

Queen Anne's County Ethics Commission

Revised Order in Complaint No. 10-01

This Order herein modifies the Order filed by the Queen Anne's County Ethics Commission in Complaint No. 10-01, pursuant to the Memorandum and Order, issued by the Circuit Court for Queen Anne's County, dated August 19, 2011, in matter of the Respondent's request for judicial review of the Ethics Commission's decision.

The Queen Anne's County Ethics Commission affirms its holding as to the Respondent's violation of §8-11.A.(2)., and its order that he shall cease and desist in any activity of a member of the Queen Anne's County Planning Commission that relates to the Queenstown comprehensive Plan as set forth in its original Opinion.

The Queen Anne's County Ethics Commission reverses its holding as to the Respondent's violation of §8-11.A.(1)., and §8-11.A.(7)., in that the alleged violations are not ripe for a determination before the Commission as to whether and actual or an appearance of conflict of interest exists. The Commission finds that since the second area of an alleged conflict (i.e. extending water and sewer services to the southern areas of Kent Island along MD Route 8) has not yet been a matter before the Planning Commission, the conflict and the appearance of a conflict has not risen to the level of a violation. However, the Commission does affirm its original position as to that topic, should it ever come before the Planning Commission, that the Respondent would be in violation of §8-11.A.(1)., and §8-11.A.(7)., and to cure the violation, the Respondent would be required to recuse himself from participation on the Planning Commission in all matters regarding the extension of water and sewer services to the southern areas of Kent Island along MD Route 8.

For further direction regarding recusal, see Ethics Commission's Clarification of Recusal, dated January 11, 2011.