

MEETING: PALM BEACH COUNTY COMMISSION ON ETHICS (COE)

- I. **CALL TO ORDER:** June 2, 2011, at 3:10 p.m., in the Commission Chambers, 6th Floor, Governmental Center, West Palm Beach, Florida.

Manuel Farach stated that he would be today's acting chair due to Judge Edward Rodger's absence.

II. **ROLL CALL**

MEMBERS:

Judge Edward Rodgers, Chair - Absent
Manuel Farach, Esq., Vice Chair
Dr. Robin N. Fiore
Ronald E. Harbison
Bruce E. Reinhart, Esq. - Absent

STAFF:

Mark E. Bannon, COE Investigator
Alan S. Johnson, Esq., COE Executive Director
Gina A. Levesque, COE Administrative Assistant
Megan C. Rogers, COE Staff Counsel
Julie Burns, Deputy Clerk, Clerk & Comptroller's Office

Alan Johnson, Esq., COE Executive Director, stated that there was a quorum.

III. **INTRODUCTORY REMARKS**

Mr. Farach requested that cellular phones and other electronic devices be turned off. He added that comment cards were available for anyone wanting to speak, and the cards should be filed with the clerk prior to speaking.

IV. **APPROVAL OF MINUTES FROM MAY 5, 2011**

Mr. Johnson stated that:

- A procedure was instituted where staff would review the minutes with the recorded meeting for accuracy.
- The procedure would take place only if staff received the minutes the Friday before the next scheduled meeting.

IV. – CONTINUED

- Staff had reviewed the May 5, 2011, minutes within the last 48 hours, and the COE members were provided with a revised section.
- A copy of the minutes and the tabbed amendments would need to be filed.
- The minutes clerk was aware of the proposed changes and was making corrections subject to the COE's approval.
- Due to the last-minute submission, the COE could table the May 5, 2011, minutes approval and approve two sets of minutes at the July 2011 meeting.

Mr. Farach suggested that comments regarding the May 5, 2011, minutes could be taken at this time.

Ronald Harbison stated that he had noticed that some matters were postponed until all COE members were in attendance.

Mr. Farach responded that those postponed matters may need discussion as they arose during the meeting. He added that:

- Page 8, item VI.a., the first sentence contained the words, voting conflicts.
 - His recollection of the April 7, 2011, meeting was that the votes were not conflicts so much as COE members who decided not to vote due to an appearance of some potential connection.
 - If the word, conflict, was being used throughout the minutes as the technical phrase under Florida Statute, Section 286.012, he did not want the minutes incorrectly reflecting that there were conflicts.
 - He was unaware that any COE member had a true voting conflict at the April 7, 2011, meeting.

Mr. Johnson commented that:

- The matter involving voting conflicts appeared in the April 7, 2011, meeting where abstentions were made under advisory opinions.
- If he had stated the words, voting conflicts, it meant that voting conflicts were presented in terms of abstentions being taken.

VI.a. – CONTINUED

- He recalled that Mr. Farach and Mr. Harbison had abstained from one of the April 7, 2011, advisory opinions, the vote had lacked a quorum, and the item needed to be brought back at the next meeting.

Mr. Farach requested that the sentence be amended to reflect that the April 7, 2011, advisory opinion had no true conflicts, rather, it was a quorum issue.

Mr. Johnson said that a more accurate statement would be that there were abstentions at the April 7, 2011, meeting, and Mr. Farach agreed.

Mr. Harbison commented that the term, conflict, would then become a technical term based on its definition within the Florida Statute itself, and the COE members should be careful not to use the word.

Mr. Farach stated that:

- He probably could have better stated the following sentence on Page 9, item VI.a.: The COE was in the uncomfortable position of either following or intentionally violating the statute. The sentence should read:

The COE was in the uncomfortable position of either following the statute and possibly creating an appearance of impropriety or intentionally violating the statute in order to avoid the appearance of impropriety.

- In the last sentence on page 9, item VI.a., he may have said the word, denigrate, but he meant to use the word, diminish.
- On page 10, second full paragraph, third line that began, extensively researched, the words, at the AG, should be inserted between the word, someone, and the word, who.

MOTION to table approval of the May 5, 2011, minutes until the next scheduled COE meeting. Motion by Dr. Robin Fiore, seconded by Ronald Harbison, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

V. PUBLIC COMMENT REVISION TO BY-LAWS

Mr. Johnson said that:

- He believed that item V. had been previously tabled until all five COE members were present, and he suggested tabling it again until the July meeting.
- Staff's recommendation on the backup document titled, *Agenda Item V Public Comment Revision to COE By-laws*, was the only recommendation regarding item V.

MOTION to table item V. Motion by Ronald Harbison, seconded by Dr. Robin Fiore, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

VI. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)

VI.a. REQUEST FOR OPINION (RQO) 11-025

Mr. Johnson stated that:

- Ralph DiGiacomo was a municipal software support analyst who asked whether he could maintain an outside business repairing computers.
- Some of his clients were co-workers; however, he maintained no contracts or transactions with the municipality where he worked.
- His computer repair work was performed during off-duty hours.
- Based on the Code of Ethics (Code), staff concluded that as long as he was not a vendor, bidder, proposer, or service provider for the municipality, Subsection 2-443 on contractual relationships did not apply.
- The advisory opinion stated that Mr. DiGiacomo should be careful not to use his official position to obtain a special financial benefit for himself, his outside business, or for a customer or a client.

MOTION to approve the processed advisory opinion letter RQO 11-025 on the Consent Agenda. Motion by Dr. Robin Fiore, seconded by Ronald Harbison, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

VII. ITEMS PULLED FROM CONSENT AGENDA – None

VIII. PROPOSED ADVISORY OPINIONS

VIII.a. RQO 11-007

Mr. Johnson stated that:

- The Town of Palm Beach (Town) Manager Peter Elwell had asked whether public safety employees and town officials could attend an annual appreciation event hosted by a local country club where they would receive lunch and complimentary use of the golf and tennis facilities.
- The host country club was not a vendor, lobbyist, principal, or employer of lobbyists within the Town.
- If no special treatment was given or other quid pro quo was exchanged in return for attending the event, the Code did not prohibit attendance; however, if the meal value and use of the facilities was greater than \$100, it would be a reportable gift. The manner of determining the gift value was contained in the County's Code, Section 2-444(g), which referred, in turn, to Florida Statute, Section 112.3148. Section 112.3148 had various valuation matrixes, one of which was 1) the meal's value was the total cost to the donor divided by the number of guests, and 2) the value of the facilities.

Mr. Harbison stated that if sundry items were handed out or if a raffle was promoted, the source of the items and the raffle should be disclosed if they were lobbyists or other vendors.

Dr. Fiore suggested that staff research whether the annual appreciation event was sponsored. She added that it was reasonable to say in the letter that the guidance did not take into account any sponsorship by any entity other than the golf club.

Mr. Johnson said that a sentence could be added in the summary stating that the advisory opinion letter did not address sponsors or other entities that were donating gifts.

VIII.a. – CONTINUED

COE Investigator Mark Bannon clarified that:

- He had spoken to Mr. Elwell and the individual who ran the golf course, and the board or the members of the golf course or the country club itself supported the event.
- People invited to the event were the Town's police officers and fire rescue employees, but elected officials such as the Town's commissioners, mayor, manager, and some support staff were also invited.

Manuel Farach stated his concern that someone under the Town council's jurisdiction who was invited to the event could attempt to influence favor.

Mr. Johnson clarified that should the Town's council members attempt to curry favor, they were not vendors or lobbyists, and there was no prohibition as long as it was transparent and any gift valued at more than \$100 was reported.

MOTION to approve the proposed advisory opinion letter RQO 11-007. Motion by Dr. Ronald Harbison, seconded by Dr. Robin Fiore, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

VIII.b. RQO 11-021

Mr. Johnson stated that:

- The advisory opinion involved the County's Community Rating System coordinator, whose position required the organization of public expositions that involved the County's Floodplain Management Program.
- The employee had asked whether she could participate in the annual Flood and Hurricane Awareness Exposition (Expo), which included public and private sector exhibitors, subject matter experts from various federal agencies, media, nonprofit, and emergency management organizations.
- Organizing the event involved the solicitation and acceptance of donations from nonprofit organizations and community businesses that may be vendors with the County or that may transact business with the County or with local municipalities.

VIII.b. – CONTINUED

- The purpose of the donated gifts was to promote public attendance at the Expo. No County or municipal employee or their families, household members, or relatives involved in the solicitation would be eligible to receive solicited prizes.
- The Code's gift law exception stated that:

Gifts solicited or accepted by County or municipal officials or employees, as applicable, on behalf of the County or municipality in the performance of their official duties for use solely by the County or municipality for a public purpose.
- Staff recommended that if special financial benefit was received by the County employee or related persons or entities, the prohibitions against solicitation or acceptance of the vendors' gifts did not apply under the specific circumstances.

MOTION to approve the proposed advisory opinion letter RQO 11-021. Motion by Dr. Robin Fiore, seconded by Ronald Harbison, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

VIII.c. RQO 11-022

Mr. Johnson stated that:

- The advisory opinion involved a County Department of Airports assistant airport properties manager who was married to an airline pilot.
- The individual's husband was employed by AirTran Airways, a Palm Beach International Airport tenant, and she had asked whether certain benefits received by her husband were prohibited under the Code.
- Due to a Southwest Airlines merger, the benefit package included that family members could attend a Southwest Airlines' employee orientation conference and the employee's family could fly for free on standby.
- The question arose whether airlines were considered County vendors because they were tenants of a County facility.
- Staff's initial advisory opinion letter stated that the airlines were considered vendors; therefore, certain restrictions may apply.

VIII.c. – CONTINUED

- On closer statute inspection, the term, vendor, was someone who vended, sold, rented, or leased to the County.
- Staff moved to withdraw the first advisory opinion letter.
- The free flights were not considered a separate gift and did not need to be reported because they were part of a compensation package.
- The orientation conference was not part of a compensation package; therefore, hotel accommodations, meals, or gifts provided at the orientation conference would be reportable gifts if they exceeded \$100.
- The advisory opinion letter cautioned the County employee that when dealing with the tenant, she must ensure that she did not benefit in any way.

Mr. Harbison said that if the County employee was any other County employee or a County airport employee and she accompanied her spouse on a convention where the spouse's company or industry essentially picked up the tab, including hotel rooms and meals, he was troubled that that was beyond the point of reasonableness because he was unsure how that process could be abused.

Dr. Fiore stated that the County employee's supervisor should be responsible for acknowledging the employee's sensitivity in dealing with tenant leases, for reviewing the gift reports, and for determining the employee's involvement in certain department activities.

Mr. Johnson commented that the State's administrative codes had interpreted that it would not be a gift when both spouses who worked for a governmental entity were independently invited to a function.

MOTION to approve the revised proposed advisory opinion RQO 11-022. Motion by Dr. Robin Fiore, and seconded by Ronald Harbison.

Mr. Farach requested clarification whether, in using the valuation formula set forth by Mr. Johnson, any gift over \$100 needed to be refunded by the requesting party to Southwest Airlines.

VIII.c. – CONTINUED

Mr. Johnson responded that:

- The language referred to by Mr. Farach was contained in the first advisory opinion.
- The revised advisory opinion letter had determined that it was not considered a gift, and a refund was unnecessary.

Mr. Johnson read the following summary from the missing page of the distributed revised proposed advisory opinion:

In summary, based on the facts and circumstances you have submitted, the Palm Beach County Code of Ethics does not prohibit you from attending the Southwest Airlines conference. Southwest Airlines has contracts with the County, but is not a County vendor. A vendor is defined as a person or entity that leases or sells property to the County. Here, Southwest leases property from the County. You must report any gift in excess of \$100 received from Southwest on your annual gift reporting form. Flight privileges obtained through your husband's employment contract are not gifts for purposes of the Code of Ethics and may be accepted in accordance with the terms of his contract. You must take great care not to give Southwest or AirTran a special financial benefit. Finally, you may not accept anything of value because of an official action taken or duty performed.

Dr. Fiore asked whether anything regarding the trip to the Southwest orientation was considered a gift for the County employee.

Mr. Johnson responded that the flight was not considered a gift, and because the flight was part of the compensation package, the County employee could go anywhere as part of her spouse's contract.

UPON CALL FOR A VOTE, the motion carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

VIII.d. RQO 11-023

Mr. Johnson stated that:

- Commissioner Aaronson had submitted a letter asking whether he could raise funds for a political party without violating the Code.
- Political contributions specifically authorized by state or federal law were exempt from the gift definition within the Code.
- The Code did not prohibit a County official from soliciting or accepting campaign contributions as long as Commissioner Aaronson did not use his official position to obtain a special financial benefit within the meaning of the Code or otherwise corruptly misuse his office as set forth in Section 2-443(a)(b).

Mr. Farach asked whether there were State and federal laws that prohibited solicitation while in an official capacity, meaning, a County employee could not call potential donors from his or her office in the County commission chambers.

Mr. Johnson responded that when working for government, an employee could not pick up a governmental phone and solicit from a governmental building. He added that it could be a felony if willfully done.

Mr. Farach suggested that a clarification could be inserted into the advisory opinion letter saying that State and federal laws prohibited solicitation while an individual served in an official capacity.

Mr. Johnson stated that he would add Mr. Farach's suggested language to the advisory opinion letter before its release, along with the State election law statute that prohibited use of County facilities or property to campaign.

Dr. Fiore asked how someone in an official position, who was taking an active role in a campaign, was not using their public office.

Mr. Johnson responded that the Code's laws stated that anyone in an official position could not use their office to give someone a specific benefit or could not corruptly use their office. He added that:

- The Code's laws clarified that there was a State and federal constitutional right to campaign or solicit campaign contributions.

VIII.d. – CONTINUED

- Any manner of solicitation on public property was all right as long as someone did not use their staff, public phones or public computers.
- It was a matter of free speech, and someone could state who they were.

MOTION to approve the proposed opinion letter RQO 11-023 as amended to include Alan Johnson's revision as discussed. Motion by Ronald Harbison, and seconded by Dr. Robin Fiore.

Dr. Fiore clarified that her affirmative vote indicated that she believed Mr. Johnson had correctly interpreted the statutes; not an affirmative vote that she approved Commissioner Aaronson's use of his position.

UPON CALL FOR A VOTE, the motion carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

VIII.e. RQO 11-024

Mr. Johnson stated that:

- Commissioner Aaronson had submitted an additional letter asking whether he could accept tickets to a charitable event where he would be an invited guest speaker.
- The tickets' value was \$400, and the event's sponsor was a nonprofit association that did not employ County lobbyists. The tickets were offered by the charitable event's chairman who was not a vendor or an employer of lobbyists within the County.
- The newly revised Code contained a specific exception in Section 2-444(g)(1)i. where Commissioner Aaronson would not be prohibited from accepting the tickets and attending the event. Whether or not the nonprofit association sponsor was a County vendor, it could not employ a lobbyist pursuant to the exception in Section 2-444(g)(1)i.

Dr. Fiore clarified that the advisory opinion letter referenced Section 2-444(f)(1); Mr. Johnson stated that he would review Dr. Fiore's clarification.

VIII.e. – CONTINUED

Mr. Bannon said that:

- The Seminole Region Club Managers Association (SRCMA) was an organization of club managers.
- The SRCMA was part of the Club Managers Association of America who managed golf and yacht clubs.
- The SRCMA covered the counties of Miami-Dade, Broward, and Palm Beach.
- The charity golf tournament was the sponsor and was annually registered with the State as a nonprofit, charity organization.
- The SRCMA was not a County vendor and did not hire County lobbyists.

Mr. Johnson stated that:

- For transparency purposes, the tickets would be considered a gift; therefore, the \$300 in tickets, which would be in excess of the \$100 gift law, was reportable.
- The COE Drafting Committee discussed at length these types of charitable events and whether it was a public purpose to allow public officials at these events.
- A specific carve out stated that if the event was a charitable, transparent event being run by a nonprofit organization and if the tickets were for public admission, as long as the tickets were given to a public official or employee by a nonvendor, nonlobbyist, or a nonemployer of a lobbyist on behalf of the charitable organization or the event itself, the tickets were permissible but reportable.

Dr. Fiore said that the charity itself was zero until someone contributed money to the charity.

Mr. Bannon clarified that the SRCMA Charity Golf Tournament's 2011 executive director was also a member of the SRCMA and a manager of the Boca West Golf Club.

VIII.e. – CONTINUED

Dr. Fiore stated that it was important to know who paid for the tickets because it would be considered money laundering if the tickets did not come from the charity but from whoever contributed to the charity.

Mr. Johnson responded that:

- Dr. Fiore's assumption would be correct if the entity that distributed the tickets also raised the funds and contributed to the charity.
- The Code interpreted that separation was necessary between any contributor who could be a vendor, lobbyist, or the principal of a lobbyist, and the organization itself.

Dr. Fiore said that the advisory opinion letter should not state that the tickets came from the SRCMA Charity Golf Tournament's chairman as indicated in the last sentence on page one.

Mr. Johnson stated that:

- The language was included to establish who physically gave the tickets to the charity.
- The following sentence could be added to the end of page 1:

Notwithstanding the fact that funds solicited or accepted by the charitable organization may have come from vendors, lobbyists, principals, or employers of lobbyists, the tickets given in this manner are not a violation or prohibited by the Code of Ethics.

Dr. Fiore stated that she agreed with Mr. Johnson's suggested sentence.

Mr. Farach said that the advisory opinion may need to reflect that no evidence was provided whether the tickets were actually given by lobbyists or vendors.

Mr. Johnson clarified that the Code only required that County employees or officials who solicited, or indirectly allowed someone else to solicit on their behalf, needed to retain a log regarding those solicitations.

Mr. Farach suggested that proposed advisory opinion letter RQO 11-024 could be rewritten and brought back at the next scheduled COE meeting.

VIII.e. – CONTINUED

Mr. Harbison commented that if the proposed advisory opinion letter was issued and a complaint with accompanying fact patterns and supporting investigations was later filed showing that the event was a ruse, that would not preclude the COE from pursuing an ethics code violation.

Mr. Johnson said that the charitable event would take place June 12, 2011, so the advisory opinion letter could not be tabled.

Mr. Farach stated that Dr. Fiore's concerns could be addressed by using the following model language:

We can't investigate, nor have you disclose to us the source of the funds that drive or fund this charity. And please keep in mind that, as with all gifts, as with anything having to do with the Code, there's an overriding quid pro quo element to that. Even though you may meet the technical requirements of the Code, if there is corrupt intent or a quid pro quo plan or scheme in place, that will not meet the requirements of the Code.

Mr. Johnson suggested using the language from advisory opinion letter RQO 11-022 that stated in effect: You may not accept anything of value because of an official action taken or duty performed, and be mindful that this does not eliminate your obligation that you not give something in return for this benefit. He said that he would also include language that the source of the funds was unknown and should be taken into consideration.

Dr. Fiore reiterated including language that although it was a charitable event, it did not preclude requiring someone from being careful about quid pro quo.

Mr. Farach suggested a five-minute break to formulate the language with staff.

RECESS

At 4:39 p.m., the vice chair declared a recess.

RECONVENE

At 4:54 p.m., the meeting reconvened with Manuel Farach, Dr. Robin Fiore, and Ronald Harbison present.

VIII.e. – CONTINUED

Mr. Johnson requested that Assistant County Attorney Leonard Berger discuss how the State handled straw man, nonprofit situations similar to advisory opinion RQO 11-024.

Mr. Berger stated that:

- The COE Drafting Committee attempted to create a carve out where individuals could attend functions as long as the function ticket was not handed to the official by a lobbyist or a vendor. The concept was that when a lobbyist or vendor handed a ticket to the official, that was when good will was generated, and that was when the improper influence someone was trying to avoid happened.
- The State's administrative code contained helpful examples.
- The County's Code said that, When in doubt, you can feel free to count on the examples and the rules in Florida's administrative code in interpreting issues of gift valuation whether you have a gift or not.
- A State Code example was that a lobbyist or the principal of a lobbyist could not channel gifts through a "straw man" to bypass the law.
- County staff attempted to combine and balance the State's rules with the County's laws.
- The language in RQO 11-024 was consistent with the County Code's language.
- Regardless of how the language was carved, if quid pro quo existed, the State's and the County's laws were being violated.

VIII.e. – CONTINUED

Dr. Fiore stated that the proposed advisory opinion letter's first sentence sounded more like permitting rather than discouraging, and there was no caution added. She suggested that Mr. Johnson's proposed, sentence that began, Notwithstanding, could read:

Funds solicited or accepted by the charitable organization may have come from vendors, lobbyists, principals, or employers of lobbyists. While the Code of Ethics does not prohibit such a gift, you must take great care not to...

MOTION to approve the proposed advisory opinion letter RQO 11-024 as amended to include the sentence read by Dr. Robin Fiore, and to include the restated summary language as discussed. Motion by Dr. Robin Fiore, seconded by Ronald Harbison, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

VIII.f. RQO 11-026

Mr. Johnson stated that:

- The advisory opinion involved the City of Greenacres (Greenacres) Leisure Services Department director who oversaw Greenacres' management of facility rentals and usage.
- The municipal employee asked whether a conflict arose when a local college where she was also a part-time instructor utilized a Greenacres' classroom facility.
- Greenacres' policy was to not charge other agencies for use of their facilities; however, the use was during nonbusiness hours. The college, therefore, was charged a fee for staffing the classroom.
- All facility rental and facility agreements were coordinated and maintained by other Greenacres' personnel. The director was not involved with those staffing issues, nor did she receive additional compensation from Greenacres or from the college for using the Greenacres facility as a classroom.

VIII.e. – CONTINUED

- Staff recommended holding that the Code exempted all governmental entities from the outside employment definition; therefore, the college or State facility was not an outside employer of the municipal employee, and there was no prohibited, contractual relationship involved with her employment.
- Since the municipal employee did not use her official position to gain a special financial benefit from the arrangement with the college, the public college's use of the Greenacres' facility did not violate the Code, even with her dual employment with Greenacres and the college.

MOTION to approve proposed advisory letter RQO 11-026. Motion by Ronald Harbison, seconded by Dr. Robin Fiore, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

IX. ANNUAL REPORT

Mr. Johnson stated that he was proud of his staff for completing the COE's first annual report. He added that:

- Although there was no statutory requirement to issue annual reports, COE staff felt that it was important to inform the public of the COE's status.
- The COE's 2010-2011 Annual Report would be distributed within the county and to every ethics program in the country.
- The COE staff found that Miami-Dade County's 2006 Annual Report was very instructive and helpful.
- There were no costs involved in producing the annual report because the County handled the printing.
- The annual report would be available on the COE's website in PDF format.

Mr. Farach requested that the annual report be electronically distributed to save funds.

IX. – CONTINUED

Mr. Johnson stated that:

- The COE had a unique opportunity to partner with some of the local colleges.
- In 2012, Palm Beach State College would include the COE in its 200-hour graphic design internship program.
- A November 2011 ethics awareness day proclamation would be going before the Board of County Commissioners.

MOTION to approve the Palm Beach County Commission on Ethics 2010-2011 Annual Report as an official document. Motion by Dr. Robin Fiore, seconded by Ronald Harbison, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

X. SOCIAL MEDIA OUTREACH EFFORTS

Mr. Johnson stated that:

- When performing overviews and training municipalities/civic groups, one key part of the presentation was discussing the important function of training and outreach.
- Averting a Code violation was not only positive, it also raised the County's accountability level.
- With COE approval today, COE staff would be launching the new technology program, Twitter, as part of its outreach function.

The COE staff counsel, Megan Rogers, stated that Twitter was an information network used by millions of people around the world where messages of up to 140 characters could be written, read, and shared. She added that:

- Twitter was a mixture of social networking, messaging, and microblogging.
- While Twitter initially gained publicity through use by celebrities and other media figures, it was regularly used by governmental organizations and businesses to promote a variety of items.

X. – CONTINUED

- One unique feature of the COE's Twitter feed was that its Twitter followers would receive automatic COE updates on their mobile phones, computers, and in their email accounts.
- The COE's Twitter feed would be titled, "@pbcethics."
- The COE did not have a social media policy in place.
- Only COE tweets would be posted. Individuals would be unable to post inappropriate tweets.

Mr. Farach requested that:

- The COE's social media outreach include Facebook and LinkedIn.
- The COE staff draft and implement a media policy before the Twitter feed went live.

Ms. Rogers clarified that only individuals who could log into the COE's Twitter feed could post tweets.

Dr. Fiore expressed concern that interns would be permitted to post to the COE's Twitter feed. Mr. Farach suggested that the concern could be addressed in the COE's media policy.

Ms. Rogers said that:

- The COE Twitter feed could follow Twitter models such as the Department of Justice and the Federal Bureau of Investigation.
- Initially, the COE Twitter feed would post about COE meetings, new information to the COE website, available training, and anything new that would normally be seen on the COE website.
- Going forward, the COE staff could develop a policy to link to articles from other Commissions on Ethics, including the State's Commission.

Mr. Farach suggested that it would be advisable to consider placing someone in charge of the COE's social media.

X. – CONTINUED

Mr. Johnson said that:

- Several months ago, Ms. Rogers had volunteered to handle the COE's social media.
- The COE staff recommended tabling the item to develop and bring back COE Twitter feed procedures at the July COE meeting. The Twitter feed would then go live at that point.

Dr. Fiore requested that the COE staff continue to post on the simulated COE Twitter feed.

Ms. Rogers stated that she would create another simulated COE Twitter feed and add the COE members as followers.

XI. EXECUTIVE DIRECTOR COMMENTS

XI.A.

DISCUSSED: Abstention Opinions.

Mr. Johnson commented that:

- The COE staff was still waiting for the abstention opinions from the State's COE and attorney general.
- A second letter had been sent to the State's COE regarding nonadjudicatory legislative and administrative matters.
- The State's attorney general would be reviewing the due process issues.

XI.B.

DISCUSSED: Vendor Database.

Mr. Johnson stated that a database was needed to access the list of County and municipal vendors. He added that:

- Only two or three County municipalities possessed a full vendor database that was accessible to the public; one or two other municipalities had vendor databases, but they were difficult to navigate.

XI.B. – CONTINUED

- The County had 11,000 qualified vendors on its three-year vendor list.
- The COE staff needed to work with County staff in creating a manageable public vendor database.
- The intent was to have a working vendor database within the next 12 months.
- The COE ultimately would be tasked with maintaining the vendor database.

Dr. Fiore stated that the day-to-day vendor database updating responsibility should be a County function because it would be a County database.

Mr. Johnson responded that either way, maintenance was necessary. He added that he preferred to link the County vendors' database with the municipalities.

Mr. Farach said that a better approach would be to perform a business case analysis.

Mr. Johnson suggested hiring a data entry person if funds were available in the COE's budget and the hourly cost was nominal.

Dr. Fiore expressed concern regarding quality control issues when hiring an hourly data entry person, and Mr. Johnson said that he would bring back his findings regarding a vendor database.

XII. PUBLIC COMMENTS – None

(This space intentionally left blank.)

XIII. ADJOURNMENT

MOTION to adjourn the meeting. Motion by Ronald Harbison, seconded by Dr. Robin Fiore, and carried 3-0. Bruce Reinhart and Judge Edward Rodgers absent.

At 5:38 p.m., the vice chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair