

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

**MAY 3, 2018**

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

**COMMISSION CHAMBERS  
GOVERNMENTAL CENTER**

**I. CALL TO ORDER**

**II. ROLL CALL**

**MEMBERS:**

Sarah L. Shullman, Chair  
Bryan Kummerlen, Vice Chair  
Peter L. Cruise  
Michael S. Kridel  
Rodney G. Romano

**STAFF:**

Mark E. Bannon, Commission on Ethics (COE) Executive Director  
Anthony 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 – None**

**IV. APPROVAL OF MINUTES FROM APRIL 5, 2018**

**MOTION to approve the April 5, 2018 minutes. Motion by Peter Cruise, seconded by Bryan Kummerlen, and carried 4-0. Rodney Romano absent.**

**V. APPROVAL OF MINUTES FROM APRIL 16, 2018**

**MOTION to approve the April 16, 2018 minutes. Motion by Peter Cruise, seconded by Bryan Kummerlen, and carried 4-0. Rodney Romano absent.**

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

**VI.a. RQO 18-008**

**MOTION to approve the consent agenda. Motion by Peter Cruise, seconded by Bryan Kummerlen, and carried 4-0. Rodney Romano absent**

**VII. ITEMS PULLED FROM CONSENT AGENDA – None**

**VIII. PROPOSED ADVISORY OPINIONS**

**VIII.a. RQO 17-021**

**MOTION to approve previously revised advisory opinion letter RQO 17-021. Motion by Bryan Kummerlen, seconded by Peter Cruise, and carried 4-0. Rodney Romano absent.**

**RECESS**

**At 1:31 p.m., the chair declared the meeting recessed for an executive session.**

**IX. EXECUTIVE SESSIONS**

**RECONVENE**

**At 2:38 p.m., the meeting reconvened, and at Chair Sara Shullman's request for a roll call, Vice Chair Kummerlen, and Commissioners Peter Cruise, Michael Kridel, and Rodney Romano were present.**

**IX. – CONTINUED**

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

**IX.b. C17-037**

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on August 15, 2017, alleging that Respondent, Robert Weinroth, a City of Boca Raton elected official, violated §2-444(a)(l) of the Palm Beach County Code of Ethics by accepting a gift valued at over \$100 in the aggregate from a business entity that was a principal or employer of a lobbyist who lobbied the City of Boca Raton.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On May 3, 2018, 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 Respondent, the Commission concluded no probable cause exists to believe a violation occurred because the gift was not from a prohibited source since the business entity was not a principal or employer of a lobbyist who lobbied the City of Boca Raton.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Robert Weinroth, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on May 3, 2018.

By: Sara L. Shullman, Chair

**IX.b. – CONTINUED**

(CLERK’S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal, and the numeric order of the agenda was restored.)

**IX.a. C17-029**

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on July 24, 2017, alleging that Respondent, Robert Weinroth, a City of Boca Raton elected official, violated §2-444(a)(l) of the Palm Beach County Code of Ethics by accepting a gift valued at over \$100 in the aggregate from a business entity that employed a lobbyist who lobbied the City of Boca Raton.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On May 3, 2018, 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 concluded no probable cause exists to believe a violation occurred. The evidence revealed that the gift was not from a prohibited source because the business entity did not employ a lobbyist as defined by the Code of Ethics since the “lobbyist” was not compensated for his work.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Robert Weinroth, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on May 3, 2018.

By: Sara L. Shullman, Chair

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

**IX. – CONTINUED**

**IX.b.** – See earlier in the minutes.

**IX.c.**           **C17-041**

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on November 14, 2017, alleging that Respondent, Robert Weinroth, a City of Boca Raton elected official, violated §2-444(a)(l) of the Palm Beach County Code of Ethics by accepting a gift valued at over \$100 in the aggregate from a business entity that was a principal or employer of a lobbyist who lobbied the City of Boca Raton.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On May 3, 2018, 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 Respondent, the Commission concluded no probable cause exists to believe a violation occurred because the evidence showed that Respondent incorrectly listed a gift on his State of Florida Gift Disclosure Form that he did not actually receive. His brief attendance at the event in question was to obtain photographs and information on the event for a local newspaper; he did not partake in the event itself.

Therefore it is:

**ORDERED AND ADJUDGED** that the complaint against Respondent, Robert Weinroth, is hereby **DISMISSED**.

**DONE AND ORDERED** by the Palm Beach County Commission on Ethics in public session on May 3, 2018.

By: Sara L. Shullman, Chair

**IX.c. – CONTINUED**

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

**IX.d. C17-042**

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on November 14, 2017, alleging that Respondent, Robert Weinroth, a City of Boca Raton elected official, violated §2-444(a)(l) of the Palm Beach County Code of Ethics by accepting a gift valued at over \$100 in the aggregate from a business entity that was a principal or employer of a lobbyist who lobbied the City of Boca Raton.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On May 3, 2018, 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 Respondent, the Commission concluded no probable cause exists to believe a violation occurred. The evidence revealed that the gift was not from a prohibited source because the business entity did not employ a lobbyist as defined by the Code of Ethics since the "lobbyist" was not compensated for his work.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Robert Weinroth, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on May 3, 2018.

By: Sara L. Shullman, Chair

**IX.d. – CONTINUED**

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

**X. EXECUTIVE DIRECTOR COMMENTS**

**X.A.**

**DISCUSSED:** COE Training.

Mark Bannon, COE Executive Director, said that Christie Kelley, COE General Counsel, and Anthony Bennett, COE Chief Investigator, completed a 4-week class in government supervision presented by the Florida Institute of Government. He added that Ms. Kelley and Gina Levesque, COE Intake and Compliance Manager, attended a 1-day records management seminar in the City of Orlando.

**XI. COMMISSION COMMENTS**

**XI.A.**

**DISCUSSED:** Public Ethics Academy Endowment.

Commissioner Cruise announced that on May 15, 2018, Florida Atlantic University's Public Ethics Academy would receive a \$500,000 endowment from the Collins Institute of Miami. He added that the academy would be renamed the LeRoy Collins Public Ethics Academy and that the COE members were invited to attend the ceremony.

**XI.B.**

**DISCUSSED:** Ethics Coalition.

Commissioner Cruise said that the Ethics Initiative of Palm Beach County, which helped implement the COE and the Office of Inspector General, was being renamed the Ethics Coalition to handle advocacy issues.

## **XI. – CONTINUED**

### **XI.C.**

#### **DISCUSSED: COE Fines.**

Commissioner Cruise requested that an agenda item be brought back to discuss increasing the maximum fine per County ordinance violation.

Mr. Bannon said that:

- Florida law only allowed a maximum \$500 fine per County ordinance violation, but in 2010, it was increased to a maximum of \$1,000 per violation.
- Increasing the fine could be discussed as an agenda item, along with several other amendments to the Palm Beach County Code of Ethics (code).
- The request would go before a newly appointed draft committee, who would make a recommendation to the Board of County Commissioners (BCC).
- The COE previously assessed monetary fines on 3 individuals.
- The majority of those who received monetary fines were County or municipal employees, and he was unsure of their socioeconomic status.

Commissioner Kridel said that a \$500 fine assessed to a County employee could be the equivalent of a larger fine assessed to someone with a higher income.

Chair Shullman said that there was board consensus to discuss the matter, and she requested that Mr. Bannon add the item to the next agenda.

Mr. Bannon stated that staff needed several months to prepare a list of all the requested code changes for presentation to the draft committee and final approval by the BCC.

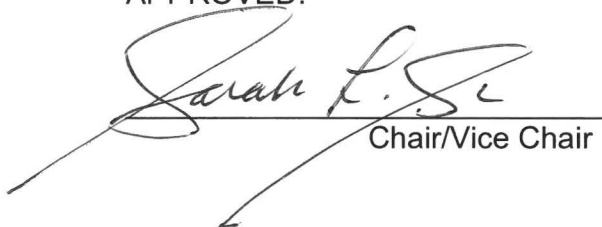
## **XII. PUBLIC COMMENTS – None**



**XIII. ADJOURNMENT**

**At 2:59 p.m., the chair declared the meeting adjourned.**

APPROVED:

  
Chair/Vice Chair