

LEADERSHIP EDGE

Keep Your Ethics Fresh

By **Mary McCarty**
Mary McCarty Consulting

When the FBI arrived at my home, little did I realize that my long, public career was about to be over, and I would be sentenced to 42 months in federal prison.

I was a Palm Beach County commissioner for 18 years and an elected city official before that. It all came to an abrupt end in 2009, when I was charged by federal prosecutors with one count of Honest Services Fraud. I pleaded guilty.

In June of 2010, the U.S. Supreme Court changed the criteria for Honest Services Fraud to crimes involving bribery and

extortion — neither of which I was charged with. However, during my experience with the federal justice system, I learned that what one might consider a minor ethical lapse can easily be turned into a federal crime.

One such example is “indirect benefit.” Throughout my career, the standard espoused by attorneys was that to have a conflict of interests meant you were going to “benefit” from the vote. If there was any benefit, you are required to disclose the conflict and not vote on the issue.

In my case, my husband worked for Raymond James, a firm that did business with an agency of the county. Each commissioner made one appointment to the agency, but the agency was independent, making its own decisions on whom to do business with. No county money was involved. The County Commission had to approve those business decisions on its agenda. The votes were always perfunctory.



McCarty

I took the extra step to ask for

an opinion from the State Ethics Commission. In their letter, they responded that if my husband benefited, I should not vote on the issue. Since they were not broader in their answer, saying instead that any time Raymond James had an issue before the commission, I should abstain, I looked specifically at my husband’s income as I interpreted the opinion.

Since all of the employees at my husband’s firm worked on commission and anyone that did business with the county agency received the commis-

sion and not my husband, I believed it was my duty to vote on those agenda items. This approach went on for about two years, until my husband changed firms.

Ten years later, one of the issues federal investigators found was that I should not have voted on those agency matters because there was an indirect benefit to me.

I had never heard of the term “indirect benefit.” The federal prosecutor explained that any time my husband’s firm received this agency’s business, even though he was not compensated, it served to make the company more successful and viable. That, in turn, made the “lights stay on,” which was a benefit to my husband and therefore, me.

This interpretation had never occurred to me. I looked at the direct benefit of what would go into my family’s pocket and did not look for any broader interpretation.

The longer one serves in office, I believe there is a tendency to take a narrower view of ethics laws. Rationalization can become the norm and start someone down a slippery slope. I was convinced I was not committing any crime.

There are more than 4,500 federal laws and more than 350,000 federal regulations, most with criminal penalties — ignorance of the law is not a defense.

My advice to all public officials is to look at each statute, law and regulation as it pertains to conflict of interests and disclosure, as broadly as possible, and always err on the side of the broadest interpretation. You owe it to yourself and the public you serve.

*To learn more, please join us at the workshop, Leadership Ethics: Keeping Faith in Local Government, Sunday, July 24, 9 a.m. at NACo’s Annual Conference in Los Angeles County. **CN***

Janice Williams

From: Cara Burton <cburton@espl.lib.va.us>
Sent: Wednesday, June 29, 2016 9:13 AM
To: Andy Nunnally; Barbara Schwenk; Betty Farley; Chesapeake Reproductions; Curtis Badger; Dana Bundick; Dawn Byrd; Dennis Custis; Fitz Godwin; Frank Russell; J Williams; Jeb Wilson; Jim Eichelberger; Katherine Nunez; Kentoya Garcia; Kim Hedge; lindaryan1@verizon.net; Lynn Badger; Mike Mason; Miles Barnes; Moody Miles; Paul Muhly; Personal Kathy Carmody; Sharon McQuaid; Billy Tarr; Donald Hart; Harrison Phillips; Laura Belle Gordy; Paul Muhly; Renata Major; Robert Crockett; Ron Wolff; Steven Miner; Betty & Bob Kearns; Debbie Davis; Keith Miles; Kitty Hall; Jim Matthews; Kirk Mariner; Tommy O'Connor; Art Fournier and Ruth Tyler; Carol Callander; Colette Nelson; Jay Davenport; John Edmonds; laura lucas; Nola Dennis; Paul Berge; Ann Rutledge; awalch@espl.lib.va.us; Brian Simpkins; Cara Burton; Charle Ricci; Daphne Bell; Hector Escalante; hlonergan@espl.lib.va.us; Jessica Van Dessel; Leroy Wescott; Nassawadox Library; Pam Kelly; sdahlmanns@espl.lib.va.us; Stacia Childers; Susan Vreeland; tvandessel@espl.lib.va.us; Wendy Johnson; bcoady@coady.org; Gerry Ryan; Pam Holley; Patricia Bloxom
Subject: ESPL Capital Project Update, June 28, 2016

EASTERN SHORE PUBLIC LIBRARY CONSTRUCTION PROJECT UPDATE

June 28, 2016

The first meeting of the Board of Trustee's Construction Committee took place on June 21. The need for an RFQ was discussed and what the process will be. We have invited Mike Mason and Dana Bundick to the next meeting on July 14, 11:00 am to review how the financials will be handled and any requirements we might expect. The meeting will be in the Library.

The Foundation met this week and reviewed strategic planning for the capital campaign.

We are still waiting to hear about the state IRF grant (\$600,000 maybe) and are pursuing USDA Rural Development funding. Several private grant applications are being drafted.

The Library Board of Trustees have the following changes:
Colette Nelson's term ended. She was voted in as a Director of the Foundation.
Pam Holley's term ended. She will be on the Construction Committee.
Tim Valentine is now on both the Board of Trustees and Foundation Board.
We have still two vacancies on the Library Board, one for each county.

Recent building project presentations has included Grace Methodist Church in Parksley and the Pungoteague Ruritans. We had a table at the Onancock Farmer's Market.

Cara Burton
Director
Eastern Shore Public Library
PO Box 360

**MONTHLY ACTIVITY SUMMARY
RECYCLING VISITORS**

WASTE COLLECTION SITE: Eastville

Month & Year: May 2016

WEEK BEGINNING	DAY	TIMES												TOTALS			
		7:30 - 8 AM	8 - 9 AM	9 - 10 AM	10 - 11 AM	11 - 12 Noon	12 N - 1 PM	1 - 2 PM	2-3 PM	3 - 4 PM	4 - 5 PM	5 - 6 PM					
5/1/2016	SUN																19
5/2-6/16	M - F	6	17	14	12	19	13	17	13	14	12	8	2				145
5/6/2016	SAT	2	2	7	6	3	5	5	8	3	3	2					46
5/8/2016	SUN																30
5/9-13/16	M - F	7	16	23	23	25	10	9	11	19	12	4					167
5/14/2016	SAT		5	5	6	3	4	2	4	1	2						32
5/15/2016	SUN																17
5/16-20/16	M - F	12	22	23	24	26	12	20	15	15	14	20					203
5/21/2016	SAT		3	6	6	7	2	4	8	3	6	2					47
5/22/2016	SUN																17
5/23-27/16	M - F	14	21	15	15	13	9	15	16	8	24	8					158
5/28/2016	SAT		2	3	9	1	3	2	4	2	1	1					28
5/29/2016	SUN																20
5/30-31/16	M - F	4	5	4	5	3	2	3	1	5	5	6					43
	SAT																0
	SUN																0
	M - F																0
	SAT																0
TOTAL ALL:		45	93	100	106	100	60	102	105	97	93	71					972
% USAGE BY HOUR		5%	10%	10%	11%	10%	6%	10%	11%	10%	10%	7%					100%

MONTHLY ACTIVITY SUMMARY
RECYCLING VISITORS

WASTE COLLECTION SITE: Birdsnest

MONTH & YEAR: May 2016

WEEK BEGINNING	DAY	TIMES												TOTALS			
		7 - 8 AM	8 - 9 AM	9 - 10 AM	10 - 11 AM	11 - 12 Noon	12 N - 1 PM	1 - 2 PM	2-3 PM	3 - 4 PM	4 - 5 PM	5 - 6 PM					
5/1/2016	SUN																20
5/2-6/16	M - F	6	8	10	13	10	10	16	7	8	12						108
5/6/2016	SAT	1	1	4	7	5	6	3	1	3	4						37
5/8/2016	SUN																19
5/9-13/16	M - F	10	6	12	5	19	14	10	4	6	1						121
5/14/2016	SAT		4	5	3	3	5	2	2	2	1						31
5/15/2016	SUN																18
5/16-20/16	M - F	4	10	12	14	13	7	10	6	3	4	1					120
5/21/2016	SAT	1	1	1	3	1	1										16
5/22/2016	SUN																21
5/23-27/16	M - F	8	17	15	21	10	9	7	7	5	2	4	3				130
5/28/2016	SAT	1	4	2	2	7	2	3	3	1	1	2	1				26
5/29/2016	SUN																18
5/30-31/16	M - F	3	5	3	4	5	2										39
	SAT																0
	SUN																0
	M - F																0
	SAT																0
TOTAL ALL:		34	56	64	72	73	56	84	69	81	71	64					724
% USAGE BY HOUR		5%	8%	9%	10%	10%	8%	12%	10%	11%	10%	9%					100%

**MONTHLY ACTIVITY SUMMARY
RECYCLING VISITORS**

WASTE COLLECTION SITE: Hare Valley

Month & Year: May 2016

WEEK BEGINNING	DAY	TIMES												TOTALS				
		7:30 - 8 AM	8 - 9 AM	9 - 10 AM	10 - 11 AM	11 - 12 Noon	12 N - 1 PM	1 - 2 PM	2-3 PM	3 - 4 PM	4 - 5 PM	5 - 6 PM						
5/1/2016	SUN																	11
5/2-6/16	M - F	6	10	14	11	16	19	13	8	7	15	6	125					
5/6/2016	SAT		1	5	4	4	4	4	2	4	7	1	36					
5/8/2016	SUN												21					
5/9-13/16	M - F	6	13	9	16	20	13	12	9	10	7	14	129					
5/14/2016	SAT	1	2	2	2	2	1	1	3	2	1	2	19					
5/15/2016	SUN												25					
5/16-20/16	M - F	4	6	13	22	21	14	7	13	11	9	9	129					
5/21/2016	SAT	1			2	2	3	2	1	1	1		16					
5/22/2016	SUN												0					
5/23-27/16	M - F												0					
5/28/2016	SAT												0					
5/29/2016	SUN												0					
5/30-31/16	M - F												0					
	SAT												0					
	SUN												0					
	M - F												0					
	SAT												0					
	SUN												0					
TOTAL ALL:		18	32	46	57	65	54	57	45	51	47	39	511					
% USAGE BY HOUR		4%	6%	9%	11%	13%	#REF!	11%	9%	10%	9%	8%	#REF!					

**MONTHLY ACTIVITY SUMMARY
RECYCLING VISITORS**

WASTE COLLECTION SITE: Wardtown

Month & Year: May 2016

WEEK BEGINNING	DAY	TIMES												TOTALS				
		7:30 - 8 AM	8 - 9 AM	9 - 10 AM	10 - 11 AM	11 - 12 Noon	12 N - 1 PM	1 - 2 PM	2-3 PM	3 - 4 PM	4 - 5 PM	5 - 6 PM						
5/1/2016	SUN																	21
5/2-6/16	M - F	9	12	26	28	16	15	21	17	16	23	11	194					
5/6/2016	SAT	1	4	3	6	3	7	3	9	4	4	7	51					
5/8/2016	SUN												29					
5/9-13/16	M - F	10	18	16	26	25	22	22	23	21	22	18	223					
5/14/2016	SAT	1	3	7	6	4	2	3	7	3	6	5	47					
5/15/2016	SUN												3					
5/16-20/16	M - F	8	10	30	37	21	20	16	28	20	22	17	229					
5/21/2016	SAT		2	4	6	3	4	3	3	8	6	3	39					
5/22/2016	SUN							3	4	7	4	2	20					
5/23-27/16	M - F	3	21	33	35	30	25	21	23	27	23	22	263					
5/28/2016	SAT	2	4	4	7	10	7	4	5	8	4	2	57					
5/29/2016	SUN												64					
5/30-31/16	M - F	6	12	9	15	15	12	7	10	9	8	3	106					
	SAT												0					
	SUN												0					
	M - F												0					
	SAT												0					
TOTAL ALL:		40	86	132	166	127	114	140	161	159	145	108	1346					
% USAGE BY HOUR		3%	6%	10%	12%	9%	8%	10%	12%	12%	11%	8%	102%					

**MONTHLY ACTIVITY SUMMARY
RECYCLING VISITORS**

WASTE COLLECTION SITE: Cheapside

Month & Year: May 2016

WEEK BEGINNING	DAY	TIMES												TOTALS			
		7:30 - 8 AM	8 - 9 AM	9 - 10 AM	10 - 11 AM	11 - 12 Noon	12 N - 1 PM	1 - 2 PM	2-3 PM	3 - 4 PM	4 - 5 PM	5 - 6 PM					
5/1/2016	SUN																27
5/2-6/16	M - F	1	12	10	8	10	15	8	11	11	8	3	12	106			
5/6/2016	SAT	1	2	6	2	3	3	6	5	3	3	4	38				
5/8/2016	SUN							4	3	4	5	8	24				
5/9-13/16	M - F	4	12	7	14	14	13	14	7	17	18	18	138				
5/14/2016	SAT	2	7	2	11	3	5	2	3	1	4	3	43				
5/15/2016	SUN							9	9	11	5	2	36				
5/16-20/16	M - F	4	7	10	16	15	14	12	8	8	22	12	128				
5/21/2016	SAT			2	5	6	1	1	3	4	2	6	30				
5/22/2016	SUN							5	4	2	2	2	15				
5/23-27/16	M - F	7	12	9	14	11	12	16	13	9	14	10	127				
5/28/2016	SAT	2	3	2	9	5	2	4		1	2	4	34				
5/29/2016	SUN							8	7	6	2	8	31				
5/30-31/16	M - F	3	2	7	5	4	3	4	2	2		2	34				
	SAT												0				
	SUN												0				
	M - F												0				
	SAT												0				
TOTAL ALL:		24	57	55	84	71	68	106	78	84	90	94	811				
% USAGE BY HOUR:		3%	7%	7%	10%	9%	8%	13%	10%	10%	11%	12%	100%				

**MONTHLY ACTIVITY SUMMARY
SOLID WASTE VISITORS**

WASTE COLLECTION SITE: Cheapside

Month & Year: May 2016

WEEK BEGINNING	DAY	TIMES												TOTALS			
		7:30 - 8 AM	8 - 9 AM	9 - 10 AM	10 - 11 AM	11 - 12 Noon	12 N - 1 PM	1 - 2 PM	2-3 PM	3 - 4 PM	4 - 5 PM	5 - 6 PM					
5/1/2016	SUN																43
5/2-6/16	M - F	16	37	34	48	43	51	23	30	43	46	37	408				
5/6/2016	SAT	4	3	13	11	12	5	9	14	11	7	12	101				
5/8/2016	SUN							8	12	11	11	18	60				
5/9-13/16	M - F	16	44	38	39	44	41	43	29	41	52	41	428				
5/14/2016	SAT	8	13	11	23	9	12	5	10	8	8	5	112				
5/15/2016	SUN							19	27	21	23	9	99				
5/16-20/16	M - F	23	33	37	36	41	56	30	33	27	50	33	399				
5/21/2016	SAT			7	13	15	8	7	8	16	6	14	94				
5/22/2016	SUN							15	16	9	6	7	53				
5/23-27/16	M - F	26	46	37	53	51	35	28	42	48	46	34	446				
5/28/2016	SAT	2	9	10	15	10	7	10	10	4	8	15	100				
5/29/2016	SUN							23	9	21	10	7	70				
5/30-31/16	M - F	10	9	14	15	15	11	8	5	9	6	4	106				
	SAT												0				
	SUN												0				
	M - F												0				
	SAT												0				
TOTAL ALL:		105	194	201	253	240	226	241	256	277	284	242	2519				
% USAGE BY HOUR		4%	8%	8%	10%	10%	9%	10%	10%	11%	11%	10%	100%				

**MONTHLY ACTIVITY SUMMARY
SOLID WASTE / COMPACTOR VISITORS**

WASTE COLLECTION SITE: Bayview

Month & Year: May 2016

WEEK BEGINNING	DAY	TIMES												TOTALS
		7:30 - 8 AM	8 - 9 AM	9 - 10 AM	10 - 11 AM	11 - 12 Noon	12 N - 1 PM	1 - 2 PM	2-3 PM	3 - 4 PM	4 - 5 PM	5 - 6 PM		
5/1/2016	SUN							29	13	12	12	23	89	
5/2-6/16	M - F	36	87	121	114	126	82	99	82	105	77	102	1031	
5/6/2016	SAT	6	11	24	23	28	22	40	33	30	25	24	266	
5/8/2016	SUN							20	21	24	11	17	93	
5/9-13/16	M - F	46	97	109	104	134	89	87	89	86	79	101	1021	
5/14/2016	SAT	6	22	25	29	25	18	12	18	17	6	14	192	
5/15/2016	SUN							30	35	29	27	23	144	
5/16-20/16	M - F	42	93	117	109	120	118	76	54	79	77	85	970	
5/21/2016	SAT	6	12	15	33	20	21	14	19	24	19	21	204	
5/22/2016	SUN							30	31	24	20	23	128	
5/23-27/16	M - F	62	82	107	142	105	95	93	89	98	107	88	1068	
5/28/2016	SAT	5	16	23	24	17	18	21	20	13	19	25	201	
5/29/2016	SUN							30	29	20	13	26	118	
5/30-31/16	M - F	14	42	34	30	29	30	34	30	23	25	30	321	
	SAT												0	
	SUN												0	
	M - F												0	
	SAT												0	
TOTAL ALL:		223	462	575	608	604	493	615	563	584	517	602	5846	
% USAGE BY HOUR		4%	8%	10%	10%	10%	8%	11%	10%	10%	9%	10%	100%	

