

QUEEN ANNE'S COUNTY ETHICS COMMISSION



*Queen
Anne's
County*

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Advisory Opinion from December 15, 2008

The Commission reviewed a request for an Advisory Opinion at a meeting on December 15, 2008 regarding a potential conflict of interest in the Queen Anne's County State's Attorney's Office contracting for catering services with a maintenance worker at the County courthouse who has a catering business on the side. The Commission considered the facts that were provided regarding a possible conflict of interest through e-mail correspondence because of the timelines of the request. The Commission took no formal action regarding the opinion until the meeting, as required by the open meetings act.

The Commission determined that there was no violation or an appearance of a violation of the County Public Ethics Law, under §8-11. Under §8-5.E of the County Public Ethics Law, the employee is subject to the conflict-of-interest provisions of §8-11.A, but no specific subsection of that provision applied to prohibit this relationship. For instance, there is no relationship between the employee's private business and any County office or department; and there is no indication that the employee intentionally used his County position to facilitate obtaining this contract. Under §8-5.D, the State's Attorney, and the Deputy and Assistant State's Attorneys are exempt from the County Public Ethics Law because they are covered by the Maryland Public Ethics Law.

Advisory Opinion 08-29