

**OFFICIAL MEETING MINUTES
OF THE
PALM BEACH COUNTY COMMISSION ON ETHICS
PALM BEACH COUNTY, FLORIDA**

DECEMBER 10, 2015

**THURSDAY
1:30 P.M.**

**COMMISSION CHAMBERS
GOVERNMENTAL CENTER**

I. CALL TO ORDER

II. ROLL CALL

MEMBERS:

Michael S. Kridel, Chair
Clevis Headley, Vice Chair
Michael F. Loffredo
Judy M. Pierman
Sarah L. Shullman

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Executive Director
Anthony C. Bennett, COE Senior Investigator I
Christie E. Kelley, COE Staff Counsel
Gina A. Levesque, COE Intake Manager

ADMINISTRATIVE STAFF:

Barbara Strickland, Deputy Clerk, Clerk & Comptroller's Office

III. INTRODUCTORY REMARKS

Chair Michael Kridel stated that today was Mark Bannon's first meeting as COE Executive Director.

IV. APPROVAL OF MINUTES FROM NOVEMBER 5, 2015

MOTION to approve the November 5, 2015, minutes as presented. Motion by Clevis Headley, seconded by Judy Pierman, and carried 5-0.

RECESS

At 1:34 p.m., the chair declared the meeting recessed for an executive session.

RECONVENE

At 2:55 p.m., the meeting reconvened with Chair Kridel, Vice Chair Headley, Commissioner Loffredo, Commissioner Pierman, and Commissioner Shullman present.

V. EXECUTIVE SESSION

V.A. C15-019

Vice Chair Clevis Headley read the following Public Report and Final Order of Dismissal that was discussed during the executive session:

Complainant, Judy Davis, filed the above referenced complaint on July 13, 2015, alleging that Respondent, Regina Williams, Legislative Aide to City of Riviera Beach Commissioner Terence Davis, violated Section 2-443(a) and Section 2-433(b) of the Palm Beach County Code of Ethics.

Pursuant to Section 2-258(a) of the Palm Beach County Commission on Ethics Ordinance, the Commission on Ethics is empowered to enforce the Palm Beach County code of Ethics. On December 10, 2015, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, Legal Sufficiency Determination and Report of Investigation. After oral statements by the Advocate and Respondent, the Commission concluded no probable cause exists to believe any violation occurred.

Therefore it is:

V.A. – CONTINUED

ORDERED AND ADJUDGED that the complaint against Respondent Regina Williams, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on December 10, 2015.

By: Michael S. Kridel, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report Finding No Probable Cause and Order of Dismissal.)

V.B. C15-020

Vice Chair Headley read the following Public Report and Final Order of Dismissal that was discussed during the executive session:

Complainant, Judy Davis, filed the above referenced complaint on July 13, 2015, alleging that Respondent, Terence Davis, City of Riviera Beach Commissioner, violated Section 2-443(a) and Section 2-433(b) of the Palm Beach County Code of Ethics.

Pursuant to Section 2-258(a) of the Palm Beach County Commission on Ethics Ordinance, the Commission on Ethics is empowered to enforce the Palm Beach County Code of Ethics. On December 10, 2015, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, Legal Sufficiency Determination and Report of Investigation. After oral statements by the Advocate and Respondent, the Commission concluded no probable cause exists to believe any violation occurred.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Terence Davis, is hereby DISMISSED.

V.B. – CONTINUED

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public discussion on December 10, 2015.

By: Michael S. Kridel, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report Finding No Probable Cause and Order of Dismissal.)

VI. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)

- a. **Request for Opinion (RQO) 15-047**
- b. **Request for Opinion (RQO) 15-048**
- c. **Request for Opinion (RQO) 15-049**

Commissioner Sarah Shullman stated that she had a question concerning advisory opinion 15-049 relating to County Fire Rescue.

Gina Levesque, COE Intake Manager, said that whenever a specific RQO needed discussion, it should be removed from the consent agenda and discussed separately.

MOTION to accept RQO 15-047 and RQO 15-048 as published. Motion by Clevis Headley, seconded by Michael Loffredo, and carried 5-0.

VII. ITEM PULLED FROM CONSENT AGENDA

VII.A. RQO 15-049

Commissioner Shullman questioned the purpose of the Life Alert referral program services discussed in the advisory opinion, since conditions were placed on them.

Mark Bannon, COE Executive Director, stated that:

- It was feasible that trained paramedics could know a friend or a family member who would benefit from such services.

VII.A. – CONTINUED

- That service could be offered, and if Life Alert wanted to pay, it would not be a violation.
- Probably 99% of the referrals would not be accomplished because they would involve some other employment, which was not permitted.

MOTION to accept RQO 15-049 as published. Motion by Sarah Shullman, seconded by Clevis Headley, and carried 5-0.

VIII. EXECUTIVE DIRECTOR COMMENTS

Mr. Bannon stated that:

- He wished to thank the commissioners for their confidence in him.
- He and Staff Counsel Christie Kelley attended a Council of Governmental Ethics Laws conference in Boston.
 - They met the new ethics board officer for the City of Tallahassee.
 - They learned that the general rule as applied to what was or was not a public purpose was that elected officials determined what they believed to be a public purpose, even when it may yield some private payment to them.

IX. COMMISSION COMMENTS

DISCUSSED: Congratulations.

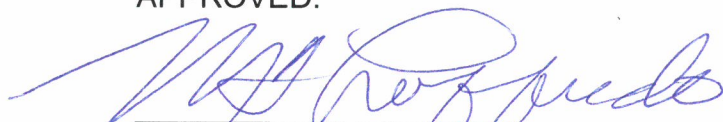
Commissioner Judy Pierman extended congratulations to Mr. Bannon in his new position.

X. PUBLIC COMMENTS – None

XI. ADJOURNMENT

At 3:06 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair