

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

**JULY 6, 2017**

**THURSDAY  
1:33 P.M.**

**COMMISSION CHAMBERS  
GOVERNMENTAL CENTER**

**I. CALL TO ORDER**

**II. ROLL CALL**

**MEMBERS:**

Michael S. Kridel, Chair  
Clevis Headley, Vice Chair - Absent  
Judy M. Pierman  
Sarah L. Shullman

**STAFF:**

Mark E. Bannon, Commission on Ethics (COE) Executive Director  
Anthony C. Bennett, COE Chief Investigator  
Abigail Irizarry, COE Investigator I  
Christie E. Kelley, Esq., COE General Counsel  
Gina A. Levesque, COE Intake and Compliance Manager

**ADMINISTRATIVE STAFF:**

Julie Burns, Deputy Clerk, Clerk & Comptroller's Office

**III. INTRODUCTORY REMARKS**

Chair Michael Kridel said that Commissioner Michael Loffredo had passed away. He stated that he would turn the meeting over to Commissioner Sarah Shullman, who was the presiding commissioner for C16-011.

**IV. SCHEDULING CONFERENCE RE: C16-011 (SARAH SHULLMAN, PRESIDING COMMISSIONER)**

John Cleary, Volunteer Advocate, said that he had provided the respondent's counsel with his phone number, fax number, and email address regarding today's scheduling conference.

Mark E. Bannon, COE Executive Director, said that the respondent and his counsel were properly noticed.

Commissioner Shullman stated that the respondent and his counsel could review the minutes of today's conference. She said that one day was reserved for the final hearing and that a second day could be determined as the hearing progressed.

Mr. Cleary said that one day would be sufficient for the final hearing.

Commissioner Shullman said that the final hearing was scheduled for August 9, 2017 at 10:00 a.m. She stated that witness and exhibit lists should be exchanged between the parties at least 10 days prior to the final hearing.

Mr. Cleary said that:

- He did not anticipate any motions.
- He may have 2 to 3 witnesses, and the respondent may testify.
- Direct examination of his witnesses may take 40 minutes.

Mr. Bannon suggested setting a date when witness and exhibit lists should be exchanged between both parties and when pretrial motions should be submitted to the COE if they were not previously provided.

Commissioner Shullman said that July 14, 2017 should be sufficient time to exchange witness and exhibit lists and to submit pretrial motions to staff.

Mr. Cleary stated that he would reach out to the respondent's counsel to inform him of his availability.

Mr. Bannon suggested that the submission of pretrial motions and the exchange of witness and exhibit lists by July 14 should have a 5:00 p.m. deadline.

#### **IV. – CONTINUED**

Gina Levesque, COE Intake and Compliance Manager, clarified that the final hearing was set for August 7, 2017 at 8:30 a.m. and that she was in communication with the respondent's counsel.

Commissioner Shullman said that:

- July 14 by 5:00 p.m. should provide enough time to exchange witness and exhibit lists and submit pretrial motions to staff.
- Ms. Levesque should inform her if the respondent's counsel could not meet the deadline.
- The final hearing would be held on August 7, 2017 at 9:00 a.m.
- Hearing procedures and evidentiary standards were contained in the COE's ordinance.

#### **V. APPROVAL OF MINUTES FROM JUNE 1, 2017**

**MOTION to approve the June 1, 2017 minutes. Motion by Judy Pierman, seconded by Sarah Shullman, and carried 3-0. Clevis Headley absent.**

#### **VI. REVIEW OF EVIDENTIARY STANDARDS**

Chair Kridel said that item VI. was deleted from the agenda until a full COE was seated.

Commissioner Shullman requested that a discussion to clarify the difference between misuse of position and corrupt misuse of position be scheduled for the next COE meeting. She added that clarifying the difference and including recent case law or opinions from the State COE would be helpful before the C16-011 final hearing took place.

#### **RECESS**

**At 1:48 p.m., the chair declared the meeting recessed for an executive session.**

**VII. EXECUTIVE SESSION**

**VII.a. C17-003**

**VII.b. C17-004**

**VII.c. C17-005**

**VII.d. C17-006**

**VII.e. C17-007**

**VII.f. C17-008**

(CLERK'S NOTE: See page 5 for continuation of item VII.)

**RECONVENE**

**At 2:52 p.m., the meeting reconvened with Chair Kridel, and Commissioners Judy Pierman, and Sarah Shullman present.**

(CLERK'S NOTE: Item VIII. was presented at this time.)

**VIII. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)**

**VIII.a. Request for Opinion (RQO) 17-010**

**VIII.b. RQO 17-012**

**VIII.c. RQO 17-013**

**MOTION to approve the consent agenda. Motion by Judy Pierman, seconded by Sarah Shullman, and carried 3-0. Clevis Headley absent.**

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(CLERK'S NOTE: Item VII. was continued at this time.)

Chair Kridel read the following Public Report and Final Order of Dismissal for C17-004, C17-006, and C17-008 as discussed during the executive session:

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaints on May 31, 2017, alleging that Respondent, Rena Blades, a principal of lobbyists who lobbied Palm Beach County, violated §2-444(a)(2) of the Palm Beach County Code of Ethics by giving, directly or indirectly, gifts with a value greater than \$100 in the aggregate for the calendar year to persons who she knew were employees of the county.

Pursuant to §2-258(a) of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 6, 2017, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate and the Respondent, the Commission determined that the violations were unintentional, inadvertent or insubstantial and issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance.

Therefore it is:

ORDERED AND ADJUDGED that the complaints against Respondent, Rena Blades, are hereby DISMISSED and a Letter of Instruction is issued.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 6, 2017.

By: Michael S. Kridel, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal.)

## VII. – CONTINUED

Chair Kridel read the following Public Report and Final Order of Dismissal for C17-003 as discussed during the executive session:

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on April 5, 2017, alleging that Respondent, Dawn Wynn, a Palm Beach County employee, violated §2-444(a)(1) of the Palm Beach County Code of Ethics by knowingly accepting a gift from a person that she knew, or should have known, was a Principal of a lobbyist who lobbied Palm Beach County.

Pursuant to §2-258(a) of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County code of Ethics. On July 6, 2017, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate, the Commission determined that the violation was unintentional, inadvertent, or insubstantial and issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance.

Therefore it is:

**ORDERED AND ADJUDGED** that the Complaint against Respondent, Dawn Wynn, is hereby **DISMISSED** and a Letter of Instruction is issued.

**DONE AND ORDERED** by the Palm Beach County Commission on Ethics in public session on July 6, 2017.

By: Michael S. Kridel, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal.)

## VII. – CONTINUED

Chair Kridel read the following Public Report and Final Order of Dismissal for C17-005 as discussed during the executive session:

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on April 5, 2017, alleging that Respondent, Carol Meneely, a Palm Beach County employee, violated §2-444(a)(1) of the Palm Beach County Code of Ethics by knowingly accepting a gift from a person that she knew, or should have known, was a Principal of a lobbyist who lobbied Palm Beach County.

Pursuant to §2-258(a) of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 6, 2017, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate, the Commission determined that the violation was unintentional, inadvertent, or insubstantial and issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance.

Therefore it is:

**ORDERED AND ADJUDGED** that the complaint against Respondent, Carol Meneely, is hereby **DISMISSED** and a Letter of Instruction is issued.

**DONE AND ORDERED** by the Palm Beach County Commission on Ethics in public session on July 6, 2017.

By: Michael S. Kridel, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal.)

## **VII. – CONTINUED**

Chair Kridel read the following Public Report and Final Order of Dismissal for C17-007 as discussed during the executive session:

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on April 5, 2017, alleging that Respondent, Ernest Pena-Roque, a Palm Beach County employee, violated §2-444(a)(1) of the Palm Beach County Code of Ethics by knowingly accepting a gift from a person that he knew, or should have known, was a Principal of a lobbyist who lobbied Palm Beach County.

Pursuant to §2-258(a) of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 6, 2017, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate, the Commission determined that the violation was unintentional, inadvertent, or insubstantial and issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance.

Therefore it is:

**ORDERED AND ADJUDGED** that the complaint against Respondent, Ernest Pena-Roque, is hereby **DISMISSED** and a Letter of Instruction is issued.

**DONE AND ORDERED** by the Palm Beach County Commission on Ethics in public session on July 6, 2017.

By: Michael S. Kridel, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal.)

## **IX. ITEMS PULLED FROM CONSENT AGENDA – None**



**X. EXECUTIVE DIRECTOR COMMENTS**

**X.A.**

**DISCUSSED:** Condolences.

Mr. Bannon said that he and his staff offered condolences to the family and friends of Commissioner Michael Loffredo, who passed away.

**X.B.**

**DISCUSSED:** COE Training and Municipal Meetings.

Mr. Bannon said that municipalities continued to receive COE ethics training and that staff continued to attend municipal meetings.

**X.C.**

**DISCUSSED:** COE Open Seat.

Mr. Bannon said that the Palm Beach County Association of Chiefs of Police selected a replacement for the COE's open seat, but he had not received official notification yet.

**XI. COMMISSION COMMENTS**

**XI.A.**

**DISCUSSED:** Condolences.

Commissioner Pierman said that she was impressed by how many people whose lives were touched by Commissioner Loffredo.

**XII. PUBLIC COMMENTS – None**

(This space intentionally left blank.)

**XIII. ADJOURNMENT**

**At 3:04 p.m., the chair declared the meeting adjourned.**

APPROVED:

  
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Chair/Vice Chair