



Palm Beach County Commission on Ethics

Commissioners

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Executive Director

Alan S. Johnson

In Re: Wayne Condry

C11-020

Public Report and Final Order of Dismissal

COMPLAINANT, Paul Beaudreau, a Palm Beach County Employee, filed the above-referenced COMPLAINT on September 30, 2011, alleging possible ethics violations involving RESPONDENT Wayne Condry, Palm Beach County Director of Human Resources.

The COMPLAINT alleges that Wayne Condry, Director of Human Resources, misused his official position by failing to act timely in the investigation of an allegation of nepotism involving another county employee.

Pursuant to Chapter 2, Article V, Division 8, Section 2-258(a)¹ of the Palm Beach County Code, the Commission on Ethics is empowered to enforce the county code of ethics. Misuse of public office is prohibited pursuant to Article XIII, Sec. 2-443(a) and (b) of the Palm Beach County Code,² if that misuse is for an improper special financial benefit, or a corrupt purpose.

¹ Article V, Division 8, Section 2-258. Powers and duties. (a) The commission on ethics shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided. The commission on ethics shall be empowered to review, interpret, render advisory opinions and enforce the;

- (1) County Code of Ethics;
- (2) County Post-Employment Ordinance, and
- (3) County Lobbyist Registration Ordinance.

² Article XIII, Section 2-443. Prohibited conduct.

- (a) Misuse of public office or employment. An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows

On October 15, 2011, after an initial inquiry into the matter, the COMPLAINT was determined by staff to be LEGALLY INSUFFICIENT, and presented to the Commission on Ethics on November 3, 2011 with a recommendation of dismissal as LEGALLY INSUFFICIENT.

The Commission on Ethics reviewed the staff inquiry report, determined that the allegations against RESPONDENT, Wayne Condry, do not constitute a violation of the Palm Beach County Code of Ethics because there is no evidence of financial or corrupt misuse of office, and DISMISSED the COMPLAINT on November 3, 2011, due to NO LEGAL SUFFICIENCY. The decision of the Commission on Ethics construes only the Palm Beach County Code of Ethics Ordinance and is not applicable to any other legal or administrative rules that may apply.

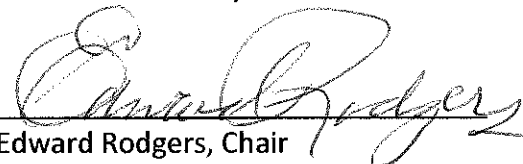
Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT against RESPONDENT Wayne Condry is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on November 3, 2011.

Palm Beach County Commission on Ethics

By:


Edward Rodgers, Chair

or should know with the exercise of reasonable care will result in a financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities. [as specified in Sub-sections 1-7]

- (b) *Corrupt misuse of official position.* An official or employee shall not use his or her official position or office, or any property or resource which may be within his or her trust, to corruptly secure or attempt to secure a special privilege, benefit, or exemption for himself, herself, or others. For the purposes of this subsection, "corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of an official or employee which is inconsistent with the proper performance of his or her public duties