



Honesty - Integrity - Character

**Palm Beach County
Commission on Ethics**

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News Release

For immediate release:
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Summary of Palm Beach County Commission on Ethics Meeting Held on March 9, 2023

The Palm Beach County Commission on Ethics (COE) took the following action at its monthly public meeting held on March 9, 2023.

Commissioner Michael Kugler was elected Chair, and Commissioner Danielle Sherriff was elected Vice Chair. They will serve one-year terms.

Five advisory opinions were approved. The full opinions are available at <http://www.palmbeachcountyethics.com/opinions.htm>.

RQO 23-001: A Palm Beach County employee asked if it would violate the Palm Beach County Code of Ethics (Code) if she applied for and/or accepted an educational scholarship that she became aware of only because of a training she had delivered related to her position as a County employee.

The COE opined as follows: The Code does not preclude a person from applying for and accepting a scholarship, if it is awarded, even if the opportunity was learned about through a work assignment, as long as the guidance provided by the COE is followed, including the filing of the appropriate gift form. The opinion outlines all of the necessary guidelines with specificity. The COE did not provide an opinion regarding County policies or procedures related to this query.

RQO 23-003: A member of the Palm Beach County Zoning Commission (PBZC) asked if a conflict of interest would arise for her if clients of her outside business – a travel agency – appeared before the PBZC.

The COE opined as follows: A prohibited conflict of interest does not arise based solely on a professional relationship that is unrelated to duties as a member of the PBZC. However, if any established clients were to come before the PBZC, abstention from any discussion or vote may be required if certain factors are met, including a determination as to whether the persons appearing before the PBZC meet the Code's definition of "customer or client." The opinion outlines all of the necessary restrictions with specificity.

RQO 23-004: An employee of a local municipality asked if a prohibited conflict would arise under the Code if, in addition to his municipal employment within the Public Works Department, he was also employed on a part-time basis with a private company that has a current contract managed by the Public Works Department of his municipality.

The COE opined as follows: The Code generally prohibits public employees from accepting employment, directly or indirectly, with any "outside employer or business" that is a vendor of their public employer. Although there are some exceptions recognized by the Code, none of those exceptions apply to this situation. Thus, the outside employment is prohibited by the Code.

RQO 23-005: A member of the Palm Beach County Citizens Committee on Airport Noise (CCAN) asked if a conflict of interest would arise under the Code if she were also to become a board member of Aeroauto LLC, a private business operating in Palm Beach County.

The COE opined as follows: The Palm Beach County Code of Ethics does not prohibit membership on Aeroauto LLC's board simultaneous with membership on the CCAN as long as certain requirements are met, including not using her position on the CCAN in any way to give a special financial benefit to Aeroauto LLC.

RQO 23-006: A municipal employee asked if the code prohibited him from purchasing an item of personal property from a local citizen when the item had not been publically advertised for sale.

The COE opined as follows: The Code does not preclude the purchase of the item as long as the guidance in the opinion is followed, including determining the actual fair market value of the item being purchased, and, if necessary, completing and filing the appropriate gift form with the COE. If the seller of the item is a prohibited source, and the fair market value of the item is \$100 or more than the sale price, then the purchase would not be allowed under the Code. The opinion outlines the details of the necessary analysis that must be undertaken prior to completion of the transaction.

A detailed explanation of all agenda items is available at <http://www.palmbeachcountyethics.com/meetings.htm>.

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