

Ethics Committee Meeting Agenda  
October 18, 2023  
7:00 pm, via Zoom

- Call to Order
- Welcome and Introduction
- Organization of 2023/2024 Committee
- Ethics Training
- Review of COI and Oath of Office forms
- Council 9/21/2023 Vote to Introduce Ordinance 2023-9-1: Ordinance to Amend the Ethics Ordinance to Expand the Definition of “Official” to Include Members of All Committees and Ad Hoc Committees Appointed by the Council.
- Resident Comments
- Additional Business/Committee Discussion
- Scheduling of Next Meeting
- Adjournment

The Committee invites and encourages comments to be submitted before the meeting. Please send any such comments to [ethics@martinsadditions.org](mailto:ethics@martinsadditions.org).

Additional information about the VMA Ethics Committee can be found at:  
[https://www.martinsadditions.org/governance/village\\_committees/ethics\\_committee.php](https://www.martinsadditions.org/governance/village_committees/ethics_committee.php)

Below is the information for those residents who wish to join remotely:

Join Zoom Meeting  
<https://us02web.zoom.us/j/86109613885>

Meeting ID: 861 0961 3885  
Dial-in: 1 301 715 8592

## **Village of Martin's Additions Guidelines for Village Committees**

The Village of Martin's Additions encourages resident participation on its various committees, which manage elections, oversee ethics requirements, and advise the Village Council on requested topics. The Village utilizes several types of committees.

*Mandated committees:* The Village Charter and Code of Ordinances establish committees to oversee elections and ethics.

*Standing committees:* The Council establishes standing committees to serve continuing functions; one example is the Community Engagement Committee, which plans and executes social events.

*Ad-hoc committees:* The Council may also establish temporary advisory committees dedicated to a limited objective for a specified duration. Past ones have advised on the Village building code, storm water management, trees, walkability, and safety.

The Council has adopted these guidelines to clarify the role of Village committees, ensure transparency, and promote best practices. Maryland and Village laws require many of these procedures whereas others stem from accumulated experience; thus, the Village Council may alter these guidelines in the future.

**Mission statement:** The Council provides committees a mission statement, usually by resolution. It describes reasons for establishing the committee; lists specific questions and goals; and specifies the time expected for the committee's work.

**Appointments:** Subject to the requirements of the Charter and Code, the Council specifies the number of members, terms of office, and criteria for membership. All Village residents are encouraged to apply for committee membership, which the Village solicits by open calls for volunteers. The Council appoints members by a recorded vote in open meeting. The appointment process considers various factors: keeping committees to a reasonable size; ensuring that Village-wide views are represented; and including relevant expertise and a diversity of experiences. Applicants may be requested to include a brief statement about why they would like to serve on that body and any special expertise that may be valuable. Committee members normally serve through the end of the Village fiscal year (June 30) in which they are appointed, except Ethics Committee members who serve staggered two-year terms. Members may resign from a committee at any time.

**Swearing in and training:** Following their appointment and prior to taking part in committee business, committee members take the prescribed oath of office and complete the Village's conflict of interest form. Committee members will be familiarized with relevant laws, including conflicts of interest, financial disclosures, open meetings, and Village regulations, policies, and procedures. In compliance with the oath of office and the Village Code, members must execute their duties with strict impartiality.<sup>1</sup>

As required by Maryland's Open Meetings Act, at least one member of each Committee must complete the online training offered by the Open Meetings Compliance Board. However, the Council strongly encourages all members to complete the training, available at:

[https://www.igsr.umd.edu/VLC/OMA/class\\_oma\\_title.php](https://www.igsr.umd.edu/VLC/OMA/class_oma_title.php).

**Liaison with Council and Manager:** The Village Council appoints one of its members as a liaison to each committee. Council members whose term expires in the current year should not serve as liaison to

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<sup>1</sup> The oath of service and conflict-of-interest questionnaire are on the Village website:  
[https://www.martinsadditions.org/No.%202019-10-2%20\(oath%20and%20conflicts\).pdf](https://www.martinsadditions.org/No.%202019-10-2%20(oath%20and%20conflicts).pdf)

the election committee. The liaison ordinarily attends all meetings but is not a voting member and acts primarily as an observer and advisor, facilitating communication between the committee and the Council, and ensuring that the committee meets its responsibilities (e.g., that it adheres to the mission statement, and complies with the Open Meetings Act). The Council liaison may also organize the first meeting of a new committee to initiate routine operations.

The Village Manager coordinates meetings, notifies the public, acts as support, maintains the public record of meetings, posts the minutes, facilitates contracts, and updates the Village website with Committee information. The Manager is not responsible for taking notes, drafting minutes, or acting in the stead of the committee, Council, or Council liaison.

**Operations:** Members should schedule their first meeting soon after their appointment to establish plans and procedures for the coming year. Committees usually appoint their own officers at their first meeting; officers include a chair who presides over meetings, a vice-chair who presides in the absence of the chair, and a secretary who is responsible for minutes. From time to time when allowed by the Charter and Code, the Council may appoint either a Council member or another resident as chair.<sup>2</sup> The secretary may be a rotating position with members alternating in the job of taking minutes.

Committee chairs typically set meeting agendas with the input of their committee members. They assure that each meeting is properly noticed; that the public is welcomed to attend and have an opportunity to speak; that meeting minutes are prepared, approved by a majority of members, and posted; and that committee reports and recommendations are written, reviewed, approved by a committee majority, and presented to the Council.

The Village Council provides an annual budget for routine committee operations. The Council must approve significant additional expenditures. If committees desire legal advice, the request must be approved by a committee majority before submittal to the Manager.

It is expected that appointees prepare in advance for meetings, commit to regular attendance, and participate in the production of any required work. Committee members should not present themselves as spokespersons for the Village unless specifically directed to do so by the Council. The Village does not tolerate harassment, intimidation, verbal abuse, or discrimination. Members will ensure fair and equal treatment in all matters coming before the committee.

**Meetings:** A majority of committee members constitutes a quorum for the transaction of business. A majority vote of those present at any meeting, but not less than the number necessary for a quorum, is sufficient for any official action taken by the committee. Committees require majority affirmation of meeting minutes and reports sent to the Village Council in the name of the Committee; minority reports may also be submitted. Meetings must be conducted in compliance with the Maryland Open Meetings Act and not stray from the committee's mission. Committee meetings may take place in the Village office or other convenient place accessible to the public; meetings may also be conducted remotely if the open meetings requirements are observed. Public notice and an agenda must be issued prior to the holding of a meeting that is subject to the Open Meetings Act.

The Open Meetings Act specifies that meetings are either open or closed:

*Open:* meetings that engage in legislative activities (policy making), quasi-legislative (contracting and budgeting), or advisory (forming a recommendation to provide to the Council). Open meetings are the usual type for most committee activities.

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<sup>2</sup> For example, the Council selected sitting members to chair the Storm Water Task Force and Tree Committee.

*Closed:* meeting to discuss something confidential that falls within the committee's scope and the fifteen exceptions included in the Act (e.g., hearing legal advice or considering an ethics complaint).

Committees should promptly prepare meeting minutes that are brief and reflect committee decisions and recommendations. Timely posting of minutes may necessitate informal approval by email or other means, formalized at the next Committee opportunity.

**Email policy:** Committees must comply with the Maryland Public Information Act; email regarding committee business between committee members or residents is part of the official record and retained by the Village. The Election and Ethics committees have a Village-issued email account. Other committees ensure compliance through coordination with the Manager.



**Village of Martin's Additions**  
**7013 B Brookville Road**  
**Chevy Chase, MD 20815**  
**301-656-4112 (Phone)**  
**301-656-0030 (Fax)**

**Policy No. 2023-1**  
**(Amending and Replacing Policy No. 2019-10-3)**

**Oath and Conflicts of Interest Disclosure Policy**

Council members are required to take an oath of office, as provided in the Village Charter Section 901 and the Maryland Constitution. Village employees and Council members are required to complete the Conflicts of Interest Questionnaire according to the Village Code, Section 4-201.

To promote the public trust and the utmost ethical service by appointees, and to ensure impartiality and the avoidance of conflicts of interest, it is the policy of the Village to further require all committee and board members, employees, and those serving in an executive office (including the Tree Supervisor) to execute an Oath of Service, in the form attached hereto, and to require all committee and board members, and those serving in an executive office (including the Tree Supervisor), to complete a Conflicts of Interest Questionnaire, in the form attached hereto.

The Oath of Service may be administered by a Council member, the Village Manager, or the Village Attorney.

In addition to the Election Committee and the Ethics Committee, which are established by the Village Code, Section 2-101, the Village of Martin's Additions may create such other committees and boards, as deemed necessary by the Village Council from time to time, according to Village Code Section 2-102. This policy shall apply to all committees and boards, and appointments.

**Policy Number: 2023-1**  
**Introduced: January 19, 2023**  
**Public Hearing:**  
**Action/Adoption:**  
**Effective Date:**

**The Village of Martin’s Additions  
(Ethics Ordinance – Definition of Official)**

Ordinance No.: 2023-9-1  
Introduced:  
Adopted:  
Effective Date:

**ORDINANCE TO AMEND THE ETHICS ORDINANCE TO EXPAND THE  
DEFINITION OF “OFFICIAL” TO INCLUDE MEMBERS OF ALL COMMITTEES**

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality’s rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Section 501 of the Charter of the Village of Martin’s Additions authorizes the Village Council to pass such ordinances as it may deem necessary for the preservation of the property, rights, and privileges of the Village and its residents;

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 21st day of September, 2023;

WHEREAS, after proper notice to the public, the Council considered this Ordinance in public session assembled on the \_\_\_th day of \_\_\_\_\_, 2023; and

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, and the recommendation of the Village Ethics Committee, the Village Council finds that the foregoing Ordinance would assure the good government of the municipality, protect and preserve the municipality’s rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin’s Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, the Village Council does hereby adopt the following Ordinance.

BE IT ORDAINED AND ORDERED, this \_\_\_th day of \_\_\_\_\_, 2023, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin’s Additions, that the Village Code is hereby amended as follows:

\* \* \*

## CHAPTER 4 ETHICS

### ARTICLE 1. GENERAL

#### Section 4-101. Definitions

For purposes of this Chapter, the following words and phrases shall have the following meanings:

- (a) The “Committee” means the “Village Ethics Committee” as constituted and described in Section 2-101.

\* \* \*

- (d) “Public Official” or “Official” means all members of the Village Council; all members of the Election Committee; all members of the Ethics Committee; **all members of any other standing or ad-hoc committee or task force**; the Village Tree Supervisor; and all persons employed by the Village.

\* \* \*

(Ord. No. 08-15-01, adopted 9/17/15, effective 10/7/15; Ord. No. 11-15-1, adopted 1/21/16, effective 2/10/16; Ord. No. 2021-1-1, adopted 3/18/21, effective 4/7/21)

#### Section 4-204. Enforcement

- (a) The Council may file a petition for injunctive or other relief in a court of competent jurisdiction for the purpose of requiring compliance with this Chapter.
- (b) In addition to any other enforcement provisions in this Chapter, any member of either the Election Committee, ~~or~~ the Ethics Committee, **or any other standing or ad-hoc committee or task force**, or the Tree Supervisor, who is found by the Committee, the Council, or a court to have violated this Chapter with respect to Oath of Service shall be subject to removal by the Council; and any member of the Council who is found by the Committee or a court to have violated this Chapter shall be subject to recall, as provided in the Village Charter.
- (c) In addition to any other enforcement provisions in this Chapter, any employee found by the Committee, the Council, or a court to have violated this Chapter shall be subject to disciplinary or other appropriate action, including dismissal or suspension of compensation.

- (d) A violation of this Chapter shall not constitute a civil or criminal infraction. Enforcement of this Chapter shall be limited to the provisions of this Chapter and shall not include the penalties set forth in Chapter 3 of this Code.

(Ord. No. 2021-1-1, adopted 3/18/21, effective 4/7/21)

\* \* \*

*SECTION 2.* AND BE IT FURTHER ORDAINED AND ORDERED, by the Council of the Village of Martin's Additions, acting under and by virtue of the aforementioned authority, that:

(1) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(2) This Ordinance shall take effect on the \_\_\_th day of \_\_\_\_\_, 2023 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

\_\_\_\_\_  
Susan Fattig, Secretary

\_\_\_\_\_  
Arthur Alexander, Chair  
Village Council

**Bold Underline** indicates new material  
~~Strikethrough~~ indicates material deleted  
\* \* \* indicates material unchanged