

**MEETING: COMMISSION ON ETHICS (COE)**

1. **CALL TO ORDER:** March 25, 2010, at 5:35 p.m., in the McEaddy Conference Room, 301 North Olive Avenue, 12<sup>th</sup> Floor, West Palm Beach, Florida.

**1.A. Roll Call**

Judge Edward Rodgers, Chair  
Manuel Farach, Esq., Vice Chair  
Ronald E. Harbison  
Dr. Robin Fiore  
Bruce Reinhart, Esq.

Support Staff and Others Present:

David Baker, Ethics/IG Implementation Committee Chair  
Leonard Berger, Assistant County Attorney  
Wayne O. Condry, Human Resources Department Director  
Tammy L. Gray, Public Affairs Department Information Specialist  
Gale Howden, Ethics/IG Implementation Committee  
Brad Merriman, Assistant County Administrator  
Shannon Ramsey-Chessman, Clerk & Comptroller Chief Operating Officer  
Finance  
Andy Reid, Sun Sentinel  
Iris Scheibl, Ethics/IG Implementation Committee  
Heather C. Shirm, Public Affairs Department Web Design Coordinator  
Leilani M. Yan, Human Resources Department Recruitment and Selection  
Manager  
Barbara Strickland, Deputy Clerk

(CLERK'S NOTE: Judge Edward Rodgers, Chair, stated that the minutes of the March 18, 2010, meeting were voluminous. He requested that COE members read them later, prior to discussion held at the next regularly scheduled meeting.)

2. **EXECUTIVE DIRECTOR STATUS UPDATES (Leilani Yan)**

2.A. **Executive Director Interview Date (Scheduled for Saturday, April 24, 2010)**

Leilani M. Yan, Human Resources (HR) Department Recruitment and Selection Manager, stated that six of the seven candidates for the position of Executive Director (ED) had said that they could attend an interview on April 24, 2010.

Judge Rodgers asked whether a video conference could be arranged to interview the seventh candidate, Gail Allen. Ms. Yan said that Ms. Allen had indicated that she was unable to attend in person on April 24 or between the dates of April 30 through May 7, 2010.

Brad Merriman, Assistant County Administrator, said that a video conference could be arranged to interview Ms. Allen if the group would prefer to do so.

Bruce Reinhart, Esq. pointed out that other candidates were available to attend interviews scheduled for April 24.

**MOTION to approve withholding the arrangement of a video conference to interview candidate Gail Allen. Motion by Bruce Reinhart, and seconded by Manuel Farach.**

Mr. Reinhart clarified that he would not support interviewing Ms. Allen on any other day, since she was unable to attend in person on April 24, 2010. Ronald Harbison stated that the COE should review and consider her application, rather than rely on both the application and interview.

Dr. Robin Fiore concurred.

**AMENDED MOTION to consider the application of Gail Allen, without arranging a video conference to interview her.**

**MOTION DIED FOR LACK OF A SECOND.**

Judge Rodgers stated that an evaluation would be made based only on the materials submitted.

## **2.A. - CONTINUED**

Ms. Yan confirmed that the seven candidates had been informed that the IG Selection Committee had requested two additional letters of reference that specifically related their background and experience to the position. She added that the Sheriff's Office would conduct background checks on a national scale.

## **2.B. Discussion of Selection Process**

Brad Merriman, Assistant County Administrator, confirmed that he would be present for the interviews, and that they would be public in accordance with Sunshine Law provisions. He recommended that interviews be conducted in the building where HR was located, for reasons of security and convenience.

Ms. Yan requested that interview questions from COE members be submitted to her by April 2, 2010. She would review and organize them, she said, so that panelists could gain more details surrounding an individual's background and experience.

Ms. Yan added that a written exercise could be administered as well. She said that HR could provide a written exercise for the panel's review at the end of all the interviews, or at another time during the process.

Ms. Yan described various aspects of the interview process that included the interview order, the time allotted for each, the candidates' locations, the voting panel's orientation, and the steps for voting. She said that the candidates would receive a schedule so they would know when their interview took place, the time set for a written exercise and the timeframe for completing it, and how those results would be reviewed.

As to the voting process, Ms. Yan said that typically, the three top-ranked candidates could be discussed and a consensus reached on who the top one or possibly two candidates were. Panelists would have reviewed written exercises by this time, she said.

Mr. Merriman stated that he wished to remind everyone that because this was a completely public process, that everything resulting from the day would be collected from them and retained, including their notes.

## **2.B. -- CONTINUED**

Assistant County Attorney Leonard Berger stated that COE members were largely immune from liability because they were government actors furthering their jobs. He added that in case of any lawsuits filed, they had a common-law right to have their attorney's fees reimbursed by the government, as a matter of course.

Discussion was held on the merits of hiring an attorney for the ED position, or of reliance on area volunteer attorneys for purposes of any needed legal representation in the future.

### **3. STAFF COMMENTS**

Mr. Merriman recommended that a meeting with both the Executive Director of the Miami-Dade Commission on Ethics and the Miami-Dade Inspector General be scheduled. He said that learning about their interview experiences would be helpful for them before the interviews began.

Mr. Merriman said that he would set a meeting within the next two weeks, and that the Clerk & Comptroller or her representative would be invited to attend.

In addition, Mr. Merriman recommended that the Grand Jury Room at the State Attorney's Office be used for hearings, because it was secure and already set up for hearings. He added that other business could be conducted at the Vista Center location, which was not secure but which could accommodate large meetings.

### **4. COMMISSION COMMENTS – None**

### **5. SCHEDULE NEXT MEETING DATE**

Tammy L. Gray, Public Affairs Department Information Specialist, stated that the present meeting room was available on April 8 and April 29, 2010, for the next meetings.

Mr. Merriman said that a different County location would be identified if this room were not available to them. He said the meeting would have telephone conferencing capability for COE members who could not attend in person.

5. – CONTINUED

Mr. Merriman reiterated that Miami-Dade representatives would be present on April 8, and that the interview sessions would be held on April 24, 2010.

6. **ADJOURNMENT**

**At 6:08 p.m., the Chair declared the meeting adjourned.**

APPROVED:

  
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Chair/Vice Chair