



Palm Beach County Commission on Ethics

Commissioners

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In Re: Wayne Condry

C11-023

Public Report and Final Order of Dismissal

COMPLAINANT, LaDonna Booth, filed the above-referenced COMPLAINT on November 29, 2011, alleging a possible ethics violation involving RESPONDENT Wayne Condry, Director, Palm Beach County Human Resources Department.

The COMPLAINT alleges that Mr. Condry, corruptly misused his official position to secure a special exemption for Ms. Joan Myers, a former employee, by changing her rehire status prior to the expiration of the one (1) year waiting period prescribed in Palm Beach county Merit rule 5, resulting in the former employee being rehired by Palm Beach County.

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. Corrupt misuse of official position is prohibited pursuant to Article XIII, sec. 2-443(b) of the Palm Beach County Code.²

December 28, 2011, after initial inquiry into the matter, the COMPLAINT was determined by staff to be LEGALLY INSUFFICIENT, and presented to the Commission on Ethics on January 4, 2012 with a recommendation of dismissal as LEGALLY INSUFFICIENT.

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, sec.2-443. Prohibited conduct.

(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.

The Commission on Ethics reviewed the memorandum of inquiry and determined that the COMPLAINANT has no personal knowledge or independent evidence that the RESPONDENT, Wayne Condry, corruptly used his official position to secure a special exemption in violation of sec. 2-443(b) of the Palm Beach County Code of Ethics and DISMISSED the COMPLAINT on January 4, 2012, due to NO LEGAL SUFFICIENCY.

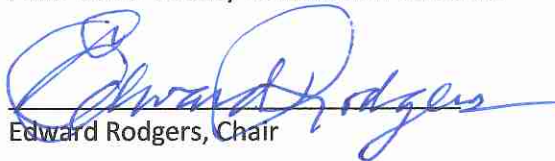
Therefore it is:

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 January 4, 2012.

Palm Beach County Commission on Ethics

By:


Edward Rodgers, Chair