

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

AUGUST 2, 2018

**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 - Absent
Michael S. Kridel
Rodney G. Romano

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Executive Director
Anthony Bennett, COE Chief 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 JULY 12, 2018

MOTION to approve the July 12, 2018 minutes. Motion by Rodney Romano, seconded by Michael Kridel, and carried 4-0. Peter Cruise absent.

V. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)

a. RQO 18-012

b. RQO 18-013

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

VI. ITEMS PULLED FROM CONSENT AGENDA – None

RECESS

At 1:31 p.m., the chair declared the meeting recessed for an executive session.

VII. EXECUTIVE SESSION C17-001

RECONVENE

At 2:12 p.m., the meeting reconvened, and at Chair Sara Shullman's request for a roll call, Vice Chair Kummerlen, and Commissioners Michael Kridel, and Rodney Romano were present.

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

Complainant, Jason Wasielewski, filed the above referenced complaint on February 2, 2017, alleging that Respondent, Joey Cooper, a Palm Beach County Fire Rescue employee, violated §2-443(a), §2-443(b), and §2-445 of the Palm Beach County Code of Ethics.

Pursuant to §2-258(a) of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On August 2, 2018, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate, the Commission concluded no probable cause exists to believe a violation occurred.

VII. – CONTINUED

Therefore, it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Joey Cooper, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on August 2, 2018.

By: Sarah L. Shullman, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal.)

VIII. EXECUTIVE DIRECTOR COMMENTS

VIII.A.

DISCUSSED: C17-002.

Mark Bannon, COE Executive Director, said that:

- The C17-002 public hearing was the second public hearing to take place since the COE began and the first one in which a hearing officer was utilized.
- Hearing Officer Christy Goddeau did not find sufficient evidence that Mr. Jones committed a Code of Ethics (Code) violation because the standard for finding a Code violation was clear and convincing evidence.
- Ms. Goddeau should be thanked for volunteering to serve as hearing officer in C17-002, along with Advocate Dodger Arp and COE staff.

IX. COMMISSION COMMENTS

IX.A.

DISCUSSED: Hearing Officer Goddeau's Finding.

IX. – CONTINUED

IX.A. – CONTINUED

Commissioner Romano requested a clarification that the hearing officer's finding was not a finding of innocence but of insufficient evidence to find Mr. Jones guilty.

Mr. Bannon stated that Ms. Goddeau found that the COE did not meet the burden of clear and convincing evidence of a violation, but in the final order, she noted that some of the findings of facts showed that issues existed.

IX.B.

DISCUSSED: Staff Commendation.

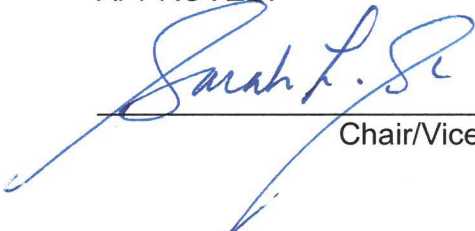
Chair Shullman commended staff for their preparatory work ahead of a meeting.

X. PUBLIC COMMENTS – None

XI. ADJOURNMENT

At 2:18 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair