Mary's County Public Ethics Ordinance between your LPZC service and MetCom employment. The Commission further finds no potential conflict of interest regarding the use your employment prestige with MetCom for the benefit of another or for the disclosure of confidential information in connection with your potential LPZC service.