

## COMPLIANCE REVIEW MEMORANDUM

To: Alan Johnson, Executive Director  
From: James A. Poag, Investigator  
Re: A11-001B – Ethics Training Compliance (Palm Beach County non-elected officials)

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- **Background**

On May 17, 2011 the Palm Beach County Board of County Commissioners adopted the revised Code of Ethics. With the adoption of the revised code all Palm Beach County Officials were required to read the code, receive training on the revisions to the code and sign a training acknowledgment form, which are to be maintained by the appropriate county administrator. An Official is defined as members of the Board of County Commissioners (BCC) and members appointed by the BCC *to serve on any advisory, quasi-judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity.*

On March 20, 2012, in conjunction with the compliance review of Palm Beach County Board of County Commissioners (BCC) ethics training program, I contacted Ms. Patty Hindle, Palm Beach County Agenda Coordinator. Ms. Hindle informed me that she was responsible for maintaining the Ethics Training Acknowledgement Forms for all non-elected officials. According to Ms. Hindle, there were a total of 22 non-elected officials who had not completed the required ethics training, including the Sheriff of Palm Beach County and four Palm Beach County Sheriff's Office employees. Ms. Hindle indicated that on May, 15, 2012, the BCC was scheduled to discuss and vote on the dissolution of several boards and the removal of those non-elected officials who had not complied with the ethics training requirement prior to the meeting.

On March 28, 2012, the Palm Beach County Commission on Ethics published a Compliance Review Memorandum (A11-001) for Palm Beach County. Advisory boards and other boards were excluded from this memorandum pending the May 15, 2012 decision of the BCC to remove those non-elected officials who had not completed ethics training. It should be noted that the Palm Beach County Sheriff and employees of the Sheriff's Office who serve on county advisory boards in their official capacity, pursuant to ordinance and not appointment, are not under the jurisdiction of the code of ethics, and thus not required to fulfill the ethics training requirement. There are three non-elected official positions currently occupied by the Sheriff or his designee that have been established by local ordinance. However, there are two non-elected official appointees currently occupied by Sheriff's Office employees. As appointed members of those boards, they are officials under the jurisdiction of the code. As of the May 15, 2012 meeting of the Board of County Commissioners, all of the outstanding non-elected officials that were required to complete the ethics training were in compliance with the exception of four individuals, two of which are Sheriff's Office employees appointed by the BCC.

At the May 15<sup>th</sup> meeting, the Board of County Commissioners voted to remove two of the non-elected officials who did not comply with the ethics training requirement. However, no decision was made as to the removal of the two volunteer Sheriff's Office employees that were serving on boards while not in compliance with the ethics training requirement. On May 24, 2012, I conducted an on-site compliance review of the Ethics Training Acknowledgement Forms for all Palm Beach County non-elected officials. Prior to the start of my review, I was provided with an alphabetical list of all non-elected officials, which I used to cross reference each individual Training Acknowledgement Form. As of May 24, 2012, Palm Beach County had 542 non-elected officials.

- **Scope**

The scope of this audit included a review of all non-elected county officials required to submit Ethics Training Acknowledgement Forms pursuant to the Code of Ethics. All forms submitted to the County Administrator's Office were maintained in a central training file folder alphabetically by last name.

- **Assessment**

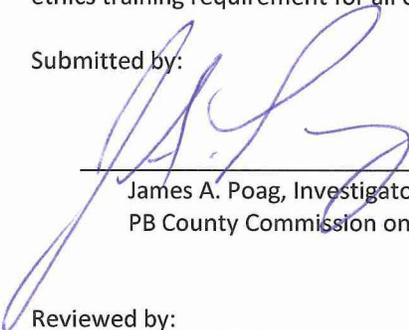
On May 24, 2012, a compliance review of the Palm Beach County Ethics Training Program was completed for Palm Beach County non-elected officials.

The overall assessment indicated Palm Beach County had 542 non-elected officials. As of this date, all non-elected officials required to comply with ethics training under the Code of Ethics are in compliance with the exception of two Sheriff's Office employees who are volunteer, non-elected officials appointed by the BCC and have not taken the ethics training as required by the Code of Ethics.

- **Conclusion**

Based on the review of the training acknowledgment forms, Palm Beach County is not in full compliance with the ethics training requirement for all of its non-elected officials.

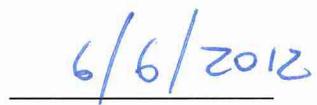
Submitted by:

  
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James A. Poag, Investigator  
PB County Commission on Ethics

  
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Date

Reviewed by:

  
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(Initials)

  
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Date