

POLICY REVIEW AND COMPLIANCE MEMORANDUM



To: Mark E. Bannon, Executive Director
From: Gina A. Levesque, Intake and Compliance Manager
Re: A16-003 – Town of Lake Park Ethics Policy Review and Training Compliance-Appointed Officials

- **Background**

The Code of Ethics (Code) states in part under Section 2-446(a) that the county or municipal administrator shall establish by policy a mandatory training schedule for all employees and elected/appointed officials, which shall include mandatory periodic follow-up sessions. Section 2-446(b) states in part that the COE shall develop and deliver training programs and ensure that the training is delivered in a timely manner.

- **Objectives and Scope**

The objectives are:

- To provide assurance that the agency has a training policy.
- To provide assurance that the training policy includes enough specific information to appointed officials that they can determine clear parameters, including initial training with deadline and grace period defined, and retraining cycle timeline with deadlines and grace periods defined.
- To provide reasonable assurance the municipality is requiring its appointed officials to comply with the training policy.

The scope of this review focused on the policy and acknowledgement forms for appointed officials for the Town of Lake Park (Town). The delivery method of the ethics training and internal tracking method of compliance was not part of the scope. It should be noted that a separate review will be completed regarding elected officials and employees.

- **Approach and Methodology**

The approach included an on-site review of a proof of training and a request for a list of the appointed officials. I also reviewed the training policy, the list of appointed officials, and the ethics training acknowledgements submitted by the appointed officials.

- **Findings**

The training policy for the Town was issued and became effective on February 1, 2013. The policy requires the completion and submission of a training acknowledgement form to the Human Resources Department subsequent to completion of training.

The policy requires that appointed officials undergo initial training and read the Code within sixty (60) days of appointment. The training policy also requires rereading the Code and mandatory follow-up training every two (2) years. The policy does not include a training deadline date for the two (2) year follow-up cycle nor does it include a grace period.

I met with Shaquita Edwards, who is the Administrative Assistant for the Town Clerk. Ms. Edwards indicated that appointed officials were to take training within sixty (60) days of appointment and every two (2) years thereafter, but was not aware if a deadline had been implemented.

At the time of the training cycle, the Town had five (5) boards, which are the Community Redevelopment Agency (CRA) (2 appointed positions), the Library Board, the Planning & Zoning Board, the Historic Preservation Board and the Local Planning Agency Board (5 appointed positions each). Although the CRA only has two (2) appointed positions, the board also consists of the Town's five (5) elected officials, and their training requirements are included in a separate Compliance Memorandum.

Members of the Planning & Zoning Board also serve as board members for the Historic Preservation Board and the Local Planning Agency Board, which will collectively be referred to as the P & Z Board. Additionally, although there are five (5) seats available, only four (4) members have been appointed. Therefore, there are twelve (12) appointments available with only eleven (11) individuals appointed at the time of this review.

It should be noted that the CRA is a four (4) year appointment, the Library Board is a three (3) year appointment, and the P & Z Board is a two (2) year appointment.

The Town policy states in item 5 that the Town Manager is the designee as the administrator responsible for the coordination of all mandated training and compliance audits with the COE. However, when I contacted the Town to arrange the review, I was directed to the Human Resources Director for the employees and elected officials and the Town Clerk's office for the appointed officials. Ultimately, I met with Administrative Assistant Shaquita Edwards for the appointed officials.

- **Recommendations**

After reviewing the policy and completing the compliance review, implementing the following two (2) recommendations regarding appointed officials should provide clarification regarding the training cycle and deadlines. It should also make the tracking process much easier.

1. Town policy requires participation in county ethics retraining every two (2) years. However, as noted above, the boards are appointed for periods of two (2), three (3), and four (4) years. Although tracking the completion of the initial training is uncomplicated, the two (2) year retraining requirement in the policy render tracking for compliance too arduous.

Therefore, it is recommended that the language in the policy regarding mandatory follow-up training for appointed officials be removed and changed as noted in a previously recommendation made to the Town in the Compliance Memorandum for Elected Officials and Employees as follows: **"Officials (elected and appointed) must participate in training within sixty (60) days of taking office upon election, reelection, appointment or reappointment."**

2. Currently, the Town policy requires that training acknowledgement forms are sent to the Human Resources department. However, since the clerk is responsible for the paperwork regarding appointed officials, we recommend the policy be changed to reflect that the training acknowledgement forms are filed with and kept by the Human Resources Department for the employees and elected officials and the Town Clerk's office for the appointed officials.

- **Conclusions**

All appointed officials from the Town of Lake Park are in compliance with the training policy. Therefore, the Town of Lake Park, regarding Appointed Officials, is in compliance with the ethics training requirement.

Further, two (2) policy change recommendations regarding appointed officials are being submitted to the Town for review. The recommendations are being made for practicality purposes and so that the requirements are clear.


Submitted by:



Gina A. Levesque, Intake and Compliance Manager
Palm Beach County Commission on Ethics

8/23/2016
Date

Reviewed by:



(Initials)

8/23/16
Date