



**Palm Beach County
Commission on Ethics**
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News Release

For Immediate Release
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December 14, 2015
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Summary of Palm Beach County Commission on Ethics Meeting Held on December 10, 2015

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on December 10, 2015.

Two complaints were heard in executive session. All documents pertaining to both complaints are published on the COE website at <http://www.palmbeachcountyethics.com/complaints.htm>.

C15-019: The COE reviewed and considered the investigative report, the statement and probable cause recommendation of the COE advocate, and the statement made by the respondent. The COE found no probable cause and issued a public report and final order of dismissal.

C15-020: The COE reviewed and considered the investigative report, the statement and probable cause recommendation of the COE advocate, and the statement made by the respondent. The COE found no probable cause and issued a public report and final order of dismissal.

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

RQO 15-047: A Town of Palm Beach "resident inspector" asked if a conflict of interest arises for him under the Palm Beach County Code of Ethics (Code) when he owns both a private building code inspection company and a general contracting company in the Town of Palm Beach, if the inspection company does not inspect any of the properties that used his general contracting company to complete the applicable work.

The COE opined as follows: Regardless of whether he is required by the Town of Palm Beach to abide by the Code, because he is not a Palm Beach County or municipal employee, elected official, or appointed official and does not fall within the definition of "official or employee" found in §2-442 of the Code that includes "contract personnel and contract administrators performing a government function," he is not under the jurisdiction of the COE. The COE Rule of Procedure 2.2 states, in relevant part, that only persons who are under the jurisdiction of the Code of Ethics may request an advisory opinion regarding the interpretation or application of the Code of Ethics. Therefore, the COE cannot render an advisory opinion to him in this matter, or comment on any potential conflicts of interest between his private building code inspection company and his general contracting company in the Town of Palm Beach.

RQO 15-048: A Palm Beach County employee asked if an employee of the Palm Beach County Information Systems Services (ISS) Department is prohibited from accepting payment of registration fees for a specialized training program from Palm Beach County Law Enforcement Exchange, Inc. (LEX), which is not a vendor, bidder, service provider, contractor, or proposer of the county.

The COE opined as follows: The ISS employee is not prohibited from accepting the registration fees from LEX for the training since LEX is not a vendor, bidder, service provider, contractor, or proposer of Palm Beach County. In addition, since the registration fee for the training is an exception to the definition of a gift, the ISS employee who attends the conference is not required to report the cost of the registration to the COE.

RQO 15-049: A Palm Beach County Fire Rescue (PBCFR) captain asked if PBCFR employees, as emergency medical services professionals (EMS professional), are prohibited from participating in a referral program with the private personal emergency response service "Life Alert" by personally referring people who can benefit from monitoring services offered by Life Alert in exchange for receiving a monetary fee for each person who enters into an agreement with Life Alert.

The COE opined as follows: EMS professionals employed by PBCFR, as well as EMS professionals employed by local municipalities, are not prohibited from participating in the Life Alert referral program and receiving monetary fees from Life Alert for such referrals, as long as they do not use their public employment to assist them in any manner while participating in this referral program, including suggesting such services to a patient, family member, or caregiver of a patient, and so long as they strictly adhere to the narrow circumstances listed in this opinion. The EMS professionals may not make any referral solicitations on or off duty while in uniform, or while displaying any badge, insignia or emblem that identifies them as a publicly employed EMS professional.

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

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