



CITY OF HAGERSTOWN, MARYLAND

Office of the City Clerk
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THE ETHICS COMMISSION FOR THE CITY OF HAGERSTOWN, MARYLAND

c/o City Clerk, 1 East Franklin Street, Room 200, Hagerstown, MD 21740

REQUEST FOR ADVISORY OPINION

Requestor's Name: Caroline Anderson

Requestor's Department: City Councilmember

Requestor's Title/Position: Councilmember

Requestor's Mailing Address: 924 Pennsylvania Ave.
Hagerstown, md 21742

1. Description of the facts and circumstances in question (Continue on the back of this form if additional space is needed). Please attach any relevant supported documentation.

applying for small business Spring Sprouts Grant.
I have received and applied for in the past
years, before becoming elected to City Council.

2. Summary of the ethics issue requested to be determined (continue on back of this form if necessary):

Aeon virtual office, is my current small
business located in downtown Hagerstown
since 2022.

The undersigned Requestor, a person subject to the City of Hagerstown Code of Ethics, hereby requests an advisory opinion of The Ethics Commission for the City of Hagerstown pursuant to §33-3(b) of the City Code, as outlined above.

Signature: Carroll

Date: 4/4/25



CITY OF HAGERSTOWN, MARYLAND

CITY ETHICS COMMISSION

April 16, 2025

The Honorable Caroline Anderson
Councilmember
City of Hagerstown
1 E. Franklin Street, Room 202
Hagerstown, MD 21740

RE: ADVISORY OPINION 2025-002

Dear Councilmember Anderson:

Upon your request, an advisory opinion regarding the question of whether a conflict of interest would occur if your company, Aeon Virtual Office, is awarded a grant through the City of Hagerstown.

A meeting of the City Ethics Commission was held on April 14, 2025 to discuss your request, which you attended to provide information regarding the request.

I. AUTHORITY

Pursuant to section 33-3, *Ethics Commission*, of the Code of the City of Hagerstown, this Commission is authorized “[t]o provide published advisory opinions to persons subject to this chapter regarding the applicability of the provision of this chapter to them.” Upon your request, this commission has met and discussed the applicability of the Ethics Code to your business receiving grants from incentive programs offered by the City of Hagerstown. As a Councilmember of the City of Hagerstown, you are subject to the rules and restrictions outlined in Chapter 33 of the City Code. As such, the Ethics Commission finds that it has the authority to publish the requested advisory opinion.

II. BACKGROUND

- A. **Factual Background.** You are the owner of Aeon. You have, since 2022, applied for and received grant funds for the business from programs offered by the City of Hagerstown.

You have asked if the City’s Ethics Code prohibits you from applying for and receiving grant funding.

- B. **The Code of Ethics.** The Code of Ethics for the City of Hagerstown is found in Chapter 33. The code’s purpose is to ensure that impartiality and independent



judgment of public officials and employees is maintained. The Code of Ethics also requires compliance with Maryland law.

Section 33-4(c). Participation Prohibitions: states that except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision, an elected official shall not participate in any matter in which that person has an interest. This prohibition includes decisions or matters as to business entities in which the elected official has direct financial interests as an owner, employee, officer, director, trustee, or partner.

III. ANALYSIS

The Ethics Commission finds that the primary issue raised is whether or not you as an elected member of the Mayor and City Council and the owner of a business located within the City limits of Hagerstown, in your role as Councilmember, would be eligible to apply for and receive grants.

IV. CONCLUSION

The Commission's advisory opinion is as follows:

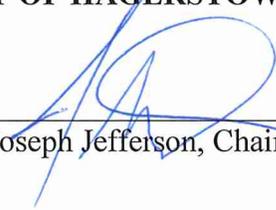
The Commission appreciates that an advisory opinion was sought regarding this matter. However, we do not see a conflict when decisions about grant funding eligibility are made by entities outside the influence of the Mayor and Council. It is clear that staff are responsible for facilitating reviews and making determinations regarding grant funding eligibility.

Moving forward, this advisory opinion may serve as a point of reference for similar matters.

You have advised the Ethics Commission that it may publish this Opinion in its entirety without redacting any information which reveals your identity.

Respectfully submitted,

**ETHICS COMMISSION FOR THE
CITY OF HAGERSTOWN, MARYLAND**

BY:  _____
Joseph Jefferson, Chairman

cc – Scott Nicewarner, City Administrator
Ethics Commission Members