



Mayor and Council of Snow Hill
103 Bank Street, Snow Hill, Maryland 21863
410-632-2080 Phone 410-632-2858 Fax
www.snowhillmd.com

John C. Dorman
Mayor

Alison Cook
Eastern District
Council

Latoya Purnell
Western District
Council

Jenny Hall
Central District
Council

Kelly Pruitt
Town Manager

MAYOR AND COUNCIL MEETING

TUESDAY, FEBRUARY 13, 2018
7PM

TRAIN STATION
200 BELT STREET
SNOW HILL, MARYLAND 21863

Comments or questions by audience members will only be heard during the Open Discussion segment of the meeting. If a specific concern or topic would like to be discussed, parties may submit a request with the nature of their concern to the Town Manager no later than the first Tuesday of the month. All requests will be reviewed by the Mayor and Council and parties will be notified if their requests are approved or denied.

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language; disrespectful or discourteous communication with the Mayor and/or Council members; or other acts that disturb, disrupt, or impede the orderly conduct of the Town Council meeting. A member of the audience engaging in such conduct shall, at the discretion of the Mayor or a majority of the Council Members, be subject to removal from that meeting.

Part of the meeting may be closed to the public in accordance with Open Meetings Act procedures.



**Mayor and Town Council Meeting
Agenda – February 13, 2018 7:00pm**



- 1. Salute to the Flag / Invocation**
- 2. Proclamation – Black History Month**
- 3. Approval of Minutes**
- 4. Finance Report**
- 5. Town Manager Report**
- 6. Economic Development Report**
- 7. Code Enforcement Report**
- 8. Public Works Report**
- 9. Water & Wastewater Report**
- 10. Museum Report**
- 11. Fire Department Report**
- 12. Police Department Report**
- 13. Old Business**
 - Ordinance No. 2018-01 Ethics Amendment**
- 14. New Business**
- 15. Comments from the Mayor**
- 16. Comments from the Council**
- 17. Comments from the Public**
- 18. Adjournment**

Part of the meeting may be closed to the public in accordance with Open Meetings Act procedures. **This agenda may be subject to change.**

Snow Hill Mayor and Council

BLACK HISTORY MONTH

2018

PROCLAMATION

WHEREAS, February is nationally recognized as Black History Month and is an important occasion to highlight and reinforce learning about and recognizing the important contributions of African-Americans to our history and culture; and

WHEREAS, the theme of Black History Month 2018 is “African Americans in Times of War”, commemorating the centennial of the end of the First World War in 1918, and explores the complex meanings and implications of this international struggle and its aftermath; and

WHEREAS, “Times of War” inevitably provides the framework for many stories related to African American soldiers and sailors, veterans, and civilians; and

WHEREAS, the Town of Snow Hill wishes to maintain and enhance a diverse and open community, respectful of all races.

NOW, THEREFORE, I, John C. Dorman, Mayor of the Town of Snow Hill, do hereby proclaim February 2018 as “Black History Month” in Snow Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Snow Hill to be affixed this 13th day of February 2018.

John C. Dorman, Mayor

TOWN OF SNOW HILL, MARYLAND
Life on the River

TOWN MEETING

JANUARY 9, 2018

A Regular Meeting of the Mayor and Town Council of Snow Hill, Maryland was held at the Train Station at 200 Belt Street on Tuesday, January 9, 2018 with Mayor John Dorman presiding and was called to order at 7:00pm.

PUBLIC OFFICIALS PRESENT

Mayor John Dorman
Councilwoman Jenny Hall
Councilwoman Latoya Purnell

STAFF IN ATTENDANCE

Trish Goodsell, Asst. to the Town Manager
Jon Hill, Code Enforcement Officer
Randy Barfield, Public Works Director
Jason Self, WW Superintendent
Cindy Byrd, Museum Director

SALUTE TO THE FLAG / INVOCATION

The Pledge of Allegiance was recited, followed by an invocation from Trish Goodsell.

MEETING MINUTES

A motion was given to approve the Town Meeting minutes for December 2017 by Councilwoman Hall and was seconded by Councilwoman Purnell. A roll call vote was taken, and the motion was carried. The results of the vote were: 2 in favor; 0 opposed.

FINANCIAL REPORT

A motion was given to approve the December 2017 Financial Report by Councilwoman Purnell and was seconded by Councilwoman Hall. A roll call vote was taken, and the motion was carried. The results of the vote were: 2 in favor; 0 opposed.

TOWN MANAGER REPORT

No questions or comments.

ECONOMIC DEVELOPMENT REPORT

No questions or comments.

CODE ENFORCEMENT REPORT

Jon Hill, Code Enforcement Officer added to Mr. Day's report regarding Brews Up's interest in opening in Snow Hill. Mr. Hill advised he has been working with them and The Hilligoss's have a tentative contract on Brian Riley's building on N. Washington Street. They intend to close their current business in Berlin and open in town near the end of winter or early spring.

PUBLIC WORKS REPORT

Mayor Dorman thanked the staff for their hard work during the snow event.

WWTP REPORT

Mayor Dorman thanked the staff for assisting Public Works during the snow event.

MUSEUM REPORT

No questions or comments.

FIRE / EMS REPORT

No questions or comments.

POLICE REPORT

No questions or comments.

OLD BUSINESS

No questions or comments.

NEW BUSINESS

1. Reappointment – Fannie Birkhead, Ethics Commission

A motion was given to reappoint Fannie Birkhead to the Ethics Commission by Councilwoman Hall and was seconded by Councilwoman Purnell. A roll call vote was taken, and the motion was carried. The results of the vote were: 2 in favor; 0 opposed.

2. Business Loan Application– Nicole Dahl, The Flower Shop in Snow Hill

Mrs. Dahl submitted a loan application in the amount of \$3500 to purchase a replacement cooler for her business. The cooler will be used as collateral.

A motion was given to approve the loan application by Councilwoman Purnell and was seconded by Councilwoman Hall. A roll call vote was taken, and the motion was carried. The results of the vote were: 2 in favor; 0 opposed.

COMMENTS FROM THE MAYOR

1. Mayor Dorman advised that many attended the funeral for Kirk Daugherty today and services for Office Howard Taylor are scheduled for Saturday.
2. Mayor Dorman advised that he will be absent from the next town meeting and Councilwoman Purnell will lead the meeting.

COMMENTS FROM THE COUNCIL

No comments.

COMMENTS FROM THE AUDIENCE

No questions or comments.

ADJOURNMENT

With no further discussion, Mayor Dorman adjourned the meeting at 7:14pm

Respectfully submitted: Trish Goodsell, Asst. to Town Manager

TOWN OF SNOW HILL, MARYLAND
Life on the River

WORK SESSION

JANUARY 30, 2018

On Tuesday, January 30, 2018 the Town Council convened in a work session at 4:35pm at the Train Station on Belt Street, Snow Hill, Maryland.

PUBLIC OFFICIALS PRESENT

Mayor John Dorman; Councilwoman Alison Cook; and Councilwoman Jenny Hall.

STAFF IN ATTENDANCE

Kelly Pruitt, Town Manager; Trish Goodsell, Asst. to the Town Manager; Dr. Cindy Byrd, Director of the Purnell Museum

BOOK AGREEMENT

Dr. Cindy Byrd presented a book agreement proposal to the Mayor and Council to write the book on African-American history in Snow Hill. This agreement was previously held between the Town and Dr. Clara Small, which was terminated due to lack of progress.

Dr. Byrd questioned what the timeline expectation is, as she feels it will take two years to complete. The Mayor and Council agreed to this timeline.

Dr. Byrd questioned the flexibility of the content, as they would need some leeway for grant funding to incorporate as a museum project. She plans to have the book sectioned by themes.

Dr. Byrd also confirmed that the museum would hold the copyright to the finalized book.

The request for proposal presented was that the Town provide \$5000 for the project and the museum would apply for grants, etc. to obtain the remaining \$5000. The \$5000 from the town would be disbursed as \$3000 to writer/researcher and \$2000 for printing. The Mayor and Council unanimously agreed to the proposal.

Mayor Dorman asked that the town attorney be contacted to request a letter be mailed to Dr. Small to request the research she completed or to return the funds provided.

Kelly Pruitt, Town Manager stated that a commitment letter could be drafted but asked if it could be disbursed monthly with the museum submitting a bill for \$500 and including a progress report. The printing costs would be disbursed when needed. Dr. Byrd agreed to this arrangement.

MORGAN RUN HOA

Mrs. Pruitt advised that this development started back in 2005 with Tucker Homes and provided a document for review that discussed HOA fees (page 4, #5), which was to pay for maintenance of common areas, including the pond. This HOA was never established and the pond/common areas are not being maintained. Mrs. Pruitt added that she does not believe the home owners are aware of the HOA requirement.

Councilwoman Cook questioned why this wasn't enforced before now. Mrs. Pruitt responded that the town planner had worked on it with the previous town attorney and it has now come back up.

Mrs. Pruitt offered three options: town can absorb the cost; attorney can send a letter to residents explaining they need to form an HOA; or create a special taxing district billed annually with monies held for maintenance costs.

The Mayor and Council concluded to have the town attorney mail a letter to the residents. They also asked Mrs. Pruitt to obtain a quote for maintenance of the pond and common areas.

ETHICS ORDINANCE REVISION

Trish Goodsell, Asst. to the Town Manager provided a draft copy of an Ordinance to amend the current ethics requirements in the town code. The State of Maryland made changes in the 2017 legislative session that included: lobbying provisions for former elected officials, prohibited uses of prestige of office; restricts public access to home addresses on certain financial disclosures; and alters the contents of financial statements to include only indebtedness to entities doing business with the town.

This Ordinance will be presented for introduction at the February town meeting.

NAACP RESOLUTION

Judy Davis has requested a Resolution by the NAACP be approved by the Mayor and Council for Judy Johnson. The Mayor and Council are fine with it and Mrs. Pruitt pointed out a correction that needed to be made (typographical error). She added that it needs to be decided what type of memorial they want to do and the location. The County had stated that if they do for one they have to do for all. Mrs. Pruitt suggested that maybe the County would consider a large memorial board with everyone listed.

Mayor Dorman stated they could consider Byrd Park if the County does not want to erect anything at the baseball fields.

Mayor Dorman called for a motion to enter Executive Closed Session to discuss personnel. Councilwoman Cook gave a motion to enter closed session, which was seconded by Councilwoman Hall. A roll call vote was taken, and the motion was carried.

CLOSED SESSION SUMMARY

Following a motion by Councilwoman Cook, seconded by Councilwoman Hall, the Council voted to meet in closed session at 5:15pm at the Train Station to discuss personnel, as permitted under the provision of Section 3-305 of the State Government Article of the Annotated Code of Maryland. Topics discussed, and actions taken included:

- Personnel – future discussion will be had on some matters; an ad for a Public Works Supervisor will be placed in the local newspaper

Mayor Dorman left Executive Closed Session and re-entered into open session.

ADJOURNMENT

With no further discussion, the meeting was adjourned at 6:23pm.

Respectfully submitted,
Trish Goodsell, Asst. to Town Manager



*Town of Snow Hill
103 Bank Street
Snow Hill, MD 21863*

*www.snowhillmd.com
Phone: 410-632-2080
Fax: 410-632-2858*

TOWN MANAGER REPORT
Submitted by Kelly Pruitt, Town Manager
February 13, 2018

Tax Sale

Legal final notices have been mailed prior to turning properties over to the attorney for sale.

Audits

A recent update from the MD Dept of Housing and Development advised that the audit should be completed by the end of February. We will report the results once received.

TGM Group is working on finalizing the annual audit. The audit should be ready to present to the Mayor and Council at the Town Meeting in March.

Sturgis Park

Jack Sullivan of Campion Hruby Landscape Architects presented a 3D sketch-up model of their Master Plan for Sturgis Park to the Mayor and Council. Overall, everyone agreed that the design was beautiful, but that more activity was needed. There was discussion of collaborating with the Lower Shore Land Trust to include a butterfly garden, as well as new restrooms. Funding sources for creating the park vision were discussed.

Adult Entertainment Ordinance

A draft ordinance is being finalized by the Town Attorney and will be reviewed by the Mayor and Council prior to introduction at a town meeting.

Holiday Closings

Town Offices will be closed on Monday, February 19, 2018 for Presidents Day.

Town General Election

The Town will hold a General Election on Tuesday, May 1, 2018 for the seats of Mayor and Eastern District Councilperson. The last day to file a certificate of candidacy is Friday, March 30, 2018 by 4:30pm.

Employment Opportunities

The Town currently has the following position open:

- Public Works Supervisor
- Wastewater Superintendent
- Wastewater Operator Trainee

Applications are being accepted at Town Hall during normal business hours.

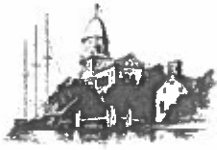
Michael Day
443-735-0957
day@snowhillmd.com

February 2018
Snow Hill

- Met with Tony Hilligoss -Brew's Up
- Several meetings with merchants
- Met with OC Chamber – New Visitor's Guide
- Phone meeting with DHCD – Amy Seitz
- Met with M. Wyatt – prospect
- Working with Bayside Gazette on new merchant brochure
- Met with O. Mawyer – 2018 events
- Working with S. Deeley, Walk on Water – “Return to Goat Island”
- Meeting with Shore Craft Beer – “Oktoberfest”
- Attended Folk Life Festival 101
- Met with OC Hotel Motel Restaurant Association
- Met with Somerset Art & Entertainment
- Attended the Snow Hill Chamber of Commerce Luncheon Meeting
- Organized merchant event meeting
- Met with Lisa Stant – events 2018
- Met with C. Sullivan – Pocomoke
- Phone meeting with Deanna Whittington – M&T Bank
- Met with Dan Brandewie – Building prospect
- Met with D. Stam – Grants
- Met with J. Mosca – Christmas support from L. Challenger
- Maintaining Airport Kiosk

If anyone would like to meet with me feel free to call me anytime.

Michael
443-735-0957



Code Enforcement Report
Town of Snow Hill
Submitted by Jon Hill, Housing Official
Activity for Jan - through Feb 5, 2018

<u>Permits:</u>	<u>Code Violations:</u>
Building permits issued: 6	Grass/Weeds: 0
General purpose permits: 0	Bulk/Yard Waste: 0
	Stop work orders: 0
<u>Inspections:</u>	Municipal infractions: 0
	Zoning violations: 0
Footing/Stake Out inspections: 0	
Foundation inspections: 1	
Sheathing/Insulation inspections:	
Final inspections: 0	
Rental inspections: 94	
Site Visits: 36	

Historic District Commission: No Meeting Held

Planning Commission Meeting: No Meeting Held



SNOW HILL
Maryland

DEPARTMENT OF PUBLIC WORKS

MONTHLY REPORT

Public Works, Water and Wastewater

Activity: January 1 - 31, 2018

Services:

- Trash collection totaled 74.94 tons
- Recycling collection totaled 3.17 tons
- Yard waste/sweeper dirt collection totaled 3.91 tons
- Sewer issues corrected 0
- Water issues corrected – several due to frozen pipes
- Miss Utility locates = 17

Events:

- Snow Hill Chamber Oyster Roast – February 25, 2018 1pm-5pm

Respectfully submitted by Randy Barfield, Public Works Director

Town of Snow Hill

Water & Wastewater Report

January 2018



Water Department:

- ❖ 6.984 million gallons of water was treated with Fluoride, Chlorine, and Calciquest and distributed this month.
- ❖ 36,081 gallons of water was treated with Chlorine and supplied by a separate well to Duck Inn and McDonald's area for the month.
- ❖ 744 State appropriations permit tests were performed by Town personnel this month.
- ❖ 2 monthly Drinking Water Coliform tests were collected by Town staff and tested by our outside lab in Ocean City. All came back negative for any presence of coliform bacteria.
- ❖ Daily checks were performed on all three of our community wells and our one non-community well in the McDonald's/Duck Inn area.
- ❖ Water Department personnel spent two work days at the end of the month reading meters for the Town's billing department.
- ❖ Daily Log Books, Monthly Operating Reports and test results are available for inspection at the Wastewater Plant office.

Wastewater Department:

- ❖ 10.103 million gallons of wastewater was treated this month.
- ❖ 720 process control and permit compliance tests were performed by Town operations staff.
- ❖ 108 Permit required tests were performed by our outside lab in Ocean City.
- ❖ 0 gallons of septage was received at the Wastewater Treatment Facility.
- ❖ .281 million gallons of leachate was received from Worcester County Landfill and Accomac County Landfill.
- ❖ All three lift stations were checked daily.
- ❖ 0 tons of sludge was dewatered and removed from the plant to the County landfill.
- ❖ All monthly preventive maintenance was performed by Town operations staff for the month.
- ❖ Daily Log Books and Monthly Operation Reports are available at the Wastewater Plant office for inspection.

**Director's Report
Julia A. Purnell Museum
January 1-31, 2018
Dr. Cynthia Byrd**

Events and Community Outreach

On January 23, museum staff met with Michael Day and local business owners to plan and brainstorm townwide events for this year. The museum will be participating in the Hunt for the Heart activity, the annual Spring Egg Hunt on March 26th, and will hold a spring reception during First Friday on April 6.

Exhibits

Work has begun to repair and update the museum's general store with completion scheduled by the time of the April 6 reception, which will also feature the newly renovated Civil War exhibit.

Research for an exhibit on local woodworking and architecture traditions is planned for the coming year, with a panel presentation and workshop series to follow. Local woodworkers who are willing to be interviewed and featured are encouraged to contact the museum.

Publication

Our recently published historic children's book, *In Make-Believe Land* by Julia Hartmann Shockley, is in stock and available for purchase at the museum (\$15.00) and online at Lulu.com (\$17.95). Note that books purchased at the museum are discounted and come with a one-year membership for new members.

Development

On January 26, Dr. Byrd met with the owner of DK Designs, who donated a large stockpile of fabric and tile samples for use in the museum's Heritage Arts for Kids programming.

At the work session held on January 30, Dr. Byrd presented a proposal for the museum to take over the writing of a book on local history, requesting half the cost from the town and offering to match the other half using the museum's grant resources. The proposal was approved by Mayor and Council.

On January 13, Dr. Byrd met with the museum's development consultant, volunteer Marcie Merz, to discuss this year's membership drive and fundraising plans. Our annual membership drive is scheduled to begin in February. Members can sign up or renew by mail, in person, or online at purnellmuseum.org.



SNOW HILL VOLUNTEER FIRE COMPANY, INC.

4718 Snow Hill Road • P.O. Box 83 • Snow Hill, Maryland 21863
410-632-2110 • Fax 410-632-3911

Monthly Report of Activity for the Snow Hill Fire Department

JANUARY 2018

Responded to **Thirty-One (31)** Fire Related Calls

- 1 – Odor of gas
- 2 – Motor Vehicle Accidents
- 1 – Electrical Hazard
- 5 – Public Service Calls
- 4 – Fire Alarms
- 1 – Gas leak
- 13 – Assist EMS
- 4 – Mutual Aid

Responded to **90** EMS calls.

31 - YTD fire related incidents

90 - YTD EMS calls

Career staff participated in "Operation Warm". A program carried out by the IAFF union providing winter coats to needy school children.

During our recent snow storm, we had extra standby crews at the firehouse to assist with any EMS and/or Fire calls.

Training for the month was for 'Cold Weather Operations'

Please feel free to contact us if we can be of assistance in any way.

Respectfully submitted,

William 'Trey' Heiser
Fire Chief
Snow Hill Fire Department

COMMUNICATIONS

Committed Hours by Nature

Agency: SHPD, Event date/Time range: 01/01/2018 00:00:00 - 01/31/2018 23:59:59

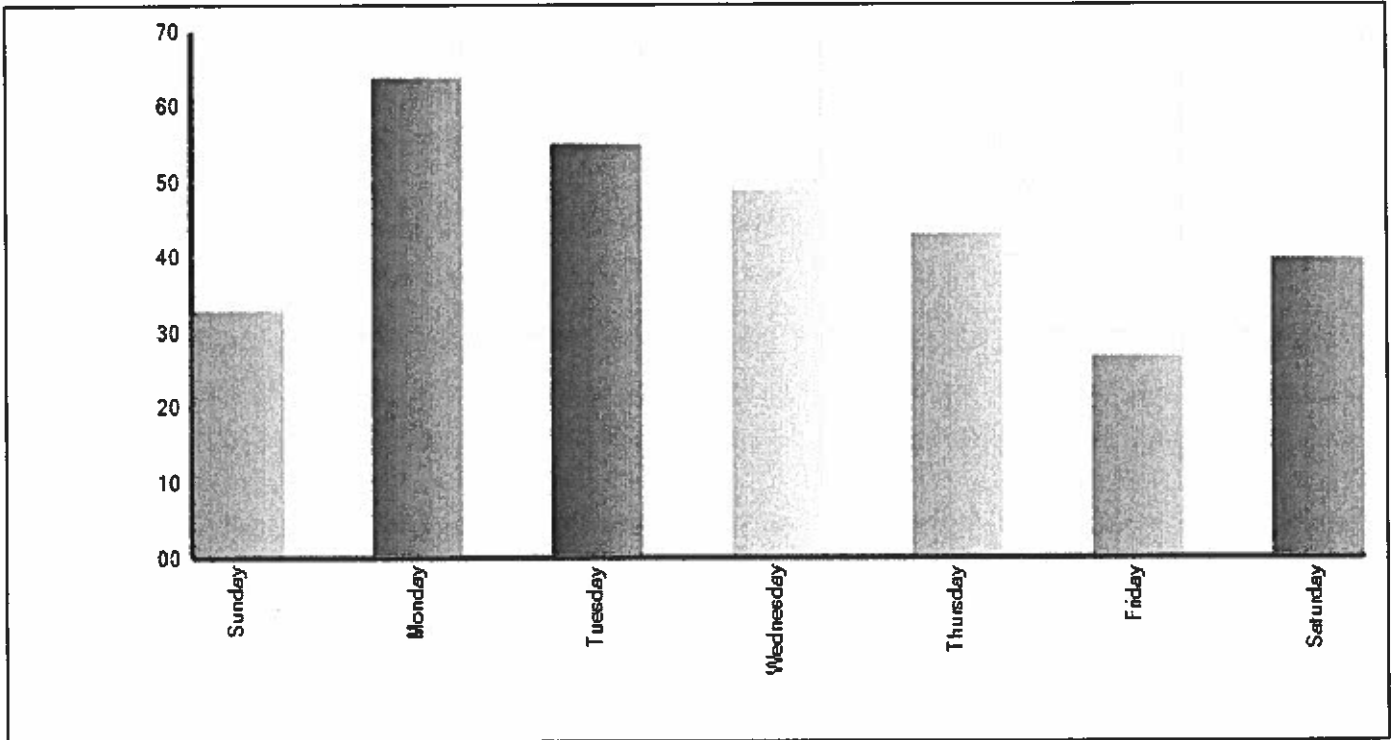
Agency Code	Nature Code	Total Calls where a Unit Dispatched/Cleared	# of Personnel Utilized	Personnel Time Committed	Avg Personnel Time Committed
SHPD	ACCIDENTS VEHICLES PD	3	3	0001:20:35	0000:26:52
	ALARMS BURGLAR	16	17	0002:14:28	0000:07:55
	ANIMAL COMPLAINTS	1	1	0000:19:56	0000:19:56
	ASSISTANCE TO OTHER	16	16	0005:42:16	0000:21:24
	ATTEMPT TO LOCATE	1	1	0000:10:09	0000:10:09
	CARDIAC OR RESPIRATORY ARREST	1	1	0000:00:07	0000:00:07
	CHECK WELFARE	16	17	0005:16:51	0000:18:38
	CIVIL COMPLAINT	2	2	0000:38:58	0000:19:29
	DECEASED PERSON	1	1	0004:24:52	0004:24:52
	DISABLED UNATTENDED VEHICLE	1	1	0000:01:19	0000:01:19
	DISORDERLY	2	3	0000:44:01	0000:14:40
	DOMESTIC COMPLAINTS	2	2	0000:34:10	0000:17:05
	ESCORT	1	1	0000:26:02	0000:26:02
	FRAUD	1	1	0001:11:06	0001:11:06
	INFO	6	6	0008:28:43	0001:24:47
	MALICIOUS DESTRUCTION OF PROP	2	2	0001:23:36	0000:41:48
	MISSING PERSON	2	2	0000:48:43	0000:24:22
	NOISE COMPLAINT	1	1	0000:14:25	0000:14:25
	NON TRAFFIC MILES CJIS CHECKS	4	4	0000:02:23	0000:00:36
	OTHER ASSAULTS	1	1	0001:03:02	0001:03:02
	PAPER SERVICE	6	6	0001:17:41	0000:12:57
PATROL CHECK	58	58	0006:57:08	0000:07:12	
PREMISE CHECK	153	153	0030:36:45	0000:12:00	
PSYCHIATRIC SUICIDE ATTEMPT	1	1	0001:33:08	0001:33:08	

Agency Code	Nature Code	Total Calls where a Unit Dispatched/Cleared	# of Personnel Utilized	Personnel Time Committed	Avg Personnel Time Committed
	RECOVERED PROPERTY EXCEPT AUTO	1	1	0000:00:51	0000:00:51
	ROADSIDE ROADWAY HAZARDS	1	1	0000:03:56	0000:03:56
	SEX OFFENSES	1	1	0000:55:53	0000:55:53
	SUPPLEMENTAL INVESTIGATION LAW	2	2	0003:39:11	0001:49:35
	SUSPICIOUS PERSON VEHICLE	5	5	0000:47:37	0000:09:31
	THEFT	1	1	0000:16:04	0000:16:04
	TRAFFIC COMPLAINTS	4	4	0001:00:06	0000:15:02
	TRAFFIC DETAIL	8	8	0003:02:15	0000:22:47
	TRAFFIC STOP	2	2	0000:17:15	0000:08:38
	TRAFFIC TRANSPORTATION ACC	1	1	0001:02:05	0001:02:05
	TRESPASSING	2	2	0001:39:46	0000:49:53
	VEHICLE LOCKOUT	3	3	0000:50:45	0000:16:55
	WARRANT ATTEMPT	2	2	0000:08:52	0000:04:26
	WEAPONS COMPLAINT	2	2	0000:44:32	0000:22:16
	Sub-Totals for No Summary Code	333	336	0089:59:30	0000:16:04
	Sub-Totals for SHPD	333	336	0089:59:30	0000:16:04

COMMUNICATIONS

Calls For Service by Day of Week

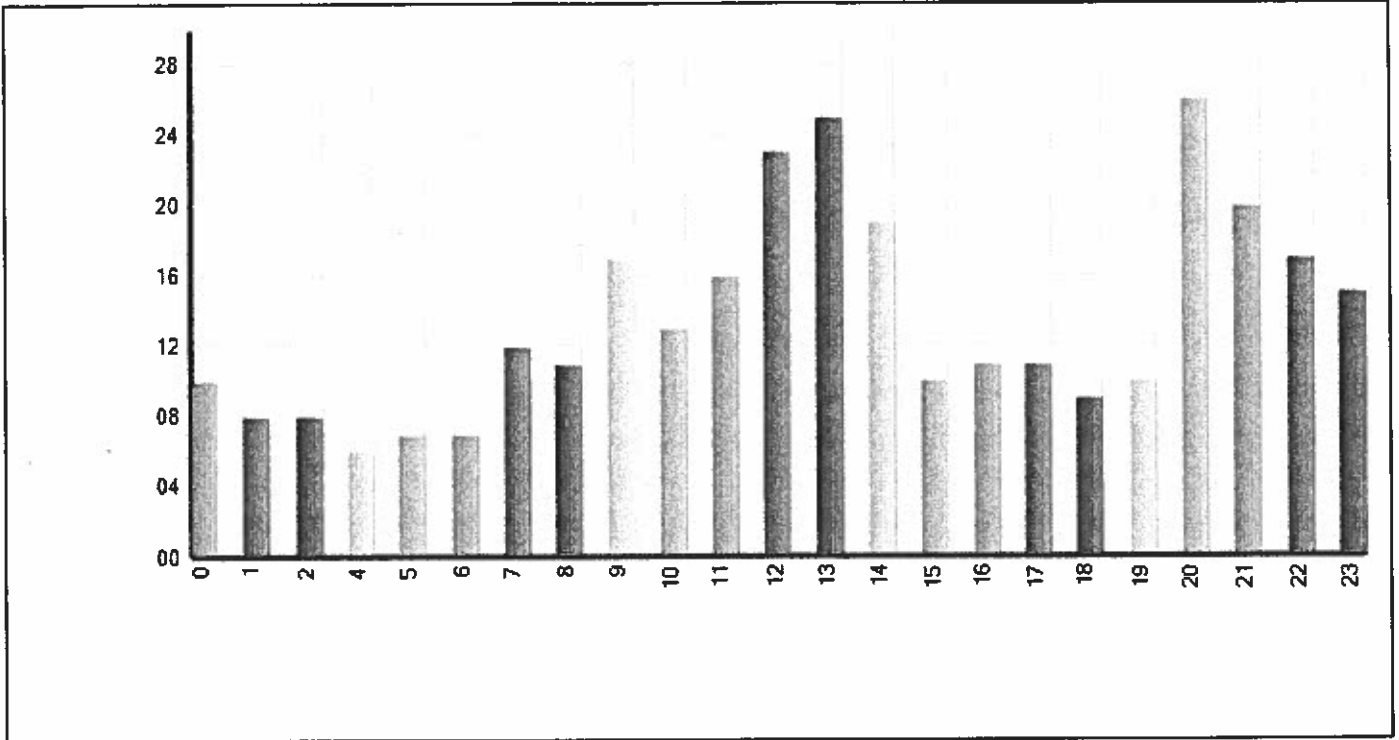
Agency: SHPD Date: 1/1/2018 - 1/30/2018



COMMUNICATIONS

Calls For Service by Hour of Day

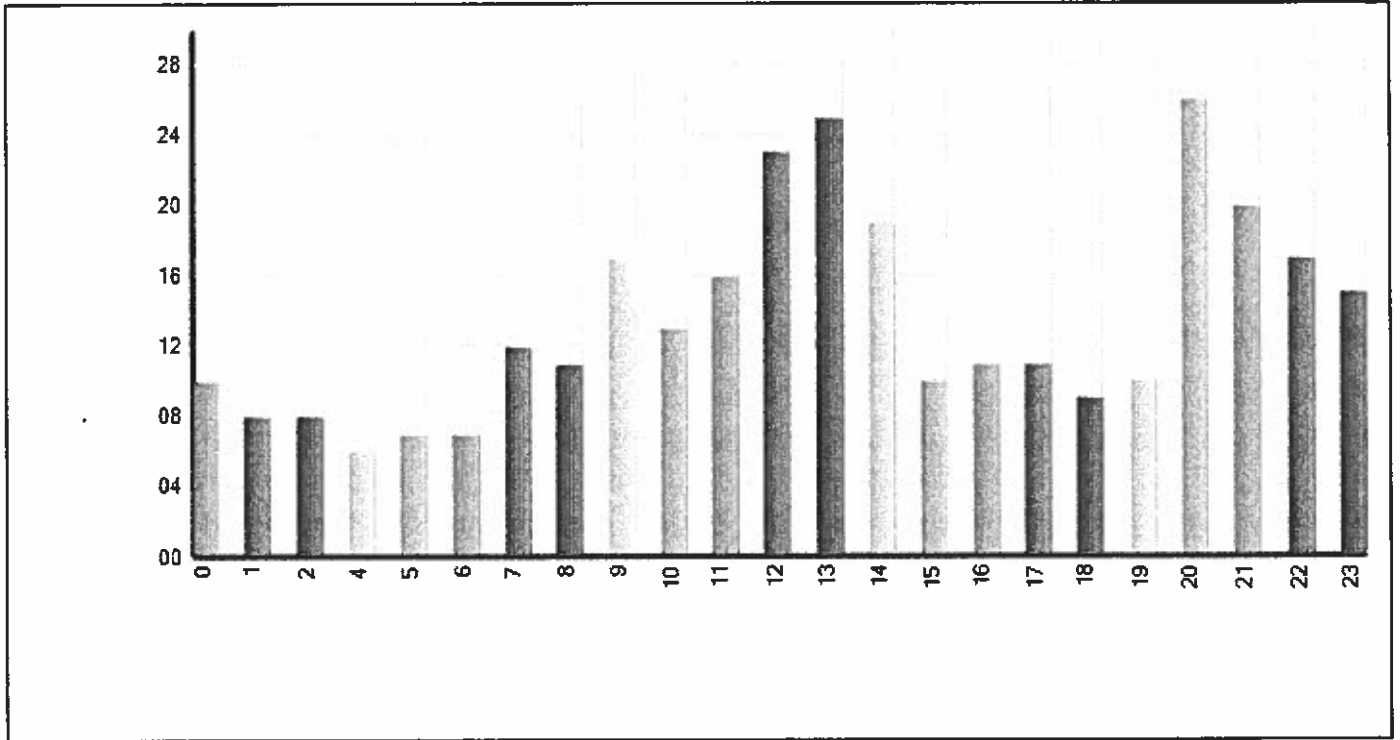
Agency: SHPD Date: 1/1/2018 - 1/30/2018



COMMUNICATIONS

Calls by Law Beat

Agency: SHPD Date: 1/1/2018 - 1/30/2018





MAYOR AND COUNCIL OF SNOW HILL

First Reading _____

Second Reading _____

TOWN OF SNOW HILL, MARYLAND

LEGISLATIVE SESSION

ORDINANCE NO. 2018-01

AN ORDINANCE to amend Chapter 16 of the Town Code of Snow Hill, entitled "Public Ethics," to address changes mandated by legislation (House Bill 879) enacted during the 2017 Legislative session that local governments must incorporate into their Ethics Ordinances. Changes include provisions that preclude former elected officials from lobbying in a matter that is the subject of legislative action for one calendar year after the elected official leaves office; clarifies prohibited uses of prestige of office; restricts public access to home addresses on certain financial disclosures; and alters the contents of financial statements to include only indebtedness to entities doing business with the Town's unit or department.

SECTION I: NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SNOW HILL, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 16 of the Town Code shall be amended to read as follows:

CHAPTER 16 - PUBLIC ETHICS

§ 16-4. Conflicts of interest.

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

B. All Town elected officials, officials appointed to Town boards and commissions subject to this chapter 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 as follows:

(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:

(a) 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;

(b) 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;

(c) 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.

(d) 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;

(e) An entity, doing business with the Town, 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

(f) A business entity that:

[1] 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

[2] 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 Subsection C(1) or (2) of this section shall disclose the nature and circumstances of the conflict and may participate or act if:

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

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

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

(4) The prohibitions of Subsection C(1) and (2) of this section 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:

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

[1] Subject to the authority of the official or employee or the Town agency, board, commission with which the official or employee is affiliated; or

[2] That is negotiating or has entered a contract with the agency, board or commission with which the official or employee is affiliated; or

(b) 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:

(a) 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;

(b) 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;

(c) 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

(d) 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 Town for compensation in a case, contract or other specific matter involving the Town 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 Town Council~~ A former elected official may not assist or represent another party for compensation in a matter that is the subject of legislative action for one calendar year after the elected official leaves office.

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 Town.

G. Use of prestige of office.

(1) (a) An official or employee may not intentionally use the prestige of office or public position ~~for~~;

[1] For the private gain of that official or employee or the private gain of another; or

[2] To influence, except as part of the official duties of the official or employee or as a usual and customary constituent service without additional compensation, the award of a state or local contract to a specific person.

(b) An official may not directly or indirectly initiate a solicitation for a person to retain the compensated services of a particular regulated lobbyist or lobbying firm.

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

(3) (a) An official, other than an elected official, or employee may not use public resources or the title of the official or employee to solicit a contribution as that term is defined in the Election Law Article.

(b) An elected official may not use public resources to solicit a contribution as that term is defined in the Election Law Article.

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:

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

(b) 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;

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

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

(4) Subsection H (5) of this section does not apply to a gift:

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

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

(c) 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 Subsection H (3) of this section, an official or employee may accept the following:

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

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

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

(d) 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;

(e) 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;

(f) 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 Town and that the gift is purely personal and private in nature;

(g) 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

(h) Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is 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 Town 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.

§ 16-5. Financial disclosure.

A. This section applies to all local elected officials and candidates to be local elected officials.

B. Except as provided in Subsection D of this section, a local elected official, or a candidate to be a local elected official shall file the financial disclosure statement required under this section:

(1) On a form provided by the Commission;

(2) Under oath or affirmation; and

(3) With the Commission.

C. Deadlines for filing statements.

(1) An incumbent local elected official shall file a financial disclosure statement annually no later than April 30 of each year for the preceding calendar year.

(2) An individual who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within 30 days after appointment.

(3) An individual who, other than by reason of death, leaves an office for which a statement is required shall file a statement within 60 days after leaving the office. The statement shall cover:

(a) The calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and

(b) The portion of the current calendar year during which the individual held the office.

D. Candidates to be local elected officials.

(1) Except for an official who has filed a financial disclosure statement under another provision of this section for the reporting period, a candidate to be an elected local official shall file a financial disclosure statement each year beginning with the year in which the certificate of candidacy is filed through the year of the election.

(2) A candidate to be an elected local official shall file a statement required under this section:

(a) In the year the certificate of candidacy is filed, no later than the filing of the certificate of candidacy;

(b) In the year of the election, on or before the earlier of April 30 or the last day for the withdrawal of candidacy; and

(c) In all other years for which a statement is required, on or before April 30.

(3) A candidate to be an elected official:

(a) May file the statement required under § 16-5D(2)(a) with the Town Manager or Board of Election Supervisors with the certificate of candidacy or with the Commission prior to filing the certificate of candidacy; and

(b) Shall file the statements required under § 16-5D(2)(b) and (c) with the Commission.

(4) If a candidate fails to file a statement required by this section after written notice is provided by the Town Manager or Board of Election Supervisors at least 20 days before the last day for the withdrawal of candidacy, the candidate is deemed to have withdrawn the candidacy.

(5) The Town Manager or Board of Election Supervisors may not accept any certificate of candidacy unless a statement has been filed in proper form.

(6) Within 30 days of the receipt of a statement required under this section, the Town Manager or Board of Election Supervisors shall forward the statement to the Commission or the office designated by the Commission.

E. Public record.

(1) The Commission or office designated by the Commission shall maintain all financial disclosure statements filed under this section.

(2) Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the Commission.

(3) If an individual examines or copies a financial disclosure statement, the Commission or the office designated by the Commission shall record:

(a) The name and home address of the individual reviewing or copying the statement; and

(b) The name of the person whose financial disclosure statement was examined or copied.

(4) Upon request by the official or employee whose financial disclosure statement was examined or copied, the Commission or the office designated by the Commission shall provide the official with a copy of the name and home address of the person who reviewed the official's financial disclosure statement.

(5) For statements filed after January 1, 2019, the Commission or the office designated by the Commission may not provide public access to an individual's home address that the individual has designated as the individual's home address.

F. Retention requirements. The Commission or the office designated by the Commission shall retain financial disclosure statements for four years from the date of receipt.

G. Contents of statement.

(1) Interests in real property.

(a) A statement filed under this section shall include a schedule of all interests in real property wherever located.

(b) For each interest in real property, the schedule shall include:

[1] The nature of the property and the location by street address, mailing address or legal description of the property;

[2] The nature and extent of the interest held, including any conditions and encumbrances on the interest;

[3] The date when, the manner in which, and the identity of the person from whom the interest was acquired;

[4] The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;

[5] If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest and the identity of the person to whom the interest was transferred; and

[6] The identity of any other person with an interest in the property.

(2) Interests in corporations and partnerships.

(a) A statement filed under this section shall include a schedule of all interests in any corporation, partnership, limited-liability partnership or limited-liability corporation, regardless of whether the corporation or partnership does business with the Town.

(b) For each interest reported under this subsection, the schedule shall include:

[1] The name and address of the principal office of the corporation, partnership, limited-liability partnership or limited-liability corporation;

[2] The nature and amount of the interest held, including any conditions and encumbrances on the interest;

[3] With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred; and

[4] With respect to any interest acquired during the reporting period:

[a] The date when, the manner in which, and the identity of the person from whom the interest was acquired; and

[b] The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

(c) An individual may satisfy the requirement to report the amount of the interest held under Subsection G(2)(b) of this section by reporting, instead of a dollar amount:

[1] For an equity interest in a corporation, the number of shares held and, unless the corporation's stock is publicly traded, the percentage of equity interest held; or

[2] For an equity interest in a partnership, the percentage of equity interest held.

(3) Interests in business entities doing business with Town.

(a) A statement filed under this section shall include a schedule of all interests in any business entity that does business with the Town, other than interests reported under Subsection G(2) of this subsection.

(b) For each interest reported under this subsection, the schedule shall include:

[1] The name and address of the principal office of the business entity;

[2] The nature and amount of the interest held, including any conditions to and encumbrances in the interest;

[3] With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred; and

[4] With respect to any interest acquired during the reporting period:

[a] The date when, the manner in which, and the identity of the person from whom the interest was acquired; and

[b] The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

(4) Gifts.

(a) A statement filed under this section shall include a schedule of each gift in excess of \$20 in value or a series of gifts totaling \$100 or more received during the reporting period from or on behalf of, directly or indirectly, any one person who does business with or is regulated by the Town.

(b) For each gift reported, the schedule shall include:

[1] A description of the nature and value of the gift; and

[2] The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.

(5) Employment with or interests in entities doing business with Town.

(a) A statement filed under this section shall include a schedule of all offices, directorships and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with the Town.

(b) For each position reported under this subsection, the schedule shall include:

[1] The name and address of the principal office of the business entity;

[2] The title and nature of the office, directorship or salaried employment held and the date it commenced; and

[3] The name of each Town agency with which the entity is involved.

(6) Indebtedness to entities doing business with or regulated by the individual's Town unit or department.

(a) A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons doing business with or regulated by the individual's Town unit or department owed at any time during the reporting period:

[1] By the individual; or

[2] By a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability.

(b) For each liability reported under this subsection, the schedule shall include:

[1] The identity of the person to whom the liability was owed and the date the liability was incurred;

[2] The amount of the liability owed as of the end of the reporting period;

[3] The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and

[4] The security given, if any, for the liability.

(7) A statement filed under this section shall include a schedule of the immediate family members of the individual employed by the Town in any capacity at any time during the reporting period.

(8) Sources of earned income.

(a) A statement filed under this section shall include a schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.

(b) A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.

(9) A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.

H. For the purposes of § 16-5G(1), (2) and (3) of this chapter, the following interests are considered to be the interests of the individual making the 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:

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

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

I. Review; notice; enforcement.

(1) The Commission shall review the financial disclosure statements submitted under this section for compliance with the provisions of this section and shall notify an individual submitting the statement of any omissions or deficiencies.

(2) The Town Ethics Commission may take appropriate enforcement action to ensure compliance with this section.

SECTION II. Severability. Should any provision, section, paragraph or subparagraph of this Article, including any code or text adopted hereby, be declared null and void, illegal, unconstitutional or otherwise determined to be unenforceable by a court having competent jurisdiction, the same shall not affect the validity, legality or enforceability of any other provision, sections, paragraph or subparagraph hereof, including any code or text adopted hereby. Each such provision, section, paragraph or subparagraph is expressly declared to be and is deemed severable.

SECTION III. Addition to Code. It is the intention of the Mayor and Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Town Code, and the Sections of this ordinance may be renumbered to accomplish such intention.

SECTION IV. Effective Date. Subject to the second sentence of this Section IV, this Ordinance shall take effect at the expiration of twenty (20) calendar days from the date of final passage.

This Ordinance was introduced and read at meeting of the Town Council of the Town of Snow Hill, Maryland held on the ____ day of _____, 2018, and passed for Second Reading. In accordance with Section 11 of the Charter of Snow Hill, Maryland, a statement of the substance of the Ordinance has been published in a newspaper or newspapers having general circulation in the Town of Snow Hill and

posted by law. Thereafter, the Ordinance was passed by the Town Council on the ____ day of _____, 2018.

Passed this ____ day of _____, 2018.

Jenny Hall
Central District Council

Alison Cook
Eastern District Council

Latoya Purnell
Western District Council

ATTEST:

Kelly Pruitt
Town Manager

Approved this ____ day of _____ 2018.

John Charles Dorman, Mayor