FINANCIAL DISCLOSURE STATEMENT

Elected Officials and Candidates to be Elected Officials

For Calendar Year: Due on or before: April 30,

In accordance with Section 5 of the Washington County, Maryland Ethics Ordinance, this form shall be filed by a local elected official or a candidate to be a local elected official.

Name: _____

Position: _____

I. Disclosure of conflicts of interest.

An official or employee shall disclose employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the employee or official sufficiently in advance of the action to provide adequate disclosure to the public.

_____

_____

_____

II. Conflicts of interest.

(a) In this section, "qualified relative" means a spouse, parent, child, or sibling.

(b) All County elected officials, officials appointed to County boards and commissions subject to this ordinance, and employees are subject to this section.

(c) Participation prohibitions. Except as permitted by Commission regulation or opinion, an official or employee may not participate in:

(1) Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision of the matter, any matter in which, to the knowledge of the official or employee, the official or employee, or a qualified relative of the official or employee has an interest.

(2) Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision with respect to the matter, any matter in which any of the following is a party:

(i) A business entity in which the official or employee has a direct financial interest of which the official or employee may reasonably be expected to know;

(ii) A business entity for which the official, employee, or a qualified relative of the official or employee is an officer, director, trustee, partner, or employee;

(iii) A business entity with which the official or employee or, to the knowledge of the official or employee, a qualified relative is negotiating employment or has any arrangement concerning prospective employment;

(iv) If the contract reasonably could be expected to result in a conflict between the private interests of the official or employee and the official duties of the official or employee, a business entity that is a party to an existing contract with the official or employee, or which, to the knowledge of the official or employee, is a party to a contract with a qualified relative;

(v) An entity, doing business with the County, in which a direct financial interest is owned by another entity in which the official or employee has a direct financial interest, if the official or employee may be reasonably expected to know of both direct financial interests; or

(vi) A business entity that:

(A) The official or employee knows is a creditor or obligee of the official or employee or a qualified relative of the official or employee with respect to a thing of economic value; and

(B) As a creditor or obligee, is in a position to directly and substantially affect the interest of the official or employee or a qualified relative of the official or employee.

(3) A person who is disqualified from participating under paragraphs (1) or (2) of this subsection shall disclose the nature and circumstances of the conflict and may participate or act if:

(i) The disqualification leaves a body with less than a quorum capable of acting;

(ii) The disqualified official or employee is required by law to act; or

(iii) The disqualified official or employee is the only person authorized to act.

(4) The prohibitions of paragraph 1 and 2 of this subsection do not apply if participation is allowed by regulation or opinion of the Commission.

(d) Employment and financial interest restrictions.

(1) Except as permitted by regulation of the Commission when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official or employee may not:

(i) Be employed by or have a financial interest in any entity:

(A) Subject to the authority of the official or employee or the County agency, board, commission with which the official or employee is affiliated; or

(B) That is negotiating or has entered a contract with the agency, board, or commission with which the official or employee is affiliated; or

(ii) Hold any other employment relationship that would impair the impartiality or independence of judgment of the official or employee.

(2) This prohibition does not apply to:

(i) An official or employee who is appointed to a regulatory or licensing authority pursuant to a statutory requirement that persons subject to the jurisdiction of the authority be represented in appointments to the authority;

(ii) Subject to other provisions of law, a member of a board or commission in regard to a financial interest or employment held at the time of appointment, provided the financial interest or employment is publicly disclosed to the appointing authority and the Commission;

(iii) An official or employee whose duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest, as permitted by and in accordance with regulations adopted by the Commission; or

(iv) Employment or financial interests allowed by regulation of the Commission if the employment does not create a conflict of interest or the appearance of a conflict of interest or the financial interest is disclosed.

(e) Post-employment limitations and restrictions.

(1) A former official or employee may not assist or represent any party other than the County for compensation in a case, contract, or other specific matter involving the County if that matter is one in which the former official or employee significantly participated as an official or employee.

(2) Until the conclusion of the next regular session that begins after the elected official leaves office, a former member of the Board of County Commissioners may not assist or represent another party for compensation in a matter that is the subject of legislative action.

(f) Contingent compensation. Except in a judicial or quasi-judicial proceeding, an official or employee may not assist or represent a party for contingent compensation in any matter before or involving the County.

(g) Use of prestige of office.

(1) An official or employee may not intentionally use the prestige of office or public position for the private gain of that official or employee or the private gain of another.

(2) This subsection does not prohibit the performance of usual and customary constituent services by an elected local official without additional compensation.

(h) Solicitation and acceptance of gifts.

(1) An official or employee may not solicit any gift.

(2) An official or employee may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist.

(3) An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has the reason to know:

(i) Is doing business with or seeking to do business with the County office, agency, board, or commission with which the official or employee is affiliated;

(ii) Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the official duties of the official or employee;

(iii) Is engaged in an activity regulated or controlled by the official's or employee's governmental unit; or

(iv) Is a lobbyist with respect to matters within the jurisdiction of the official or employee.

(4) Paragraph (5) of this subsection does not apply to a gift:

(i) That would tend to impair the impartiality and the independence of judgment of the official or employee receiving the gift;

(ii) Of significant value that would give the appearance of impairing the impartiality and independence of judgment of the official or employee; or

(iii) Of significant value that the recipient official or employee believes or has reason to believe is designed to impair the impartiality and independence of judgment of the official or employee.

(5) Notwithstanding paragraph (3) of this subsection, an official or employee may accept the following:

(i) Meals and beverages consumed in the presence of the donor or sponsoring entity;

(ii) Ceremonial gifts or awards that have insignificant monetary value;

(iii) Unsolicited gifts of nominal value that do not exceed $20 in cost or trivial items of informational value;

(iv) Reasonable expenses for food, travel, lodging, and scheduled entertainment of the official or the employee at a meeting which is given in return for the participation of the official or employee in a panel or speaking engagement at the meeting;

(v) Gifts of tickets or free admission extended to an elected local official to attend a charitable, cultural, or political event, if the purpose of this gift or admission is a courtesy or ceremony extended to the elected official's office;

(vi) A specific gift or class of gifts that the Commission exempts from the operation of this subsection upon a finding, in writing, that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the County and that the gift is purely personal and private in nature;

(vii) Gifts from a person related to the official or employee by blood or marriage, or any other individual who is a member of the household of the official or employee; or

(viii) Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is in not related in any way to the official's or employee's official position.

(i) Disclosure of confidential information. Other than in the discharge of official duties, an official or employee may not disclose or use confidential information, that the official or employee acquired by reason of the official's or employee's public position and that is not available to the public, for the economic benefit of the official or employee or that of another person.

(j) Participation in procurement.

(1) An individual or a person that employs an individual who assists a County agency in the drafting of specifications, an invitation for bids, or a request for proposals for a procurement may not submit a bid or proposal for that procurement or assist or represent another person, directly or indirectly, who is submitting a bid or proposal for the procurement.

(2) The Commission may establish exemptions from the requirements of this section for providing descriptive literature, sole source procurements, and written comments solicited by the procuring agency.

III. Request for notification.

I would like to be notified if someone examines or copies this form. ☐

This financial disclosure statement describes all interests and related transactions and matters required to be disclosed by Washington County, Maryland Ethics Ordinance and the Maryland Public Ethics Law with respect to the period indicated and pertaining to the person filing the statement. The statement consists of this cover sheet, the checklist, and Schedules A through I.

I hereby make oath or affirm under the penalties of perjury that the contents of this financial disclosure statement, including the Schedules attached hereto, are complete, true and correct to the best of my knowledge, information and belief.

Date: _____

_____
(Signature)

_____
(Printed Name)

NOTICE: The Washington County, Maryland Ethics Ordinance and Maryland law require the collection of this information, which will be used primarily for public disclosure and to determine compliance with the law. This is a public record and is required to be made available for public inspection and copying for four years from the date of receipt. The information may be disclosed to any requesting person, including officials of State, local or federal government, who record their name and address, and this record will be provided to the filer upon request. Failure to file this form by the due date can subject you to late fees of $ 2 per day up to a maximum of $ 250. Violations of the provisions of the Ethics Ordinance may subject you to civil and administrative penalties, including termination or other disciplinary action, suspension of pay, a late filing fee, and a civil fine of up to $ 5,000. Willful and false filing can subject you to criminal penalty for perjury.

Please return the completed form to:

Office of the County Attorney
Depository for the Washington County Ethics Commission
100 W. Washington Street, Room 202
Hagerstown, MD 21740
Telephone: 240-313-2230
Fax: 240-313-2231

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Instructions:

Check the proper block to Questions A through I. Do not leave any questions unanswered. If you check "Yes" to any question by sure to complete the corresponding Schedule.

			YES	NO
A.	I held interests during the reporting period in real property located in or outside Maryland. (If "Yes," complete Schedule A.)	**A.**	☐	☐
B.	I held interests during reporting period in corporations, partnerships, and similar entities. (If "Yes," complete Schedule B.)	**B.**	☐	☐
C.	I held interests in a non-corporate business entity which did business with the County, other than a partnership. (If "Yes", complete Schedule C.)	**C.**	☐	☐
D.	I received gifts during reporting period from persons doing business with the County, regulated by the County, or registered or required to register as lobbyists. (If "Yes," complete Schedule D.)	**D.**	☐	☐
E.	I or a member of my immediate family was a partner or held an office, directorship, or salaried employment during reporting period in or with a business entity doing business with the County. (If "Yes," complete Schedule E.)	**E.**	☐	☐
F.	I or a member of my immediate family owed debts (excluding retail credit accounts) during reporting period to persons doing business with the County. (If "Yes," complete Schedule F.)	**F.**	☐	☐
G.	A member of my immediate family was employed by the County during reporting period. (If "Yes," complete Schedule G.)	**G.**	☐	☐
H.	I or a member of my immediate family received a salary or was sole or partial owner of a business entity from which earned income was received, during the reporting period. (If "Yes," complete Schedule H.)	**H.**	☐	☐
I.	I have additional information or interests that I would like to disclose. (If "Yes," complete Schedule I.)	**I.**	☐	☐

Pursuant to § 5(f) of the Ordinance, for Schedules A, B, and C, the following interests are considered to be interests of the individual filing this statement:

(1) An interest held by a member of the individual's immediate family, if the interest was, at any time during the reporting period, directly or indirectly controlled by the individual.

(2) An interest held by a business entity in which the individual held a 30% or greater interest at any time during the reporting period.

(3) An interest held by a trust or an estate in which, at any time during the reporting period:

(i) The individual held a reversionary interest or was a beneficiary; or

(ii) If a revocable trust, the individual was a settlor.

Interests meeting the qualifications above are considered to be “attributable” to the individual filing this statement.

Schedule A – Real Property Interests

Do you have any interest (**as an owner or a tenant**, including interests in time shares) in real property in Maryland or in any other state or country?

_____ Yes _____ No (Go to Schedule B)

<u>If Yes</u>; (Answer each question below. A separate Schedule A will be required for each property you need to disclose.)

1. What is the address or legal description of the property? (Give Street Address, if you know it. If the property is your primary residence, you may enter the lot and block legal description instead, if you wish)

Street Address _____

City/State/Zip _____

2. What kind of property is it?

Improved (indicate whether property is residential or commercial property): _____

Unimproved (vacant lot): _____

3. Is the interest held directly by you or is it attributable to you?

Direct _____ Attributable _____

4. Are you the owner or tenant?

Owner _____ Tenant _____

5. Do you hold the interest solely or is it jointly held with another?

Solely _____ Jointly _____ Tenants by the Entirety _____

If held jointly, or by tenants by the entirety, the name(s) of the other joint owner(s):

_____

_____

6. Are there any legal conditions or encumbrances on the property? (Example: mortgages, liens, contracts, options, etc.)

_____ Yes _____ No

If yes, what is/are the name(s) of the lender(s), creditor(s), lien holder(s), etc?

_____

7. What date was the property acquired? _____

8. How was the property acquired? (Example: purchase, gift, inheritance, etc.)

_____

9. From whom was the property acquired? (Name of individual or entity from whom you purchased or inherited the property or who gifted the property to you.)

_____

10. What consideration was given when the property was acquired? (Dollar amount paid or, if you received the property as a gift or inherited it, the fair market value at the time you acquired your interest in the property)

_____

11. Have you transferred any interest in this property during the reporting period?

_____ Yes _____ No

If Yes;

11.A. What percentage of interest did you transfer: _____ %

11.B. What consideration did you receive for the interest: _____

11.C. To whom did you transfer the interest: _____

If you have any additional interests in real property in Maryland, any other state or any other country, please use additional sheet(s), if necessary, and respond to each above question for each such entry.

Schedule B – Interests in Corporations and Partnerships

Did you have any interest in any corporations, partnerships, limited liability partnerships (LLP) or limited liability companies (LLC) during the reporting period whether or not the entity did business with the County?

_____ Yes _____ No (Go to Schedule C)

If Yes; (Answer each question below. A separate Schedule B will be required for each interest you need to disclose.)

1. What is the name of the entity? Include the complete name of the entity, do not identify solely by trading symbol:

_____

2. Does the stock of the corporation trade on a stock exchange?

_____ Yes _____ No

If "no," the legal address of the entity's principal office.

_____

3. Is the interest held directly by you or is it attributable to you?

Directly: _____ Attributable: _____

4. Do you hold the interest in your name alone, or is it held jointly?

In your name alone: _____ jointly: _____

If jointly, the percentage of your interest: _____ %

5. What is the nature of your interest and its dollar value or the number of shares? (Example: stock, notes, bonds, puts, calls, straddles, purchase options, etc.) If in a non-publicly traded entity or LLP or LLC, report the percentage of ownership.

Type: _____

Dollar Value of Shares: _____ or Number of Shares: _____

Percentage of ownership: _____ %

6. Are there any legal conditions or encumbrances that apply to your interest in the entity? (Example: mortgages, liens, contracts, options, etc.)

_____ No

_____ Yes; **If yes**, name of entity holding the encumbrance: _____

_____

7. Did you acquire an interest in the entity during the reporting period?

_____ Yes _____ No

If Yes;

7A. In what month was the interest acquired? _____

7B. How was the interest in the entity acquired? (Example: purchase, gift, will, etc.):

_____

7C. From whom did you acquire the interest in the entity? (If you purchased it from a brokerage, the name of the brokerage):

_____

7D. What consideration was given when the interest was acquired? (Dollar amount paid, or if you received the property as a gift or inherited it, the fair market value at the time you acquired your interest in the property):

_____

8. Have you transferred any interest in this entity during the reporting period?

_____ Yes _____ No

If Yes;

8A. What portion of the interest was transferred? _____ %

8B. What consideration did you receive for the interest in the entity? (Dollar amount paid, or if you received the property as a gift or inherited it, the fair market value and terms at the time you transferred your interest in the property):

$ _____

8C. To whom did you transfer your interest in the entity?

_____

If you have additional interests in corporations or partnerships, please use additional sheet(s) if necessary, and answer each of the above questions for each additional entry.

Schedule C – Interests in Non-Corporate Business Entities Doing Business with the County

Do you have an interest in any non-corporate business entity (a sole proprietorship) that did business with the County during the reporting period?

_____ Yes _____ No (Go to Schedule D)

<u>If Yes;</u> (Answer each question below. A separate Schedule C will be required for each business entity to be disclosed.)

1. Name and Address of the Principal office of the business entity?

Name: _____

Address: _____

City/State/Zip: _____

2. Is the interest held directly by you or is it attributable to you? (See Paragraph E of Instructions for definition of "Attributable.")

Direct: _____ Attributable: _____

3. Do you hold the interest solely or is it jointly held with another?

Solely: _____ Jointly: _____

3.A. If jointly, the percentage of your joint interest: _____ %

3.B. Dollar value of your interest in the entity: $_____; or

percentage of your interest in the entity: _____ %

4. Are there any legal conditions or encumbrances that apply to your interest in the entity? (Example: mortgages, liens, contracts, options, etc.)

_____ Yes, If yes give name of creditor: _____

_____ No

5. Was any interest <u>acquired</u> during the reporting year?

_____ Yes _____ No

<u>If Yes;</u>

5A. What month was the interest acquired? _____

5B. How was the interest in the entity acquired? (Example: purchase, gift, will, etc.)

_____

5C. From whom did you acquire the interest? _____

5D. What consideration was given when the interest was acquired? (Dollar amount paid or if you received the property as a gift or inherited it, the fair market value at the time you acquired your interest in the property)

$ _____

6. Did you transfer any of your interest during the reporting period?

_____ Yes _____ No

<u>If yes;</u>

6A. What percentage of interest, if less than all, was transferred? _____ %

6B. What consideration did you receive for the interest in the entity? (Dollar amount paid or if you received the property as a gift or inherited it, the fair market value and terms at the time you transferred your interest in the property):

$ _____

6C. To whom did you transfer your interest in the entity? _____

If you have additional interests in sole proprietorship(s) that did business with the County during the reporting year, please use additional sheet(s) if necessary, and answer each of the above questions for each additional entry.

Schedule D – Gifts

During the reporting period, did you receive any gift(s), directly or indirectly, in excess of a value of $20 or a series of gifts from the same donor with a cumulative value of $100 or more from a person or entity who: 1) did business with the County; 2) engaged in an activity that was regulated or controlled by the County; or 3) was a regulated lobbyist? Gifts received from a member of the official's or employee's immediate family, another child, or a parent of the individual, do not need to be disclosed. See pages 3 and 4 for additional information concerning gifts and exceptions to the reporting requirements.

_____ Yes _____ No (Go to Schedule E)

<u>If Yes</u>; (Answer each question below. A separate Schedule D will be required for each gift.)

1. Who gave you the gift? _____

2. What was the nature of the gift? (Example: book, restaurant meal, theater tickets, book, etc.)

_____

3. What was the value of the gift? $ _____

4. If the gift was given to someone else at your direction, list the identity of the recipient of the gift.

_____

Please use additional sheet(s), if necessary, for any additional entries.

Schedule E – Officers, Directorships, Salaried Employment, and Similar Interests

During the reporting period, did you or any member of your immediate family (spouse or dependent child) have any salaried employment or hold any office or directorship with an entity that did business with the County?

_____ Yes _____ No (Go to Schedule F)

<u>If Yes</u>; (Answer each question below. A separate Schedule E will be required for each disclosure.)

1. What is the name and address of the business entity?

Name: _____

Address: _____

City/State/Zip: _____

2. Who was the individual who held the position or interest listed above? (Example: yourself, spouse, dependent child)

Self: _____ Spouse: _____ Dependent child: _____

2A. Name of spouse or dependent child: _____

3. What is the title of the office you, your spouse, or dependent child held? (Example: limited partner, director, treasurer, chair of the board of trustees, etc.)

_____

4. What year did the position begin? _____

5. With what County Agency(ies) did the business entity do business?

_____

6. What was the nature of the business? (Example: regulated by your agency, registered under the lobbying law, or involved with sales and contracts with the County)

_____

If necessary, please use additional sheet(s) for any additional entries.

Schedule F – Debts You Owe

During the reporting period, did you owe a debt (excluding a retail credit account) to a financial entity that did business with the County? **[NOTE: If, on Schedule A, B or C you listed a financial entity that did business with the County as the holder of your mortgage or other encumbrance, you must complete Schedule F with regard to that indebtedness.]**

_____ Yes _____ No (Go to Schedule G)

<u>If Yes</u>; (Answer each question below. A separate Schedule F will be required for each debt to be disclosed.)

1. To whom did you owe the debt? (Do not include consumer credit debts)

_____

2. When was the debt incurred? _____

3. What are the interest rate and terms of payment of the debt?

Interest Rate _____ %

Terms (monthly, bimonthly, annually, etc): _____

4. What was the amount of the debt as of the end of the reporting period. If debt existed during the reporting period but was paid in full at the end of the period, put $0.

$_____

5. Did the principal of the debt increase _____ or decrease _____ during the reporting period, and by how much?

$ _____

6. Was any security given for the debt?

_____ Yes _____ No

If Yes; Please state what type of security was given (home, car, boat, etc): _____

7. If this is a transaction in which you were involved, but which resulted in a debt being owed by your spouse or dependent child, identify your spouse or child and describe the transaction.

_____

If necessary, please use additional sheet(s) for any additional entries.

Schedule G – Family Members Employed by the County

During the reporting period, were any members of your immediate family (spouse or dependent children) employed by the County in any capacity?

_____ Yes _____ No (Go to Schedule H)

<u>If Yes</u>; (Answer each question below. A separate Schedule G will be required for each member of the immediate family who is employed by the County.)

1. What is the relation and name of the immediate family member employed by the County?

_____

2. What is the name of the agency that employed the member of your immediate family?

_____

3. What was the title of your immediate family member's position in the County agency during the reporting period?

_____

If necessary, please use additional sheet(s) for any additional entries.

Schedule H – Employment/Business Ownership

During the reporting period, did you or any member of your immediate family, receive any earned income from an entity other than the County? Please note that your dependent child's employment or business ownership does not need to be disclosed unless the place of employment or the business entity is subject to regulation or the authority of your agency or has contracts in excess of $10,000 with your agency.

_____ Yes _____ No (Go to Schedule I)

<u>If Yes</u>; (Answer each question below. A separate Schedule H will be required for each member of the immediate family who had employment or ownership of a business entity.)

1. If, during the reporting period, you or a member of your immediate family had employment from which you or they earned income, list the relation, name, and address of the employment.

Name: _____

Relationship: _____

Employer's Name: _____

Address: _____

City/State/Zip: _____

2. If, during the reporting period, you or a member of your immediate family wholly or partially owned any business entity from which income was earned, list the relation, name and address of the business entity.

Name: _____

Relationship: _____

Business Entity's Name: _____

Address: _____

City/State/Zip: _____

If necessary, please use additional sheet(s) for any additional entries.

Schedule I – Other

Is there any additional information or interest you would like to disclose?