

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

DECEMBER 9, 2013

**MONDAY
1:30 P.M.**

**COMMISSION CHAMBERS
GOVERNMENTAL CENTER**

I. CALL TO ORDER

II. ROLL CALL

MEMBERS:

Robin N. Fiore, Ph.D., Chair – Absent
Patricia L. Archer, Vice Chair
Daniel T. Galo, Esq. – Absent
Michael S. Kridel, CPA
Salesia V. Smith-Gordon, Esq.

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Senior Investigator
Anthony C. Bennett, COE Investigator
Steven P. Cullen, Esq., COE Executive Director – Absent
Gina A. Levesque, COE Intake Manager

ADMINISTRATIVE STAFF:

Amanda Canete, Deputy Clerk, Clerk & Comptroller's Office

(CLERK'S NOTE: Senior Investigator Mark Bannon facilitated as the executive director.)

III. INTRODUCTORY REMARKS

Commission on Ethics (COE) Senior Investigator Mark Bannon stated that a quorum was present.

Vice Chair Patricia Archer asked for electronic devices to be turned off. She invited anyone wishing to address the commission to submit a comment card.

IV. APPROVAL OF MINUTES FROM NOVEMBER 7, 2013

MOTION to approve the November 7, 2013, minutes. Motion by Michael Kridel, seconded by Salesia Smith-Gordon, and carried 3-0. Robin Fiore and Daniel Galo absent.

V. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA) – None

VI. ITEMS PULLED FROM CONSENT AGENDA – None

VII. PROPOSED ADVISORY OPINIONS

VII.a. Request for Proposal RQO 13-022

Mr. Bannon said that:

- The matter involved the City of Wellington's repayment of Mayor Robert Margolis and Councilmember John Greene for legal fees incurred regarding the 2012 election.
- Mayor Margolis and Councilmember Greene had requested reimbursement of their legal fees.
- The question was whether Mayor Margolis and Councilmember Greene could vote on each other's reimbursement.
- Staff had opined that although the circumstances were intertwined, Mayor Margolis and Councilmember Greene could vote because they had no personal financial benefit.
- A quid pro quo between them could not be determined; however, support for each other was possible.
- No financial benefit in each other's agenda item would exist if the reimbursements remained separate agenda items.
- There were five voting members on the board.

MOTION to accept staff's recommendation on RQO 13-022. Motion by Salesia Smith-Gordon, seconded by Michael Kridel, and carried 3-0. Robin Fiore and Daniel Galo absent.

VIII. DISCUSSION OF COMMISSIONER TRAINING DISCS 1 & 2

Vice Chair Archer said that she and Chair Robin Fiore had encountered problems with training disc 1 and disc 2. She said that the problems could have derived from the disc duplication process.

Commissioner Michael Kridel said that he also encountered a problem with disc 1.

Gina Levesque, COE Intake Manager said that the discs were reduplicated and would be redistributed.

Vice Chair Archer expressed concern about the errors being displayed in different sections on the discs.

Commissioner Salesia Smith-Gordon said that although she experienced a minor problem with disc 2, overall, the information presented was outstanding. She said that the board could consider putting the disc information on the COE's Website. She suggested the commission discuss any matters requiring collective review in a public workshop and Commissioner Kridel said that the matter should be deferred until all members were present.

Ms. Levesque said that she would include all four discs on the agenda next month for the commissioners' review.

IX. EXECUTIVE DIRECTOR COMMENTS

IX.1.

DISCUSSED: Training Sessions.

Mr. Bannon said that several training sessions in the cone of silence and vendor issues had been conducted. He said that staff and the County had discussed providing specialized ethics training to supervisors.

IX. – CONTINUED

IX.2.

DISCUSSED: Staff Counsel's Position.

Mr. Bannon said that eight applicants already showed interest in the staff counsel's position. He said that it would be advertised in the Palm Beach County Bar Association news on December 15, 2013. He added that by mid-January staff hoped to have a large pool of candidates.

Ms. Levesque said that the County's Human Resources Department (HR) had placed advertisements (ads) throughout the county, the state, the local Bar associations, newspapers, and Websites.

Commissioner Smith-Gordon said that she had not seen the ad in the F. Malcolm Cunningham Sr. Bar Association of Palm Beach County's news.

Ms. Levesque said that some Bar associations did not offer ad services; however, she would ask HR to contact the group again.

IX.3.

DISCUSSED: Dismissal of Two Complaints.

Mr. Bannon said that the dismissal of two legally insufficient complaints were processed under the new Rules of Procedure. He added that executive session would not be required for the complaints.

IX.4.

DISCUSSED: Office of Program Policy Analysis and Government Accountability (OPPAGA) Changes Chart.

Mr. Bannon said that the COE had received the chart of OPPAGA changes from Mr. Cullen. He said that the OPPAGA's requests that did not require ordinance changes were implemented.

IX. – CONTINUED

IX.5.

DISCUSSED: Expression of Appreciation, The Ethics Pocket Guide, Jurisdiction Contact List, and Volunteer Advocates.

Mr. Bannon said that:

- Darlin Jimenez's work as the COE's graphics intern was appreciated.
- The Ethics Pocket Guide had been revised and new ones would be printed.
- The list of contacts for each jurisdiction was updated.
- The new volunteer advocates training would begin December 16, 2013. Mr. Cullen, Megan Rogers, Esq, Kai Li Fouts, Esq, and himself would conduct the training.

X. COMMISSION COMMENTS

X.1.

DISCUSSED: Concern.

Vice Chair Archer said that she was certain that Chair Fiore regretted missing the meeting due to illness.

XI. PUBLIC COMMENTS – None

XII. ADJOURNMENT

MOTION to adjourn the meeting. Motion by Salesia Smith-Gordon, seconded by Michael Kridel, and carried 3-0. Robin Fiore and Daniel Galo absent.

At 1:46 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair