

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

NOVEMBER 7, 2019

**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 - Absent

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Executive Director
Mark A. Higgs, COE 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 OCTOBER 3, 2019**

MOTION to approve the October 3, 2019 minutes. Motion by Michael Kridel, seconded by Peter Cruise, and carried 4-0. Rodney Romano absent.

V. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)

V.a. (Request for Opinion) RQO 19-018

V.b. RQO 19-019

V.c. RQO 19-020

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

VI. PROPOSED ADVISORY OPINIONS

V.I.a. RQO 19-016

Mark Bannon, COE Executive Director, said that:

- The COE directed staff to review and make some changes to RQO 19-016.
- The most important change was reflected in the last paragraph of the rationale section.
 - The facts were unique and only applied to RQO 19-016.
 - They should not take this opinion to mean that in most cases where the amount of money paid through an indirect source may not form that bond because of the unique circumstances of this when it does.
 - When the \$10,000 threshold was reached, the parties would be considered a customer or a client.

MOTION to approve proposed advisory opinion letter RQO 19-016. Motion by Peter Cruise, seconded by Michael Kridel, and carried 4-0. Rodney Romano absent.

VII. ITEMS PULLED FROM CONSENT AGENDA – None

VIII. EXECUTIVE DIRECTOR COMMENTS – None

IX. COMMISSION COMMENTS

IX.a.

DISCUSSED: Commendation.

Commissioner Cruise commended the COE for raising money towards the SMART Ride cyclists' event, which took place from the City of Miami to the City of Key West.

IX.b.

DISCUSSED: Congratulations.

Chair Shullman congratulated Gina Levesque, COE Intake and Compliance Manager, on learning that she would be a grandmother.

X. PUBLIC COMMENTS

X.a.

DISCUSSED: Village of Wellington Building Permits Complaint.

Bruce Tumin said that:

- The quasi-judicial Village of Wellington (Village) Construction Board of Adjustment and Appeals (board) could prevent contractors, architects, and engineers from pulling a building permit.
- The Village Council appointed people to the board who did not understand the construction codes.
- The Village Council, its staff, and attorney stated that they were not required to follow County ordinances unless penalties were issued for preventing a permit from being pulled.

- He filed an Office of Inspector General (OIG) complaint which included willful misconduct by the Village for not following County ordinances.
- The OIG sent the complaint to the Village, which violated his whistleblower protection.
- The case should have been closed if the OIG believed that his allegations fell outside its jurisdiction.

X.b.

DISCUSSED: Training.

Richard Radcliffe, Executive Director for the Palm Beach County League of Cities (League), said that the League received mandatory State ethics training on October 30, 2019. He added that Mark Bannon, COE Executive Director, should be commended for the training he offered on State and local ethics ordinances.

XI. ADJOURNMENT

At 1:39 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair