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Commissioners
Manuel Farach, Chair
Robin N. Fiore, Vice Chair

VACANT
Ronald E. Harbison
Daniel T. Galo

Executive Director
Alan S. Johnson

Executive Assistant
Gina A. Levesque

Staff Counsel
Megan C. Rogers

Senior Investigator
Mark E. Bannon

Investigator
James A. Poag

Agenda

July 12, 2012 – 1:30 pm
Governmental Center,
301 North Olive Avenue, 6th Floor
Commissioners Chambers

- I. Call to Order
- II. Roll Call
- III. Introductory Remarks
- IV. Approval of Minutes from June 7, 2012
- V. Motion Hearings (C11-027) (Public Hearing)
 - a. Motion to Amend Public Order Finding Probable Cause
 1. Supplemental Memorandum of Investigation
 2. Amended Memorandum of Probable Cause
 3. Memorandum in Opposition to Motion to Amend Public Order Finding Probable Cause
 - b. Motion to Dismiss and Incorporated Memorandum of Law in Support Thereof
- VI. Probable Cause Hearing (C12-005)(Public Hearing)
- VII. Probable Cause Hearing (C12-003)(Executive Session)
- VIII. Reconsideration of prior opinions
 - a. RQO 12-034 b. RQO 12-036
- IX. Processed Advisory Opinions (Consent Agenda)
 - a. RQO 12-048 b. RQO 12-049
- X. Items Pulled from Consent Agenda
 - a.
- XI. Proposed Advisory Opinions
 - a. RQO 12-029 b. RQO 12-037 c. RQO 12-050
- XII. Social Media Update
- XIII. Policy and Procedure Clarification Re: Processing of Complaints that are filed within 30 days of Election
- XIV. Executive Director Comments
- XV. Commission Comments
- XVI. Public Comments
- XVII. Adjournment

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

JUNE 7, 2012

**THURSDAY
1:37 P.M.**

**COMMISSION CHAMBERS
GOVERNMENTAL CENTER**

I. CALL TO ORDER

II. ROLL CALL

MEMBERS:

Manuel Farach, Esq., Chair
Robin N. Fiore, Ph.D., Vice Chair
Daniel T. Galo, Esq.
Ronald E. Harbison, CPA – Present via telephone
Judge Edward Rodgers – Absent

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Senior Investigator
Alan S. Johnson, Esq., COE Executive Director
Gina A. Levesque, COE Executive Assistant
James A. Poag, COE Investigator
Megan C. Rogers, Esq., COE Staff Counsel

ADMINISTRATIVE STAFF:

Julie Burns, Deputy Clerk, Clerk & Comptroller's Office (Condensing)
Paula Wilson, Deputy Clerk, Clerk & Comptroller's Office (Recording)

Commission on Ethics (COE) Executive Director Alan Johnson noted that Commissioner Ronald Harbison was appearing by telephone. He said that although Judge Edward Rodgers was not present, three present commissioners constituted a quorum.

III. INTRODUCTORY REMARKS

Commissioner Manuel Farach requested that cell phones be turned off. He added that for those wishing to speak, comment cards could be filled out and provided to Executive Assistant Gina Levesque.

IV. APPROVAL OF MINUTES FROM MAY 3, 2012

MOTION to approve the May 3, 2012, minutes. Motion by Robin Fiore, seconded by Daniel Galo, and carried 4-0. Judge Edward Rodgers absent.

V. SCHEDULING UPDATE (C11-027)

Mr. Johnson stated that:

- In May 2012, C11-027's proposed negotiated settlement before the COE had failed.
- Brian Seymour, Esq. was now retained by the Respondent. He had received discovery earlier in the week and was unable to adequately counsel his client for today's meeting so a July continuance was requested.
- The pro bono advocate had stated that since he was unavailable for a September final hearing, it needed to be moved to the last two weeks in August or the first two weeks in October.

Ms. Levesque clarified that the pro bono advocate was unavailable the last two weeks in September, and the Respondent's attorney was unavailable September 3-4 and September 11-14.

Commissioner Robin Fiore advised that she was unavailable September 3-7.

Mr. Johnson said that:

- Under the COE's Rules of Procedure, issuing a final order was within the one-year timeframe.
- The COE could wait until July to schedule the final hearing, which probably needed two full days in the first two weeks of October.

V. – CONTINUED

- Discovery was expected to take approximately two months. Two tentative final hearing dates could be scheduled, with continuance obtained if discovery was incomplete by those set dates.

Commissioner Daniel Galo stated that due to a conflict, he would be abstaining from consideration of C11-027.

Commissioner Harbison commented that he was unavailable from approximately the middle to the end of October.

Commissioner Farach said that the COE should defer to staff and move discussion of the final hearing's schedule to July's agenda.

Board consensus was that in the interim, staff could contact all the parties and witnesses to ensure their availability for the first two weeks of October, then subsequently book two dates for the Board of County Commissioners' (BCC) chambers.

Responding to Commissioner Farach, Mr. Johnson said that once dates were tentatively scheduled, they could be placed on the COE's Web site, then publicly noticed at the July meeting. Ms. Levesque clarified that meetings held in the BCC chambers were also publicly noticed.

VI. RECONSIDERATION OF PRIOR OPINION

VI.a. Request for Opinion (RQO) 11-060

Mr. Johnson stated that:

- RQO 11-060 came before the COE on September 1, 2011, regarding the status of municipal pension board trustees (trustees) being officials and/or advisory board members.
 - The initial requested opinion regarded the County's Code of Ethics' (Code) applicability to municipal pension boards, particularly regarding trustees' duties and responsibilities related to seminars and conferences.

VI.a. – CONTINUED

- After issuance of RQO 11-060's opinion, staff subsequently received a letter from the Boca Raton Police and Firefighters' Retirement System Board's (BRPFRSB) counsel requesting a reconsideration. The counsel's position was that the trustees were advisory board members, not officials.
- Individuals appointed to any type of board by a governmental entity were within the County's and the COE's Code jurisdiction, and were considered officials.
- The advisory board's definition for the trustees was more nuanced. He recalled that the COE's vote on the opinion letter was close due to some disagreement or dissension.
- As officials, the trustees were still subject to all the County Code's conflict-of-interest provisions. Gift law provisions prohibiting acceptance of a gift valued over \$100 annually in the aggregate from lobbyists or vendors applied only to advisory board members and not officials.

Commissioner Fiore said that she did not recall any COE contention; only a request for extensive clarification.

Mr. Johnson continued:

- After publishing RQO 11-060's opinion letter, staff had received information that the trustees were considered State-reporting individuals; therefore, the opinion letter was incorrect in stating whether they did or did not have gift-reporting obligations.
 - The only local Code requirement was that a copy of the State's gift-reporting form be filed. Any other County Code requirements did not apply to State-reporting individuals.
 - The gift-reporting obligation issue was cleared up in a subsequent advisory opinion letter regarding another municipal pension board issue.

VI.a. – CONTINUED

- Advisory boards were defined as any advisory or quasi-judicial boards created by the County or a municipality. The question remained whether the BRPFRSB was created by the City of Boca Raton (Boca Raton) or by State statute.
 - The BRPFRSB's counsel had distinguished between local and chapter retirement plans in State law.
 - Local plans were established by municipal ordinance; chapter plans were created by State law and adopted by municipalities.
 - The BRPFRSB's counsel had reasoned that since local plans were established by municipal ordinance, it was created by municipality; therefore, the trustees should be advisory board members.
 - Staff had opined that the BRPFRSB was not considered an advisory board since it was separate and apart from the municipality in that it had different staff, the trustees were not paid by the municipality, nor were they under the same health or pension plans, supplies were bought separately, and vendors were separate. Advisory boards were normally considered an arm of a municipality; the BRPFRSB was independently structured.
- The issue of whether dependent taxing authorities were within the COE's jurisdiction may be significant.
- If the COE decided to reverse its initial opinion and find that pension boards were advisory boards within the County's Code regarding local plans, staff would rewrite the advisory opinion based on the COE's direction.
 - A motion to reconsider RQO 11-060 would be necessary.
 - Staff would bring the advisory opinion back to the COE at a public hearing.
 - Renewed discussion would occur whether to replace RQO 11-060 with an updated opinion.

VI.a. – CONTINUED

Megan Rogers, Esq., COE staff counsel, commented that the State's COE had determined that when a municipal employee also served as a pension board employee, the pension board was a separate agency for purposes of the contractual relationship's prohibition; therefore, the pension board was not defined as an advisory board under the municipality's control.

BOARD DIRECTION:

Commissioner Farach requested that Mr. Johnson advise the BRPFRSB's counsel that his request had not been reconsidered by the COE members.

VII. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)

VII.a. RQO 12-042

VII.b. RQO 12-047

MOTION to approve the Consent Agenda. Motion by Robin Fiore, seconded by Daniel Galo, and carried 4-0. Judge Edward Rodgers absent.

VIII. ITEMS PULLED FROM CONSENT AGENDA – None

IX. PROPOSED ADVISORY OPINIONS

Mr. Johnson stated that since RQO 12-034, RQO 12-043, and RQO 12-044 contained public comment, staff was requesting that they be presented at this time.

Commissioner Fiore said that comment cards were filed on RQO 12-036, RQO 12-037, RQO 12-044, and RQO 12-046.

Mr. Johnson clarified that RQO 12-037 and not RQO 12-034, had public comment, and he requested that it be presented first.

IX. – CONTINUED

IX.f. RQO 12-037

Mr. Johnson said that:

- Staff was asked whether a County employee could benefit from gifts given to her husband that were unrelated to her County employee status, and if so, whether the gift values were reportable pursuant to the County's Code.
- The issue was whether gifts given to her husband could be attributed to her as half of the gifts or whether they were considered gifts to the husband and not to the wife.
- According to Florida Statute, section 112.3148(7), the gifts related to the husband's status and not the County employee's status; therefore, the County employee was not bound by Florida law and the Florida Administrative Code (FAC).
- Staff's recommendation was based on the previous opinion letter, RQO 11-022.
- Every COE decision contained a factual basis. In the scenarios of RQO 11-022 and RQO 12-037, if it was considered a gift that was only based on the husband's status, unless facts indicated otherwise and were according to State law, the County employee would not be "gaming" the system since her status was not involved.

Commissioner Fiore said that the COE should not be in the position of determining how much of the gift benefited the husband and how much benefited the wife. She added that the gifts should be reported, and if they were prohibited, they could be donated to charity.

Mr. Johnson clarified that in this or in any other circumstance, if the gift was over \$100 or in the aggregate exceeded \$100, it was prohibited, and that portion of the gift should be paid back or not accepted.

IX.f. – CONTINUED

Jennifer Ashton, Esq., League of Cities (League) assistant general counsel, said that:

- The opinion did not consider that the gift being given to the husband had nothing to do with his wife's public employment.
- The League was requesting that the COE follow State law regarding this situation, and that RQO 11-081's opinion and reasoning in RQO 12-037 be rescinded since a prior opinion contradicted RQO 11-081's language.
- Donations to ministers were not considered traditional gifts but more akin to salaries, benefit packages, or tips for jobs well done.
- The League was requesting that the COE follow the FAC requirements regarding indirect gifts.

Mr. Johnson clarified that RQO 11-081 involved a public offer, and that the opinion was geared toward the public exception rather than toward Florida Statute, section 112.3148(7).

Ms. Ashton commented that although the County Code's gift law section referred to indirect gifts, the meaning of indirect gifts was not defined.

League Executive Director Richard Radcliffe stated that it was usual and customary for pastors or ministers to be paid through gifts, and that the COE had previously carved out the usual and customary language regarding gifts to certain types of employees.

Commissioner Galo commented that continuity regarding how the COE evaluated matters and advised people was important. He added that he supported reviewing the issue on a case-by-case, fact-by-fact basis.

Commissioner Farach said that since there may be insufficient facts to make a factual determination, answering the requested advisory opinion without getting into the facts may be the best approach.

Mr. Johnson said that:

- Staff could revise the proposed advisory opinion to state that the COE could not opine on speculative facts and circumstances, and absolutely no nexus between the County employee and the gift giver should exist.

IX.f. – CONTINUED

- The COE could table the proposed advisory opinion, and staff could bring back a redrafted opinion.

MOTION to approve proposed advisory opinion letter RQO 12-037 as written. Motion by Robin Fiore.

MOTION DIED FOR LACK OF A SECOND.

MOTION to table proposed opinion letter RQO 12-037 until the next COE meeting so that staff could review the letter and Mr. Johnson's suggested language as discussed. Motion by Daniel Galo, seconded by Ronald Harbison, and carried 3-1. Robin Fiore opposed. Judge Edward Rogers absent.

IX.h. RQO 12-041

Ms. Rodgers said that:

- A City of Riviera Beach (City) Planning and Zoning Board (Board) member asked whether she had a conflict of interest if an attorney for the Singer Island Civic Association (SICA), a nonprofit organization in which she served as a director, appeared and advocated a position on a matter before the Board.
 - In June 2011, the City council placed a moratorium on the development of residential rehabilitation facilities based on new federal disability guidelines.
 - When the moratorium came before the Board, the Board member mentioned to City staff that local civic organizations may be of help in shaping the issue and developing an appropriate citywide ordinance.
 - The Board member met with a local attorney to discuss his assisting the City on behalf of SICA to draft the ordinance. The SICA then retained the attorney.

(This space intentionally left blank.)

IX.h. – CONTINUED

- Staff had recommended that:
 - While officials were prohibited from using their official position or from voting on matters that would give a civic organization that they served as an officer or a director a financial benefit in a manner which they knew or should have known with the exercise of reasonable care would result in a special financial benefit, there was no prohibited special financial benefit under the specific facts and circumstances.
 - Prohibited conduct and voting conflicts turned on whether the financial benefit was shared with similarly situated members of the general public. Since the proposed ordinance was uniform and citywide, no special financial benefit existed to SICA.
 - If SICA advocated a plan that provided a targeted quality of life or property value benefit unique to its members, a potential special financial benefit and a prohibited conflict of interest would arise.
- The City had an unwritten policy that it generally did not work with outside counsel unless the counsel was retained for a particular purpose.

Ms. Rogers said that the City matter referenced by Commissioner Fiore regarded a zoning variance that would be applied throughout the City; the only matter currently before the Board was where rehabilitation centers could be located.

Marie Davis, who requested the advisory opinion, said that it was never SICA's intent to advocate a position.

MOTION to approve proposed advisory opinion letter RQO 12-041 as written. Motion by Robin Fiore, seconded by Daniel Galo, and carried 4-0. Judge Edward Rodgers absent.

(This space intentionally left blank.)

IX. – CONTINUED

IX.i. RQO 12-043

Ms. Rogers said that:

- A City of Lake Worth (Lake Worth) Commission (Commission) elected official asked about her obligations under the County's Code as a company owner that did business with other nongovernmental entities within the municipality.
- Staff had submitted that:
 - Elected officials were prohibited from using their office to give special financial benefits not shared with similarly situated members of the general public to themselves, their outside businesses, or customers or clients of their outside businesses.
 - Voting on a customer's or a client's proposal, participating in conversations, or attempting to influence staff or fellow Commission members constituted a misuse of office.
 - The prohibition extended not only to elected officials but anyone using elected officials' positions on their behalf. Additionally, elected officials may never use their official position to secure any benefit, whether financial or anything of value, for themselves or others as a quid pro quo or with a wrongful intent in a manner inconsistent with the proper performance of their public duty.

Mr. Johnson stated that some previous advisory opinions had addressed when a public official, who was on a board or was an elected official, should abstain from participating or voting if he or she had a financial interest.

Commissioner Farach expressed his agreement with Mr. Johnson that Pamela Triolo, Lake Worth mayor, and the party requesting the advisory opinion were "getting ahead of the curve" in attempting to ensure that everything was performed in a fashion that would affect Lake Worth's credibility and its Commission.

Responding to Commissioner Fiore's question, Mr. Johnson stated that although Ms. Triolo's request did not contain a factual but, instead, a hypothetical scenario, an RQO would still be issued since staff, at times, provided a general advisory opinion on the state of the law.

IX.i. – CONTINUED

Commissioner Fiore suggested that advisory opinion letters continue to contain the statement, This applies to the facts and circumstances submitted, or similar wording.

Mr. Johnson said that proposed opinion letter RQO 12-043 was considered the exception rather than the rule since Ms. Triolo was asking the general question of what her obligations were as an elected mayor and as a local business owner. He clarified that RQO 12-043 contained only facts and not circumstances.

Commissioner Fiore suggested that the statement, This applies to the facts submitted, could be placed in the second to last paragraph that began, This opinion construes.

Mr. Johnson requested that staff replace RQO 12-043's second to last paragraph with the second to last paragraph in RQO 12-044. He read the revised language as follows:

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under State law. Inquiries regarding possible conflicts under State law should be directed to the State of Florida Commission on Ethics.

Commissioner Galo requested that the word, Ordinance, be added after the verbiage, State of Florida Commission on Ethics, and by consensus, the COE members agreed.

MOTION to approve proposed opinion letter RQO 12-043 as amended to include the changes as discussed. Motion by Daniel Galo, seconded by Robin Fiore, and carried 4-0. Judge Edward Rodgers absent.

IX.j. RQO 12-044

Ms. Rogers stated that:

- A County employee asked whether County employees, in their official capacity, could host a chili cook-off and solicit supplies, ingredients, and raffle prizes from vendors to fund a County-sponsored event held in conjunction with the Palm Beach County School Board to benefit school children countywide.

IX.j. – CONTINUED

- Staff had submitted that when acting in their official capacity, County employees were not prohibited from soliciting and accepting donations from County vendors, lobbyists, principals, and employers of lobbyists on behalf of the County, provided the donations were accepted solely by the County and used for a public purpose.

MOTION to approve proposed opinion letter RQO 12-044. Motion by Robin Fiore, seconded by Daniel Galo, and carried 4-0. Judge Edward Rodgers absent.

(CLERK'S NOTE: The numeric order of the agenda was restored.)

IX.a. RQO 12-032

Mr. Johnson stated that:

- RQO 12-032 was tabled from the COE's May 2012 meeting. A City of Boynton Beach (Boynton Beach) commissioner questioned whether the County's Code regulated or prohibited him, as an elected official, from receiving a monthly expense allowance, which was established by Boynton Beach resolution and contained in its policy manuals, to cover travel and expenditures made in the performance of his official duties.
- The commissioner also asked whether each Boynton Beach commissioner should submit a record of expenditures for transparency purposes. Lastly, he asked whether he could use a portion of the expenses to make charitable contributions supporting community nonprofit organizations, including the school that employed his wife.
- Based on conversations at the COE's May 2012 meeting, it was not staff's and the COE's intention to dictate what a municipality could or could not do, or to dictate how it should craft an ordinance.
- To the extent that guidance to the officials was nonexistent regarding the definition of an official duty or a public purpose and that no expenditure transparencies existed for the public, there was no requirement to return the expense allowance money if it was unspent.
- It was perilous for an official to spend or to keep the expense allowance since a complaint could be lodged.

IX.a. – CONTINUED

- If a commissioner gave some expense allowance money to a charity and called it a public purpose and the charity employed the commissioner's wife or husband, that would be a clear violation of the County's Code.

Commissioner Fiore requested that RQO 12-044's revised, paragraph language also be inserted into the last paragraph of RQO 12-032.

Mr. Johnson asked staff to replace RQO 12-032's last paragraph with the second to last paragraph in RQO 12-044 that began, This opinion construes.

Commissioner Fiore also requested that the word, it, be inserted in the amended paragraph between the words, but, and, is not applicable to.

Commissioner Farach expressed his concern that in attempting to balance the hypothetical aspect of RQO 12-032, the COE may be leaning more on the hypothetical side. He also expressed concern regarding the language contained in the paragraph that began, Where there is no guidance, as well as the following paragraph.

Commissioner Fiore suggested that the entire paragraph that began, Where there is no guidance, be eliminated since it did not offer any guidance.

Mr. Johnson recommended:

- eliminating the first sentence in the paragraph that began, Where there is no guidance;
- eliminating the first sentence in the paragraph that began, Under the current City Resolution; and,
- revising the last sentence in the paragraph that began, Under the current City Resolution" to begin, While the COE cannot speculate as to facts and circumstances not presented, based on the facts and circumstances you submitted. A number of issues arose from this advisory opinion process that were not based on specific facts and circumstances; therefore, the COE could not opine on those issues.

IX.a. – CONTINUED

In the paragraph that began, In Summary, Commissioner Fiore suggested eliminating the sentences that began, Likewise, and, This is compounded.

Mr. Johnson requested the COE's consensus if they wanted to address whether an ordinance contained a flaw regarding the County Code's application and how the Code could impact an ordinance and its coexistence with the County's Code.

Commissioner Fiore said that she believed that the person seeking advice was asking about his particular situation and not about Boynton Beach's ordinance so she only wanted to answer his specific questions.

Commissioner Farach commented that he understood Mr. Johnson's concern regarding how staff should approach the issue whether application of Boynton Beach's ordinance may lead to a County Code violation. He suggested that under those circumstances, the proposed opinion letter should state, An application of the ordinance, as written, may lead to a violation of the Code of Ethics.

Commissioner Galo said that the COE need not provide any further advice other than to state, This is the Code, and assume that the Code's text is contained in each and every one of the ordinances. He added that what has been presented was not consistent with Boynton Beach's ordinance; however, the County's Code filled that gap.

Commissioner Farach said that staff's approach should be to view whether an ordinance itself violated the County's Code "on its face" or as applied.

Mr. Johnson said that:

- The monthly expense allowance was considered an advanced, taxable stipend.
- Boynton Beach's ordinance did not mention unused or unspent funds; only that the funds be spent for official purposes or duties.
- The following proposed opinion letter changes were suggested:
 - Striking the last two lines on page 58, starting with the word, Likewise.

IX.a. – CONTINUED

- Striking the first line of page 59 up to the word, unspent, and inserting the verbiage:

for example, unspent expenditure stipends are not required to be returned. Retaining these funds for personal use would appear to constitute a special financial benefit.

The rest of RQO 12-032's language would then be included.

- Implementing these changes would eliminate criticism for the lack of transparency.
- The Boynton Beach commissioners could fashion their ordinance to eliminate an accounting of the monthly expense allowance and to provide better direction for not violating the County's Code.

Commissioner Fiore said that inserting the words, for example, on the first line of page 59 was unnecessary.

Mr. Johnson read the revised language:

In Summary, while an elected body has great discretion as to how public monies are spent, and similar discretion in determining the public purpose of expenditures arrived at through a transparent legislative process, the individual actions of an official are subject to Code of Ethics scrutiny. Unlike a salary, an expenditure stipend designated for the performance of official duties is regulated as to use. Where a process is in place that provides upfront stipends for expenditures for official duties but fails to specify the nature of those official duties, there is a risk that an interpretation by an official is not in compliance with the Palm Beach County Code of Ethics. Unspent expenditure stipends are not required to be returned.

Mr. Johnson suggested that the words, under your ordinance, be inserted after the word, returned. He continued:

Retaining these funds for personal use would appear to constitute a special financial benefit to the official, and potentially be a violation of the misuse section of the Code of Ethics.

IX.a. – CONTINUED

Commissioner Fiore suggested replacing the words, these funds, with the words, unspent funds. She added that she was agreeable to inserting the words, for example, in the first line of page 59.

Commissioner Galo commented that inserting the words, for example, illustrated one example in a series of examples.

Mr. Johnson clarified that the revised sentence in the first line of page 59 would read:

For example, retaining the funds for personal use would appear to constitute a special financial benefit to the official and potentially be a violation of the misuse section of the Code of Ethics.

Commissioner Fiore said that the language should read: retaining the unspent funds. Mr. Johnson reread the sentence accordingly.

Commissioner Harbison said that he questioned whether the language should state: funds unspent for the designated purpose. Mr. Johnson responded that the sentence, as read, contemplated a year-end reserve.

Commissioner Fiore suggested that the sentence could read: retaining the funds not spent on travel and expenditures. Mr. Johnson clarified that the language should align with the County Code's language to read: retaining the funds not spent in the performance of their official duties.

Commissioner Farach suggested that page 58, the last paragraph that began, In Summary, should contain one additional sentence to possibly read: Likewise, spending public funds for anything other than a public purpose may constitute a violation of the Code of Ethics.

Commissioner Fiore suggested inserting the words, Palm Beach County, before the first use of the words, Code of Ethics on page 58, in the paragraph that began, In Summary.

Commissioner Galo recommended that the words, official duty, replace the words, public purpose, in Commissioner Farach's suggested additional sentence.

Commissioner Harbison stated that the scenario described in RQO 12-032, on its face, created County problems for the Boynton Beach commissioners.

IX.a. – CONTINUED

MOTION to approve proposed advisory opinion letter RQO 12-032 as amended to include the changes as discussed, and RQO 12-044's revised paragraph language as reflected on the overhead screen. Motion by Daniel Galo, seconded by Robin Fiore, and carried 4-0.

RECESS

At 3:44 p.m., the chair declared a recess.

RECONVENE

At 4:00 p.m., the meeting reconvened with Manuel Farach, Robin Fiore, Daniel Galo, and Ronald Harbison present.

IX.b. RQO 12-033

Ms. Rogers said that:

- A vice president of marketing and development for a local corporation asked whether members of a company's executive chain were required to register as lobbyists if they met with elected officials or County and municipal staff from time to time.
- The advisory opinion letter's definition of a lobbyist read:

A lobbyist is any person who is employed, and receives payment, or who contracts for economic consideration for the purpose of lobbying on behalf of a principal and shall include an employee whose principal responsibility to the employer is overseeing their employer's relationships with government or representing the employer in its contacts with the government. Whether or not a particular individual is captured within this definition is determined by the specific facts and circumstances surrounding the person's status and the nature of the contact between that individual and public employees and officials. However, when an owner or employee of a business lobbies directly on behalf of his business or his employer and not on behalf of a principal of another business and lobbying is not their principal employment responsibility, the owner or employee is not required to register as a lobbyist.

IX.b. – CONTINUED

- At the May 3, 2012, COE meeting, staff had reviewed third-party lobbyists who were hired by a company to lobby on behalf of Company “A.”
- In RQO 12-033’s situation, the individuals were members of a company who worked for a company whose principal employment responsibility was marketing or financial management.

Commissioner Fiore stated that at the May 3, 2012, meeting, she recollected that the question was left open whether owners or principals were lobbyists. She added that to the extent that the owners or principals were soliciting with government officials on behalf of their businesses, they were engaging in lobbying.

Ms. Rogers said that:

- Commissioner Fiore’s recollection was specific to the context of a third party being hired as a lobbyist for a principal.
- The May 3rd scenario had involved a registered lobbyist and his staff, who also may be required to register as lobbyists based on their involvement with the government staff or with officials.
- In RQO 12-033’s situation, company employees were not hired to lobby but from time to time, and not as their principal responsibility, they may be involved in lobbying activities. Under this scenario, they were not required to register as a lobbyist.
- The COE should determine whether the vice president’s principal responsibility was not lobbying and, therefore, she was not required to register as a lobbyist.

Mr. Johnson stated that the word, principal, was being used in two different contexts; principal employment and whether someone represented a principal. In RQO 12-033’s context, the vice president was representing her own company.

Mr. Farach commented that although it could not be rewritten, the lobbyist registration ordinance probably needed refinement.

Commissioner Fiore requested that, as referenced in RQO 12-032, RQO 12-044’s revised paragraph language also be inserted into the last paragraph of RQO 12-033.

IX.b. – CONTINUED

Mr. Johnson requested that staff replace RQO 12-033's last paragraph with the second to last paragraph in RQO 12-044. He said that when pertinent, RQO 12-044's cut and pasted language was normally placed in subsequent advisory opinion letters. He read the revised paragraph:

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under State law. Inquiries regarding possible conflicts under State law should be directed to the State of Florida Commission on Ethics.

MOTION to approve proposed advisory opinion letter RQO 12-033 as amended to include the changes as discussed. Motion by Robin Fiore, seconded by Daniel Galo, and carried 4-0. Judge Edward Rodgers absent.

IX.c. RQO 12-034

Ms. Rodgers said that:

- A municipal employee was president of her professional organization, which would be hosting a statewide organizational conference in the City of Boca Raton (Boca Raton).
- After organizing the conference and making appropriate reservations, she was provided with hotel points.
- In her public capacity as a Town of Jupiter employee, she would also be attending the conference.
- Staff had submitted that:
 - A public employee, who was an officer or director of a professional organization, must take great care not to use their public position to give a special financial benefit to themselves or their organization.
 - Public employees were not prohibited from attending conferences and being reimbursed by their public employer while in their public capacity, provided the attendance was for government purposes and was approved by the employees' supervisor.

IX.b. – CONTINUED

- If the municipal employee had attended the conference in her public capacity, she would have been prohibited from accepting the points that she had received since they were paid for by her public employer and were considered a tip.
- Commercial rewards points offered by the hotel for planning the conference associated separately with the professional organization could be accepted. The points would not be a reportable gift since they were in consideration for arranging conference accommodations in her private capacity.

MOTION to approve proposed advisory opinion letter RQO 12-034 as amended to include RQO 12-044's revised paragraph language as reflected on the overhead screen. Motion by Daniel Galo, seconded by Robin Fiore, and carried 4-0. Judge Edward Rodgers absent.

IX.d. RQO 12-035

Mr. Johnson said that:

- A City of Lake Worth (Lake Worth) commission candidate asked whether he could participate in a Request For Qualifications (RFQ) with Lake Worth and ultimately enter into a contract with Lake Worth. The candidate further asked if he were elected, would a conflict exist should the contract be ongoing.
- The County's Code defined an official as someone who was a member of a local municipal governing body so the Lake Worth commission candidate would not be considered an official.
- If elected, he may not enter into a contractual relationship with Lake Worth. If he assumed office and had won an award prior to assuming office, the existing contract could continue, provided that no changes, alterations, or renewals existed.

MOTION to approve proposed advisory opinion letter RQO 12-035 as amended to include RQO 12-044's revised paragraph language as reflected on the overhead screen. Motion by Robin Fiore, seconded by Daniel Galo, and carried 4-0. Judge Edward Rodgers absent.

IX. – CONTINUED

IX.e. RQO 12-036

Ms. Rogers said that:

- A Village of Palm Springs (Palm Springs) employee and program supervisor for its travel club asked whether she could accept a two-night stay at an Orlando resort in her official capacity, and if so, whether family members could accompany her on the official fact-finding trip.
- Staff had submitted that a public employee was not prohibited from accepting a two-night stay at the resort hotel as long as it was in the performance of her public duties and for a public purpose as program supervisor of Palm Springs' travel club.
- The municipal employee may not use her official position as an employee to provide a special financial benefit to her relatives as specified in the County Code's misuse of office section.
- If a family member accompanied the public employee on the trip, the family member or employee needed to reimburse the amount of value received by the family member within 90 days to eliminate the financial benefit.

Mr. Radcliffe expressed his concern regarding the proposed opinion letter's implication that the municipal employee's husband or spouse should reimburse his night's stay when no monetary value existed.

Commissioner Fiore commented that monetary value could exist if the room provided different rates for single or double occupancy.

Mr. Johnson said that two individuals were sharing the room's benefit, and according to State Code, half that room's value was attributed to the accompanying spouse.

Commissioner Galo commented that while staying in the room, the public employee was performing a public purpose or duty; however, exclusive public purpose no longer existed with the spouse's stay.

IX.e. – CONTINUED

MOTION to approve proposed advisory opinion letter RQO 12-036 as amended to include RQO 12-044's revised paragraph language as reflected on the overhead screen. Motion by Daniel Galo, seconded by Robin Fiore, and carried 3-1. Manuel Farach opposed. Judge Edward Rodgers absent.

IX.f. Pages 7-9

IX.g. RQO 12-040

Ms. Rogers said that:

- A municipal advisory board member and potential Northwood/Pleasant City Community Redevelopment Agency Advisory Board member asked whether the County's Code prohibited his outside employer, Chase Bank, from contracting with the City of West Palm Beach (City).
- Staff had submitted that:
 - Municipal advisory board members were not prohibited from having a contractual relationship with the municipality they served provided that the subject contract or transaction was disclosed at a public meeting of the municipal governing body, and that the advisory board provided no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction.
 - Independent or dependent districts known as community redevelopment agencies (CRA) were not advisory boards as defined by the County's Code. These entities were independent of County and municipal government, and, as such, were not within the COE's jurisdiction.
 - Since a CRA advisory board member was appointed by the CRA itself and not a municipal governing body, the advisory board member was likewise not under the COE's jurisdiction.

MOTION to approve proposed advisory opinion letter RQO 12-040 as amended to include RQO 12-044's revised paragraph language as reflected on the overhead screen. Motion by Robin Fiore, seconded by Daniel Galo, and carried 4-0. Judge Edward Rodgers absent.

IX. – CONTINUED

IX.h. Pages 9-10

IX.i. Pages 11-12

IX.j. Pages 12-13

IX.k. **RQO 12-045**

Mr. Johnson said that:

- A Village of Wellington councilman asked whether he could accept temporary housing from a personal friend who was the director of a civic organization that employed a lobbyist compensated by a third party, and, if so, whether the housing's value was reportable under the County's Code.
- As a State-reporting individual, his reporting obligation was controlled under State statute. His only requirement was to provide a copy of COE reports required on a quarterly basis.
- If the personal friend or donor was the director of a civic organization and that organization was the principal or employer of a lobbyist, the councilman was prohibited from accepting a gift from his friend in the aggregate over \$100 annually.
- The County's Code did not differentiate who paid for the lobbyist that represented a principal. If a lobbyist was compensated and represented a principal, he was considered a lobbyist under the Code.
- Since the lobbyist was also the civic organization's executive director, he possibly was not receiving compensation to represent and lobby for the civic organization.
- If the donor resigned from the civic organization's board, the donor would no longer be a board member that hired or employed a lobbyist; therefore, the gift was not prohibited.

Commissioner Farach expressed his concern that speculation may exist regarding the paragraph that began, If the Donor were merely a member and not a director of the organization.

IX.k. – CONTINUED

Mr. Johnson clarified that it was not speculation since a member would not be prohibited under RQO 12-045's facts and circumstances.

Commissioner Farach said that removing the referenced paragraph could tighten the proposed opinion letter's language.

Mr. Johnson commented that after RQO 12-045's preparation, the donor was in the process of resigning from the civic organization's board. He added that if the paragraph was excluded, the councilman would have been unaware that the contemplated resignation eliminated the conflict.

Commissioner Fiore said that she agreed that the referenced paragraph should be removed.

Commissioner Farach commented that if the donor later resigned, staff could contact the requester to ask for a resubmitted request.

Commissioner Fiore said that the paragraph that began, Therefore, if the Alliance, should be changed to, Therefore, since the Alliance, since it was a conclusory statement and not a conditional statement.

Mr. Johnson commented that as far as the councilman was concerned, the donor was not being paid by the civic organization to lobby for them. He added that staff believed that the donor, however, could be receiving payment from the corporation described in RQO 12-045.

Commissioner Fiore expressed her belief that the COE could not come to a conclusion based on nonexistent facts.

Commissioner Fiore suggested that if staff was removing the paragraph that began, If the Donor were merely a member, then the second sentence in the paragraph that began, In Summary, should also be removed.

MOTION to approve proposed advisory opinion letter RQO 12-045 as amended to include the changes as discussed. Motion by Robin Fiore and seconded by Daniel Galo.

IX.k. – CONTINUED

Mr. Johnson clarified that he had received an email from the councilman stating that the lobbyist was hired and paid through Solar Sports Systems.

UPON CALL FOR A VOTE, the motion carried 4-0. Judge Edward Rodgers absent.

(CLERK'S NOTE: Inclusion of RQO 12-044's previously discussed revised paragraph language as shown on the overhead screen was not addressed.)

IX.I. RQO 12-046

Mr. Johnson said that:

- Staff had never received an advisory opinion regarding a volunteer's status within a municipality. The status was not a County issue within the first year; however, the County was utilizing community volunteerism when municipalities came under the COE's jurisdiction.
- The City of Lantana Police Department (Police Department) ran five different programs. The programs' administrator, Officer Nelson Barrios, asked whether the program volunteers were subject to the County's Code, and whether training was required.
 - The Unpaid Law Enforcement Explorers involved fourteen-to-eighteen-year-olds who rode with officers and spent the day learning their job.
 - The Unpaid Law Enforcement Junior Explorers involved eleven-to-fourteen-year-olds in civic police department activities.
 - The Unpaid Law Enforcement Cadets involved eighteen-to-twenty-one-year-olds who attended college and possessed an interest in a full-time or part-time law enforcement career. Cadets were similar to Explorers, but they were given more discretion such as parking enforcement.
 - Unpaid Citizens on Patrol were adults appointed as volunteers by the Police Department chief. The citizens had met prescribed qualifications, background checks, and training requirements. Duties included parking enforcement and community patrolling. A degree of discretionary governmental function existed.

IX.I. – CONTINUED

- Unpaid Reserve Officers were qualified, volunteer police officers who were able to exercise supervised police authority and possessed a major discretionary governmental function.
- Unpaid interns directly related to course or program studies and hands-on learning activities supervised by the Police Department.
- Staff had recommended that if volunteers had no discretionary powers to act in an official capacity, they were not considered employee personnel under the County's Code. Once the potential to exercise discretionary powers in an official capacity existed, even without compensation, the volunteers became employee personnel and were obligated under the County's Code.

Commissioner Fiore suggested tighter language in the proposed opinion letter. She said that the second to last paragraph on page 91 referenced unpaid participants when the opinion letter only pertained to volunteer types listed in RQO 12-046.

Mr. Johnson suggested that the language could read: in your municipal police agency programs, or, in the Lantana.

Commissioner Fiore suggested that the paragraph could alternatively read: or in the ones that you personally supervise, since the Police Department may have volunteers not falling under Officer Nelson Berrios' administration.

Mr. Johnson said that:

- In speaking with Assistant County Attorney Leonard Berger regarding the meaning of the word, volunteers, Mr. Berger had responded that applicability of volunteers related to officials or volunteer board members and not employees.
- In the County's Code and the Commission on Ethics' ordinance, the term, employee, included County personnel, which could be defined as those individuals who had discretionary power to act in an official capacity.

Commissioner Galo commented that:

- He viewed personnel in the business context of an employee with whom an employer or entity had the capacity to terminate.

IX.I. – CONTINUED

- A relationship should exist between the employer or entity and the personnel whose services he or she was utilizing.
- He was unsure whether discretion was the appropriate operative factor for consideration.

Commissioner Fiore said that the situation should be viewed from the perspective of:

- would the Police Department be employing people to perform these job activities if it did not have volunteers;
- should the volunteers be trained; and,
- should the County's Code be applied to them.

Mr. Radcliffe said that the League supported staff's recommendations.

Commissioner Farach said that the issue involved more than discretionary function; it was an inherently governmental function.

Mr. Johnson pointed out that the second to last paragraph on page 91 said, discretionary power to act in an official capacity, and that both functions were necessary.

Commissioner Farach said that the COE needed to define what an employee was since the County's Code only provided an illustration of the word.

Mr. Berger said that:

- The County's Code should be as stringent as the State's Code. The COE should review how the State's Code viewed employees, as covered under the County's Code.
- The word, unpaid, was referenced in RQO 12-046 because in certain context, unpaid individuals were covered under the State's Code.
- He doubted that the County Code's guideline, regarding a volunteer's discretionary power to act in an official capacity, was more stringent than the State Code's guideline.

IX.I. – CONTINUED

Commissioner Harbison said that he believed that the discretion standard was appropriate as it applied to RQO 12-046.

MOTION to approve proposed advisory opinion letter RQO 12-046. Motion by Robin Fiore and seconded by Daniel Galo.

Commissioner Farach clarified that staff would include RQO 12-044's additional language as shown on the overhead screen.

AMENDED MOTION to include RQO 12-044's revised paragraph language as reflected on the overhead screen. The maker and the seconder agreed.

Commissioner Farach expressed concern that the advisory opinion's language could hamper future opinions. He suggested narrowing the language to state that other governmental functions may exist under the County's Code that was not covered in the opinion letter.

Mr. Johnson said that the language contained in the second to last paragraph on page 91 could read: In Summary, unpaid participants in the Lantana Police Department agency programs, or, In Summary, unpaid participants in the Lantana Police agency programs.

Commissioner Fiore suggested adding the words, described above, after the word, programs.

Commissioner Farach suggested deleting the next sentence that began with the word, However.

Mr. Johnson clarified that the sentence was added to reference the Police Department's five programs. He said that the specific program names could be listed in the sentence that began, In Summary, after the words, unpaid participants in the.

Commissioner Farach said that adding the verbiage, unpaid volunteers in the programs you described, after the words, In Summary, would suffice. He added that the next sentence could read: However, unpaid participant volunteers in the programs you described that delegate no such authority to its participants are not employees as defined by the Code.

IX.I. – CONTINUED

SECONDED AMENDED MOTION to include the changes as discussed. The maker and the seconder agreed, and the motion carried 4-0. Judge Edward Rodgers absent.

X. EXECUTIVE DIRECTOR COMMENTS

X.a.

DISCUSSED: Update RQO 11-121 and West Palm Beach (WPB) Resolution 103-12 (Sponsorship of City-Produced Events/Public Purpose)

Mr. Johnson said that:

- RQO 11-121, issued in March 2012, regarded nonpublic, VIP (very important person) tent areas offered by the City of West Palm Beach (WPB) for its employees, officials, and their guests for the July 4, 2011, celebration.
- The COE had opined that the procedure for soliciting donations for the VIP tent area violated the County's Code since the benefit of the solicitation was received by WPB employees, officials, and their guests, and the tent area was not used solely by the City for a public purpose.
- Attached to the COE's agenda packet was a resolution drawn up several weeks ago by WPB.

(CLERK'S NOTE: Mr. Johnson read Resolution No. 103-12.)

Mr. Johnson continued:

- Resolution No. 103-12 previously ratified Resolution No. 150-98.
- Staff would continue to investigate legally sufficient complaints regarding corrupt misuse, depending on the facts and circumstances.

Commissioner Fiore said that another concern regarded exclusivity where an opportunity existed to meet with lobbyists and vendors without logging them in or complying with the Sunshine Law requirements. She added that a particular ordinance's applicability should govern.

X.a. – CONTINUED

Mr. Johnson said that staff was always tasked with interpreting the County's Code whether legal sufficiency existed in a complaint. He added that second guessing an ordinance or a municipality's decision should be avoided.

X.b.

RECEIVED AND FILED: Judge Edwards Rodgers' Resignation Letter.

Mr. Johnson stated that Mr. Radcliffe had received a resignation letter from Judge Rodgers. He added that according to the letter, as of July 1, 2012, Judge Rodgers would no longer be serving as a COE commissioner.

MOTION to receive and file Judge Edward Rodgers June 1, 2012, resignation letter submitted by Mr. Radcliffe. Motion by Robin Fiore, seconded by Daniel Galo, and carried 4-0. Judge Edward Rodgers absent.

X.c.

DISCUSSED: Commendations.

Mr. Johnson said that his staff wanted to thank Channel 20's staff and the audio department for performing an excellent job, and he thanked his staff for their hard work.

X.d.

DISCUSSED: Social Media Update.

Mr. Johnson stated that Ms. Rogers and Clerical Specialist Ben Evans were still developing a media policy, which was expected in July 2012.

X.e.

DISCUSSED: COE Training and Advisory Opinion Update.

Mr. Johnson said that approximately 200 live training sessions and 213 advisory opinions had been performed since the COE's inception almost two years ago.

XI. COMMISSION COMMENTS

XI.a.

DISCUSSED: Commendations.

Commissioner Harbison congratulated COE Investigator James Poag in passing his certified fraud examiner test, and in continuing his education to ably function in his position.

XI.b.

DISCUSSED: Ethics Initiative Meeting.

Commissioner Farach stated that:

- He planned to attend the Ethics Initiative meeting on June 27, 2012.
- He would be attending as an individual and would not be making any public statements.
- Commissioner Harbison was very involved in the Ethics Initiative, and that he may possibly be attending.

XI.c.

DISCUSSED: Center for Applied Business Ethics Project.

Commissioner Farach commented that Mr. Johnson and Ms. Rogers were assisting former City of Boynton Beach Administrator Kurt Bressner in his annotation of the County's Code and the COE's opinions for the Center for Applied Business Ethics project.

XI.d.

DISCUSSED: E-mail Transmissions.

Commissioner Farach said that Mr. Johnson had been researching the placement of all COE e-mail transmissions online. He added that in going forward, staff should be mindful of the practical problems and associated cost issues.

XI. – CONTINUED

XI.e.

DISCUSSED: COE Complaints.

Commissioner Fiore said that she had recently read of a COE that did not accept complaints regarding candidates in the month before an election, and she asked whether the COE should discuss such a limitation at the next meeting.

Commissioner Farach said that the matter had not been noticed under the Sunshine Law, but it could be included on next month's agenda under COE member or public discussion.

XII. PUBLIC COMMENTS – None

XIII. ADJOURNMENT

MOTION to adjourn. Motion by Daniel Galo, seconded by Robin Fiore, and carried 4-0. Judge Edward Rodgers absent.

At 5:49 p.m., the chair declared the meeting adjourned.

APPROVED:

Chair/Vice Chair



Palm Beach County Commission on Ethics

Commissioners

Manuel Farach, *Chair*
Robin N. Fiore, *Vice Chair*
Edward Rodgers
Ronald E. Harbison
Daniel T. Galo

Executive Director

Alan S. Johnson

In Re: Dr. Scott Swerdlin

C11-027

MOTION TO AMEND PUBLIC ORDER FINDING PROBABLE CAUSE

Comes now, Joseph D. Small, Palm Beach County Commission on Ethics (COE) pro bono Advocate, pursuant COE Rule of Procedure 4.12, requests the COE amend Counts 1, 2 and 3 of the Public Order Finding Probable Cause in this matter to include an alleged violation of Palm Beach County Code of Ethics Art. XIII, §2-443(a)(1) and (4) as well as adding Wellington Equestrian Partners (WEP) as a customer or client of Respondent's outside businesses and including Respondent's outside businesses within the alleged violation of Art. XIII, §2-443(b) and as grounds thereof would state as follows:


1. This cause came before the COE based upon a sworn complaint filed on December 21, 2012.
2. The Complaint alleged that on December 14, 2012, Respondent participated in a matter involving a proposed Equestrian Village Project (the Project) that would result in a financial benefit to entities with which Respondent has a financial relationship.
3. The Complaint was found to be legally sufficient on January 30, 2012.
4. A probable cause hearing was held on March 1, 2012, and the COE found probable cause as follows:
 - a. Count 1, violation of Art. XIII, Section 2-443(a), misuse of public office, by participating in a matter before his committee which would result in a special financial benefit to his customer or client, Equestrian Sports Productions and/or Mark Bellissimo, applicant for the Equestrian Village Project, and
 - b. Count 2, violation of Art. XIII, Section 2-443(b), corrupt misuse of official position, by corruptly attempting to secure a special privilege, benefit or exemption for himself and/or his customer or client, Equestrian Sports Productions and/or Mark Bellissimo, and
 - c. Count 3, violation of Art. XIII, Section 2-443(c), disclosure of voting conflicts, by participating in a matter involving a financial conflict and failing to file the required State of Florida conflict of interest Form 8B.
5. Investigation into this matter has been ongoing pursuant to §2-260(d) of the Commission on Ethics Ordinance and COE Rule of Procedure 4.12.

6. Additional investigative information indicates that the Respondent participated in a matter that would also result in a financial benefit or loss to himself or his outside businesses, Palm Beach Equine Medical Centers and/or Palm Beach Equine Clinic.
7. Additional Investigative information includes the following:
 - a. Equestrian Sports Productions (ESP) is a wholly owned subsidiary of Wellington Equestrian Partners (WEP). The Chief Executive Officer for ESP is Mark Bellissimo, who is also the WEP managing partner.
 - b. A number of dressage events have been held by ESP at the site of the proposed Project. Event dates are as follows:
 - 1) February 16-19, 2012, Florida Dressage Classic CDI-W and National Show.
 - 2) February 21-23, 2012, Global Dressage Festival National 1
 - 3) March 6-7, 2012, Global Dressage Festival National Challenge.
 - 4) March 15-18, 2012, Wellington Dressage Classic CDI 3 and National Show.
 - 5) March 30-April 1, 2012, 5 West Palm Beach and National Show.
 - 6) April 3-5, 2012, GDF National 2
 - 7) April 13-15, 2012, Wellington Dressage Nation Cup CD103 and National Show.
 - c. Both the United States Equestrian Federation (USEF) and United States Dressage Federation Pas de Deux (USDF) require that sanctioned events retain an official veterinarian on site for these events.
 - d. Palm Beach Equine Clinic is listed and advertised as the veterinarian for all of the events taking place at the site of the proposed Project.
 - e. As the official veterinarian, the Respondent has a direct financial interest in the Project through advertising, on-site service and referrals for service.
8. The matter before the Respondent's committee involved the Project, which would include a dressage arena, hotel/condominium/commercial component and between 3 and 4 thousand horse stalls.
9. As the advertised veterinarian for all Dressage events, the Respondent's outside businesses, Palm Beach Equine Medical Centers and/or Palm Beach Equine Clinic receive a financial benefit that is not shared with similarly situated members of the general public, in violation of the misuse of office sections of the Code, including §2-443(a) and (c).
10. For purposes of financial conflict of interest, there is factually no difference between Equestrian Sports Productions and its parent company, Wellington Equestrian Partners.

Wherefore, the undersigned requests the Palm Beach County Commission on Ethics amend its Public Order and Finding of Probable Cause to include a violation of §2-443(a)(1) and (4) in addition to its previous findings as well as adding Wellington Equestrian Partners as a customer of client of the Respondent. Additionally, the undersigned requests that Count 2 of the Public Order and Finding of Probable Cause be amended to include the Respondent's outside businesses.

DATED this 15th day of June, 2012.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'J. Small', is written over a horizontal line.

Joseph D. Small, Esq.
Pro Bono Advocate
Palm Beach County Commission on Ethics

PALM BEACH COUNTY COMMISSION ON ETHICS

SUPPLEMENTAL MEMORANDUM OF INVESTIGATION

To: Alan Johnson, Executive Director
From: James A. Poag, Investigator
Re: C11-027 – Respondent: Dr. Scott Swerdlin, Village of Wellington Equestrian Preserve Committee

- **Background**

This is a supplemental memorandum in the ongoing investigation of complaint number C11-027. This matter came to the attention of the Commission on Ethics' staff via a sworn complaint signed on December 21, 2011 by Ms. Carol Coleman, a resident of The Village of Wellington (the Village), a Palm Beach County municipality. Attached to the sworn complaint form was a letter addressed to the Palm Beach County Commission on Ethics (COE). The Respondent, Dr. Scott Swerdlin, is a veterinarian and managing partner and shareholder of the Palm Beach Equine Medical Centers (PBEMC), and Palm Beach Equine Clinic (PBEC). Respondent is also President and Managing Partner of the Palm Beach Equine Sports Complex (PBESC). Respondent falls within COE jurisdiction as Chairman of the Equestrian Preserve Committee (the Committee), an advisory board of the Village of Wellington. All members of this advisory board are appointed by the Village Council, and thus are under the jurisdiction of the Commission on Ethics as of June 1, 2011.

The Complaint alleged that on December 14, 2011, the Committee met to discuss and vote on planning and zoning amendments for the proposed Equestrian Village Project (the project). After the meeting was called to order, Mr. Jeffrey Kurtz, Village Attorney for Wellington, advised the members of the Committee that if any member had a conflict of interest in this matter they should abstain from participation in the discussion and from voting on the issue. The Complaint alleged that Respondent has a known business relationship with Mr. Mark Bellissimo, Chief Executive Officer of Equestrian Sports Productions (ESP) through his veterinary practice. The Complaint further alleged that Respondent participated in discussions concerning the Project at this meeting until such time as a vote was called in the matter, at which time he abstained from voting, in violation of the Code of Ethics.

Information obtained from the ESP website (www.equestriansport.com) indicates that ESP is a wholly owned subsidiary of Wellington Equestrian Partners (WEP). Mark Bellissimo is the Managing Partner of WEP, Stadium North LLC, Stadium South LLC, Far Niente Stables II, LLC, and Polo Field One, LLC, according to the Florida Division of Corporations website (www.sunbiz.org). ESP is the listed applicant for the Equestrian Village Project. The Palm Beach Equine Clinic is listed as the official veterinarians of ESP equine events held in Wellington.

Despite the admonishment by Mr. Kurtz to all Committee members the Respondent participated in the discussion regarding the Equestrian Village Project. On March 1, 2012, the COE found that there was probable cause to believe that the Respondent's actions violated Section 2-443(a) *Misuse of public office or employment* (b) *Corrupt misuse of official position* and (c) *Disclosure of voting conflicts* of the Palm Beach County Code of Ethics (the Code)

- **Investigation**

The initial inquiry into this allegation found that the Respondent is the Chief Executive Officer of PBEMC and President of PBEC. The inquiry also revealed that ESP is the owner of the Palm Beach International Equestrian Center (the Center), and producer of the Winter Equestrian Festival (the Festival). The inquiry further revealed that PBEC was considered the official veterinarian of the Festival and has been providing veterinary services, including the use of a horse ambulance, driver and staff veterinarian, which are on site during all competitions for the entire 12 week Festival, for the past several years. PBEC also provided services during other ESP sponsored events. PBEC was given a central show ground vendor booth with banner advertising at all Festival events and additional banner advertising on the show rings. The cumulative value of this advertising was well in excess of

\$10,000 based upon published ESP rates for advertising. As listed above, ESP is a wholly owned subsidiary of WEP. Mark Bellissimo is the CEO of ESP and Managing Partner of WEP.

The Project involves dressage arenas, a hotel/condominium complex and between 3 and 4 thousand horse stalls.

Subsequent investigation revealed, On April 7, 2011, ESP made application on behalf of the World Dressage Festival, LLC, of which Mr. Bellissimo is the Managing Partner, to the Village of Wellington for a Special Use Permit. The application submitted by ESP sought approval to utilize the property located at 13466 South Shore Blvd., Wellington, Florida, as the venue and support facility for 45 days of equestrian dressage competition shows to be held from November 1, 2011 through April 30, 2012. The property address where the dressage events were held is also the same location as the proposed project. The application lists the property owners as Stadium North LLC, Stadium South LLC, Far Niente Stables II, LLC, and Polo Field One, LLC, of which Mr. Bellissimo is also the Managing Partner of each of these entities.

The application and permitting fees were paid on April 3, 2012, with a check #13309 drawn from Equestrian Sports Productions, LLC, operating account.

On April 28, 2011, The Village of Wellington approved the Special Use Permit Application submitted by ESP on behalf of World Dressage Festival LLC to host dressage events at the proposed site of the project. In an online publication dated May 5, 2011, ESP announced that a groundbreaking celebration would take place on the site of the project and that the ESP would hold dressage competitions on the site as part of the new Global Dressage Festival from November 2011 thru April 30, 2012.

A search of the United States Dressage Federation (USDF) website (www.usdf.org), and ESP's website (www.equestriansport.com), revealed that ESP had been awarded ten dressage competition events by the USDF and the United States Equestrian Federation (USEF) for the 2012 dressage season. The competition scheduled for January 24-25, 2012 was cancelled. The February 2, 2012 competition was held at Palm Beach International Equestrian Center (the Center), which is owned and operated by ESP. The remaining eight scheduled dressage events were held at the proposed site of the Equestrian Village Project, for which ESP is the applicant.

According to a Competition Management Checklist developed by USDF, one year prior to the scheduled competition, the organizer should have retained and contracted a veterinarian in attendance or on-call. The checklist specifically states that the organizer must have a contract with a veterinarian and provide a copy for the dressage technical delegate's review at the event. The checklist also requires the event organizer to locate the nearest equine surgical facility to the showground and obtain permission from that facility to post their information before and during the competition. All Global Dressage Festival Events sponsored by ESP in Wellington, with the exception of one, were held at the proposed site of the Equestrian Village Project. Respondent's veterinary facility is located at 13125 Southfields Road, Wellington, FL 33414, and is the nearest surgical facility to the proposed Equestrian Village Project, and the place where every Global Dressage Festival events were held with the exception the February 2, 2012 competition held at the Center.

Further investigation revealed that USDF and the USEF competition rules require that every competition with rated or non-rated division(s) must have a qualified veterinarian present throughout the competition. Competition documents state that in order to hold a USEF-licensed/USDF-recognized competition, the applicant is required to submit the competition prize list at least 30 days prior to the competition. These prize list documents also show Palm Beach Equine Clinic is listed under veterinary services in each of the nine prize lists for the dressage events sponsored by ESP, including the February 2, 2012 event held at the Center.

According to a letter submitted by the Respondent in his application for reappointment to the Committee, he describes PBEC as either the second or third largest employer of personnel in the Village of Wellington with 16 veterinarians and a staff of 40 employees. Respondent is also Managing Partner of the Palm Beach Equine Sports Complex (Respondent's Complex), which is described on the Respondent's website as "the premier Sport Horse destination in Wellington, Florida, located at 13070 Pierson Road, just east of South Shore Boulevard. The 47-acre complex is less than one mile from the Winter Equestrian Festival and directly across the street from the new

addition of the Palm Beach International Equestrian Center.” The “new addition” referred to on the Respondent’s website is the Project. The 2011/2012 Special Use Permit Site Plan submitted by ESP to the Village of Wellington in the Special Use Permit application request, shows an entrance gate adjacent to the Respondent’s Complex providing direct access to the show grounds for all equestrian events held at the site of the Project. The Respondent’s Complex is designed and used to board horses.

- **Witness Statement**

On June 12, 2012 I spoke to the Complainant by telephone. She indicated that she was present at one of the dressage competitions sponsored by ESP in February 2012. According to the Complainant, the event that she attended was held at the site of the proposed Equestrian Village Project. She stated while in route to the competition she observed horses that were competing in the competition being stabled at the Respondent’s facility located across the street from the competition venue.

- **Documents Submitted to File**

1. Florida Department of State-division of Corporations printout for Palm Beach Equine Sports Complex, LLC
2. Florida Department of State-division of Corporations printout for Stadium North, LLC
3. Florida Department of State-division of Corporations printout for Far Niente Stables II, LLC
4. Florida Department of State-division of Corporations printout for Polo Field One, LLC
5. Florida Department of State-division of Corporations printout for World Dressage Festival, LLC
6. Drawing of proposed Equestrian Village Project
7. Village of Wellington Special Use Permit Application (World Dressage Festival, LLC)
8. Village of Wellington Special Permit Use-Revised 4/28/12, (World Dressage Festival, LLC)
9. Check #13309 Equestrian Sports Production payment for World Dressage Festival permit fees
10. Village of Wellington 2011-005 SPU, 2011/2012 Dressage Festival letter dated February 14, 2012
11. May, 2011 publication Re: Global Dressage Festival on Track
12. July, 2011 publication Re: Equestrian Sport Production Announces Construction
13. November, 2011 publication Re: Bringing Back the Magic at the Global Dressage Festival 2012
14. USA 2012 CDI Calendar of 27 Events
15. United States Dressage Federation (USDF) Competition Management Checklist
16. USDF Competition Fee and Penalty Structure
17. USDF 2012 CDI Competitions (Region 3)
18. 2012 Global Dressage Festival Schedule of Events
19. Wellington Dressage CDI-W and National Show Prize List: February 2- February 5, 2012
20. Florida Dressage Classic CDI-W and National Show Prize List: February 16- February 19, 2012
21. Global Dressage Festival National I Prize List: February 21- February 23, 2012
22. Global Dressage Festival National Challenge Prize List: March 6- March 7, 2012
23. Wellington Dressage Classic CDI 3* Prize List: March 6- March 7, 2012
24. Global Dressage Festival National Challenge Prize List: March 15- March 18, 2012
25. GDF National Classic 2 Prize List: March 20- March 21, 2012
26. 5* West Palm Beach and National Show Prize List: March 30- April 1, 2012
27. GDF National 2 Prize List: April 3 – April 5, 2012
28. WEF Wellington Dressage National Cup CDIO3* and National Show April 13 – April 15, 2012
29. Letter dated May 25, 2012 by Dr. Swerdlin seeking reappointment to the Equestrian Preserve Committee
30. Curriculum Vitae for Scott Jay Swerdlin
31. Printout from Palm Beach Equine Sports Complex homepage
32. 2011/2012 Special Use Permit Site Plan

- **Analysis**

The Respondent served as the Chairman of the Equestrian Preserve Committee (the Committee) until June 2012. Video records of the December 14, 2011 meeting of the Committee revealed that The Respondent failed to remove himself from the discussion concerning the Equestrian Village Application. The Respondent actively

participated in the discussion of the Equestrian Village Project until the point that a vote was called in the matter, at which time he abstained from voting. Moreover, while participating in the discussion, the Respondent attempted to use his position as Chairman of the Committee to influence other committee members to provide an informal recommendation as opposed to a formal vote on the issue. Respondent also failed to file the required Form 8B after abstaining from the vote on the Project at the December 14, 2011 Committee meeting as required by State law.

- **Conclusion**

Based on the sworn testimony of material witnesses and other competent and substantial evidence obtained during both the initial inquiry and this investigation, staff recommends that **probable cause** exists to believe that the Respondent, Dr. Scott Swerdlin, by using his official position as Chairman of the Committee to benefit his customer/client, ESP and/or WEP and/or Mark Bellissimo, or the Respondent himself and/or his outside businesses, PBEC and/or PBEMC and/or PBESC, violated §§2-443(a) and (b) of the Code of Ethics. In addition, by participating in the December 14, 2011 Committee discussion of the application for the Project, and not submitting the required conflict form to the Village Clerk and the COE, the Respondent violated §2-443(c).

Submitted by:



James A. Poag, Investigator
PB County Commission on Ethics



Date

Reviewed by:

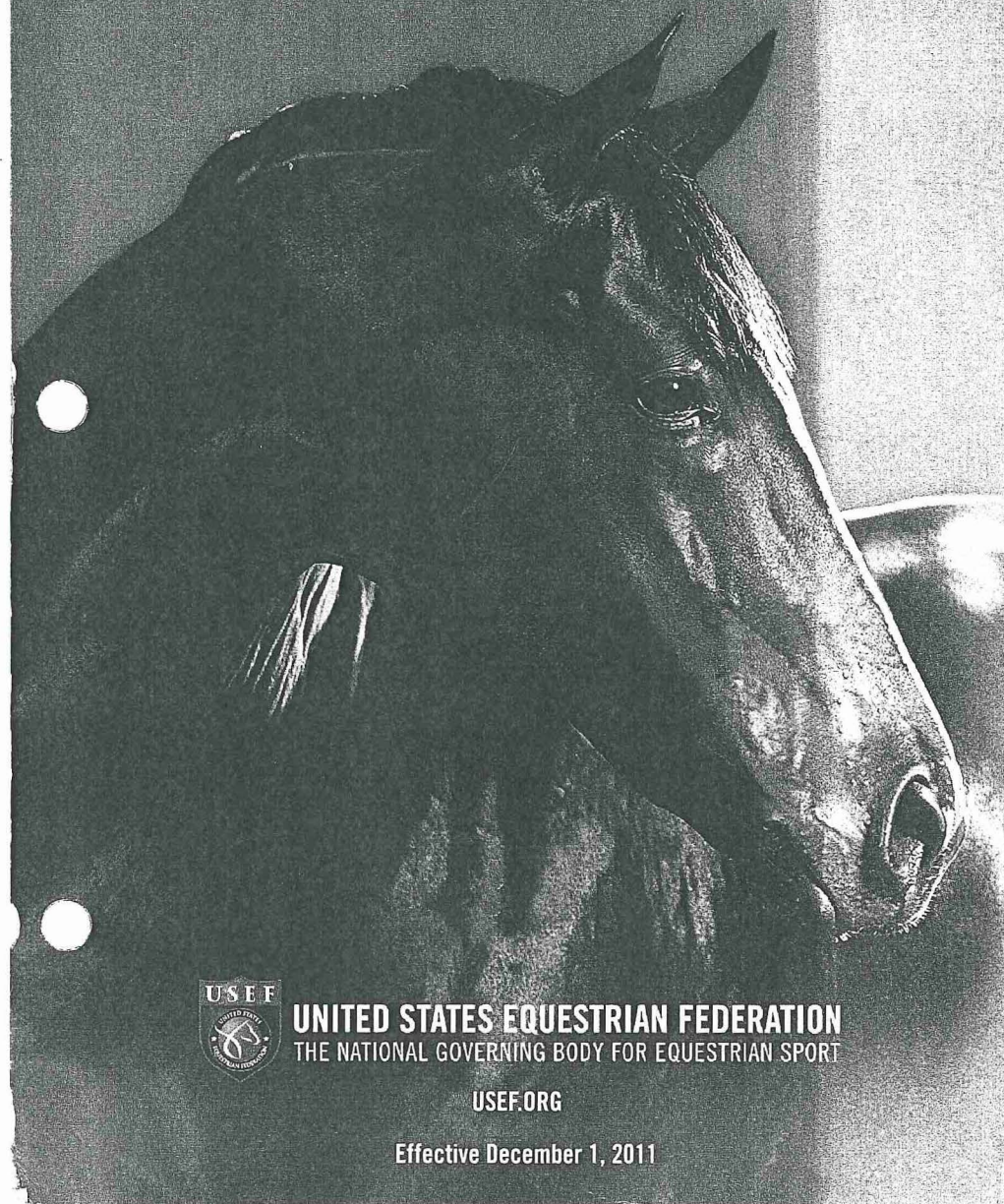


(Initials)



Date

2012 USEF RULE BOOK



UNITED STATES EQUESTRIAN FEDERATION
THE NATIONAL GOVERNING BODY FOR EQUESTRIAN SPORT

USEF.ORG

Effective December 1, 2011

230

CHAPTER 9 COMPETITION PRIZE LISTS AND ENTRIES

Subchapter 9-A PRIZE LISTS.**GR901 REQUIREMENTS.**

See GR1212 for procedures regarding submitting prize lists to the Federation office. The prize list of every Licensed Competition must contain the following:

1. Federation Page. This must be printed in its entirety and placed in a conspicuous position in the prize list of each Licensed Competition in typeface large enough to be easily legible. If a Licensed Competition prints a catalogue, the Federation page must be included and the competition is urged to instruct its announcer to invite the attention of spectators to this page at each session.
2. Classification of competition and level or ratings of divisions or sections on the Federation Page.
3. Entry blank, which must contain the rule to be signed by each exhibitor, rider, driver, handler, coach and trainer(s), or his/her agent(s). (See GR908).
4. Names of the officiating judges with the division(s) in which they will adjudicate and the names of the Federation stewards or technical delegates, provided they have accepted to serve. (See GR706.1j) Both division and sections to be adjudicated must be listed for breed division judges, provided they have accepted to serve. (See GR 706.1j)
5. List of competition officials. (See GR112).
6. The name of the Licensee (see GR112 and GR304.2) and the name of the Chief Executive Officer or the person with the largest ownership interest.
7. The name of the Hunter and Jumper and/or Trail course designer or responsible person. Exception: Arabian, Saddlebred, Morgan and Andalusian/Lusitano divisions.
8. The name of the veterinarian and, if on call, the phone number where he can be reached during the competition. If not known, the prize list must state where the information will be posted during the competition.
9. The following statement must be published in BOLD TYPE for all Regular Competitions; Eventing Competitions at the Preliminary Level or above, Combined Driving Competitions at the Advanced Level, Dressage Competitions, Endurance Rides and Vaulting Competitions: (See GR828.4 of the Federation rules).
Life, senior active and junior active members shall be eligible to participate in all classes at Regular Competitions, Eventing Competitions at the Preliminary Level or above and Combined Driving Competitions at the Advanced Level, Dressage, Reining and Vaulting Competitions and Endurance Rides. A nonmember may participate as a handler, rider, driver, owner, lessee, agent, coach or trainer at Regular Competitions, Eventing Competitions, Dressage Competitions, Reining Competitions and Combined Driving Competitions upon payment of a \$30 nonmember registration fee. Participants in the following classes are exempted from the Requirements of this rule: 1) leadline; 2) exhibitions; 3) games and races; 4) classes for 4-H members; 5) walk trot and academy classes (academy classes are classes limited to horses used regularly in a lesson program); 6) USDF introductory level tests, pas de deux and quadrille classes; 7) NRHA Endorsed Reining Competitions. 8) Opportunity classes, 9) citizens of other nations who have proof, in English, of current membership in good standing of their own National Federation, 10) USEA beginner novice division; and 11) assistant handlers in Dressage Sport Horse Breeding classes.
10. Complete class description and judging specifications for all classes offered that are not included in this Rule Book must either be included in the Prize List or referred in the Prize List to a conspicuous place on the competition's web site.
11. Statement as to entry fees, prizes offered in each class and registration fees pursuant to GR206 which the Federation is assessing certain participants who are non-members of the Federation. If a licensed competition's prize list does not state whether or not the competition will refund entry fees in the event of cancellation of classes due to severe weather or other emergency, refunds of entry fees must be made upon written request by the exhibitor within 30 days of the cancellation. See GR832.
12. Statement as to Federation fee (see GR208.1).
13. Statement as to when and how prize money will be paid.

CHAPTER 12 COMPETITION OFFICIALS, EMPLOYEES, AND VOLUNTEERS

Subchapter 12-A COMPETITION OFFICIALS.**GR1201 LICENSEE - OPERATION OF COMPETITION.**

The Licensee of a Licensed Competition is responsible for the operation of the competition. The Licensee may appoint a Show Committee of at least three responsible people who must be available at all times to act in executive capacity. It is the duty of the Licensee to enforce all the rules of the Federation from the time entries are admitted to the competition grounds until their departure.

GR1202 MANAGER.

1. An individual acting in this capacity is required to be a Senior Active Member of the Federation. In addition, any individual acting as the manager of a hunter and/or jumper Open (not restricted to a breed) competition must be a *Senior Active* member in good standing of the United States Hunter Jumper Association, Inc.

2. Licensed Competitions should exercise extreme care in the selection and appointment of a competition manager for the mutual benefit of committees, exhibitors and spectators. Any member of a Show Committee who performs the duties assigned herein to the competition manager, in lieu of an appointed manager, is in fact the responsible officer within the meaning of these rules and must be so named in the prize list. A thorough knowledge of the rules of the Federation is one of the requisites of a person serving as a competition manager.

3. Any competition manager who violates or knowingly permits violation of the rules of the Federation at his competition is subject to disciplinary action by the Committee on Charges, Protests and Hearings in accordance with Chapters 6 and 7.

4. A manager cannot serve as judge, steward or technical delegate of his own competition. A member of a manager's family cannot officiate as judge, steward or technical delegate at said manager's competition.

5. A manager or secretary of a Dressage Competition or an organizer of an Eventing Competition may not compete as rider or handler in his/her own competition. However, he or she may show Hors de Concours if he or she designates an assistant in charge while he or she is showing. This does not absolve the manager's or secretary's duties and responsibilities.

6. A manager of a Dressage Competition must be present throughout the competition he/she is managing while classes are underway. However, he or she may leave the competition grounds if he or she designates an assistant manager in charge during the time of his/her absence. This does not absolve the manager's duties and responsibilities.

7. The manager of a Level 3, Level 4 or Level 5 Dressage Competition must be eligible according to the criteria listed in DR126 and listed in the Dressage Levels chart posted on the USEF website.

GR1203 COMPETITION SECRETARY.

1. An individual(s) who processes entries or performs such other duties as assigned by the Board of Directors, the Show Committee and manager. A secretary of a Dressage Competition may not serve as judge or compete as rider or handler in his/her own competition. However, he or she may show Hors de Concours if he or she designates an assistant in charge while he or she is showing. This does not absolve the secretary's duties and responsibilities. An individual acting in this capacity must be an Individual Senior Active member of The Federation.

2. The secretary of a Level 3, Level 4 or Level 5 Dressage Competition must be eligible according to the criteria listed in DR126 and listed in the Dressage Levels chart posted on the USEF website.

GR1204 VETERINARIAN.

1. The official veterinarian shall be a licensed graduate of an accredited veterinary school in good standing in his/her state of practice, be familiar with the current USEF Equine Drugs and Medications Rules and have experience in equine veterinary practice. He/she shall not rule on soundness in classes in which he/she or a family member may have a horse or pony entered or measure any horses or ponies in which a conflict of interest exists due to personal or family interest in the equine. The official veterinarian may be a competitor and the competition will still be in compliance with the requirements of GR1211.4 (Exception: Eventing). Veterinary emergencies

shall take precedence over competing.

2. He shall render complete veterinary service to visiting International Teams and feature attractions; the cost of drugs, x-rays, laboratory procedures and expendable equipment is to be paid for by the competition or as otherwise provided prior to the competition. The examination and treatment, except when requested by the judge, of all other horses in the competition shall be on a private practice basis.

3. The veterinarian shall assist management in all matters pertaining to the health and welfare of the animals in the competition.

4. The official veterinarian's decision, if requested by the judge as to the serviceable soundness of a horse (i.e., whether the horse shows evidence of lameness, broken wind, or complete loss of sight in either eye), will be final for the purpose of awarding ribbons in the class for which he has been called.

5. The official veterinarian, if called upon by the judge, will act as consultant in regard to structural faults, defects and blemishes in areas which might impair a horse's activity and durability. Having received the benefit of the veterinarian's consultation, the judge will then place the horses in question at his own discretion, based on their relative merits in light of the entire class specifications.

6. The veterinarian will immediately, after leaving the ring, file a statement of his findings with the competition secretary, setting forth therein the number and title of the class, the number of the horse, the date and time of day. The veterinarian must have his certificate of finding read and signed by the steward of the competition on duty during the particular class.

7. Examination of a horse in the ring by a veterinarian must be done as inconspicuously as possible and in such manner as not to draw public attention thereto. Cooperation of judges to this end is required.

8. It is the duty of the veterinarian to assist the steward/technical delegate in the measurement of any animal requiring measurement in accordance with the rules of the Federation. (See Chapter 5, Chapter HU (HU170-HU178).

9. Veterinarian(s) for Federation Licensed Endurance rides must be selected a) from a list of Federation Endurance Committee approved veterinarians, or b) from the FEI list of Contact and Event Veterinarians in the Endurance Category. Refer to EN113 for Personnel and Qualifications and Duties.

GR1205 COURSE DESIGNER.

1. The Jumper course designer is responsible for laying out the course, building the obstacles and for the measurement of the course. An "R" license is required to officiate alone for all classes offering \$25,000 or more in prize money. An "r" license is required to officiate *any competition with a Jumper rating 2 or higher*. To obtain recognition as a course designer, an individual must apply to the Federation for recognition. (See GR1064).

2. The Jumper Course Designer, or his designated representative, must be present during all Jumper classes for which he has responsibility for the courses during a licensed competition and be available to report to the judge at any time that the course is ready in all respects.

3. The Hunter course designer, or his designated representative, must be present at all sessions of a competition and be available to report to the judge at any time that the course is ready in all respects. The Hunter course designer is responsible for the correctness of the course and must give consideration to any suggestions made by the judge. Copies of the courses must be given to the judges. The Hunter course designer must be a Senior member of USEF and must be knowledgeable in the rules relating to the Hunter classes being offered. At non-breed restricted USEF Licensed Competitions the hunter course designer must also be a *Senior Active* member of USHJA.

4. A minimum of a "r" Hunter course designer license is required to officiate alone at an "A" or "AA" rated Hunter/Jumper competition with a Hunter class offering up to \$4,999 in prize money. A "R" Hunter course designer license is required to officiate in any class at an "A" or "AA" licensed Hunter/Jumper competition with a Hunter class offering \$5,000 or more in prize money.

5. Eventing Course Designer.

a. A course designer may not compete in any competition where he/she is officiating.

b. No member of a course designer's family may compete over any course designed by the

heights must be noted for all unrated classes. Method of breaking ties in Jumper classes must be included.

3. Stewards/Technical Delegates.

a. Appoint and identify in the prize list and catalogue one or more licensed Federation Stewards licensed to officiate in the divisions and sections for which the competition is approved who shall be present at each session of the competition. A technical delegate must be appointed for Eventing Competitions, Dressage Competitions and Regular and Local Competitions offering "open" Dressage Division classes (i.e., classes which are not limited to certain breeds) or classes above Third Level. (Exception: A Category 2 or Combined Category steward may officiate through Fourth Level in the Andalusian, Arabian, Friesian, Morgan or other breed-restricted Divisions at regular or local competitions, only if classes are not part of an "open" Dressage Division.) If required to officiate, a Dressage Technical Delegate must be present and officiate for all Dressage classes held on the day(s) which he/she is in attendance. If no other classes except Dressage are held on a licensed day of a breed-restricted regular or local competition, a steward does not need to be present in addition to the Dressage Technical Delegate. b. If a competition finds it necessary to substitute a steward or technical delegate for one who is officially designated in the prize list and/or catalogue and who is unable to serve due to circumstances beyond his control, the restrictions of GR1304.14 and/or GR1304.21 shall be non-effective.

c. Competitions are urged to engage a steward for each ring when classes are held simultaneously and to select individuals who are well versed in the divisions being offered.

d. With the exception of Hunter/Jumper competitions (see GR1211.3e), competitions using more than three performance areas simultaneously must have at least two stewards on duty. Dressage arenas do not count as a performance area. If more than six performance areas are used simultaneously, at least three stewards must be on duty. When three stewards are officiating, one steward will not be subject to the provisions of GR1035.1 and will be eligible to serve as steward for a fourth consecutive competition run by the same governing body, Board of Directors or Licensee.

e. A Hunter/Jumper competition using up to four performance areas simultaneously must have at least one Steward on duty. When five or more performance areas are in use simultaneously, there must be two Stewards on duty. A competition using four performance areas simultaneously that had more than 500 horses competing the previous year must have two Stewards on duty. If more than eight performance areas are used simultaneously, then at least three Stewards must be on duty. A competition in its first year of operation must have two Stewards on duty if there are more than three performance areas in use simultaneously and three stewards on duty if there are more than eight performance areas in use simultaneously. When there is more than one steward required, the licensed Stewards must designate one as the Senior Steward for that competition and must notify competition management.

f. For each competition day that a Dressage Competition schedules 300 or more rides (including Dressage and DSHB entries), the competition must have at least two Dressage Technical Delegates on duty. When only one competition ring is in session, only one Dressage Technical Delegate need be present on the grounds. Dressage Competitions holding both a national competition and a CDI must have a separate Dressage Technical Delegate in addition to the FEI Chief Dressage Steward.

g. At all competitions using more than one competition ring, management must provide a hand-held communication device (i.e. walkie-talkie or cell phone) to at least one steward or technical delegate.

4. Veterinarians.

a. (Exception: Eventing - see EV176) Every competition with rated or non rated division(s) or sections must have a qualified veterinarian present throughout the competition if the previous year's competition's entry number is 200 horses or higher, except Federation Licensed/Equine Canada Recognized Competitions held in Canada (see Chapter JP, Chapter DC and Chapter EN). Exception: All USEF/USDF Regional Championships or Federation Zone Championships must have a veterinarian present on the grounds throughout the competition regardless of

the number of horses competing. In the year after a competition has hosted a USEF/USDF Regional Championship or Federation Zone Championship, a veterinarian will be required to be present only if 200 or more horses competed the year prior to hosting the championship.

b. The previous competition entry number shall be determined by the amount of Federation fees paid to the Federation. Exception: For Dressage Competitions, the number of horses competing the previous year shall determine if a veterinarian must be present on the grounds or on call.

c. Competitions with less than 200 horses must have a written agreement with a veterinarian to be on call.

d. First year multi-day competitions with "A" rated divisions must have a veterinarian present throughout the competition. Exception: First year multi-day Breed or Multi-breed restricted competitions with "A" rated divisions must have a veterinarian either on call or on the grounds throughout the competition. All other first year multi-day competitions and first year one-day competitions must have a written agreement with a veterinarian on call.

e. Level 4 and Level 5 Dressage Competitions must have a veterinarian present on the grounds throughout the competition regardless of the number of horses competing.

f. An official veterinarian should receive the comparable consideration and remuneration as other paid officials.

g. At competitions where the official veterinarian is on call, the prize list must include the time period when the veterinarian will be available to conduct measurements. This information must also be posted in the show office. If the veterinarian is required to measure at any time other than as stated in the prize list, the owner is responsible for paying veterinarian fees.

5. Qualified Medical Personnel.

a. Qualified medical personnel with no other duties and with appropriate medical equipment, as required by their certifying State or EMS Region, must be present during all scheduled performances at all competitions and during all paid scheduled schooling sessions over fences, including one (1) day prior to the start of the competition if applicable, and during all scheduled performances.

(1) Qualified medical personnel is a currently certified or licensed EMT, or Paramedic, or a Physician or Nurse trained in pre-hospital trauma care and currently certified or licensed in their profession. (Exception: Eventing - see EV113.5)

(2) A Physician or Nurse trained in pre-hospital trauma care is a Physician or Nurse who is currently certified in Advanced Trauma Life Support (ATLS), Basic Trauma Life Support (BTLS), Pre-hospital Trauma Life Support (PHTLS), or who has First Responder or comparable certification. Comparable certification requires review and written approval in advance by the Safety Committee. (Exception: Eventing - see EV113.5)

(3) It is strongly recommended that EMTs and/or Paramedics be used to fill this position. Medical personnel must not exceed the scope of their practice.

(4) A fine of \$750 per day will be imposed on Licensed Competitions failing to comply with this rule.

(5) All medical personnel must be readily identifiable and the area where they are available must be designated and readily accessible.

(6) Unless prohibited by Federal, State or local law, this person must furnish the Steward(s) or TD(s) with a copy of his/her report(s), or assist these officials with documenting any findings and treatment for all injuries sustained in competition or on the competition grounds.

b. Competitions using more than three performance areas simultaneously must have at least one additional person who is CPR-certified to assist the medical personnel of record for that competition. The additional person may have other duties related to the competition provided they can be immediately available to respond to an emergency. This person must be identified to officials and staff. Dressage arenas do not count as performance areas. If more than six performance areas are used simultaneously there must be at least two additional people who are CPR-certified to assist the medical personnel of record for that competition. Hunter and Jumper competitions using four or more rings simultaneously must have, in addition to the qualified medical personnel of record, one additional person who is at least First Responder

United States Dressage Federation

2011

Pas de Deux

Rules, Guidelines and Definitions

*for exhibitors, judges, choreographers, and
competition organizers*

236



Eligibility

There are no qualifying requirements for pas de deux.

If the horses are not the same level, the lower level horse determines which level the team may enter as determined by USEF rules. The upper level horse is exempt from the two consecutive level rule. For example, a Prix St. Georges horse and Third Level horse may enter pas de deux competition no lower than Second Level.

General

Dressage pas de deux is an artistic program created by two riders. The aim is to present their horses to best advantage in an artistic, musical context.

- It is judged according to the technical execution (performance as a pair, required elements, impulsion and submission), and the artistic impression (choreography, harmony between horses and riders, and musicality).
- It is performed in a standard dressage arena (20x60 m) unless otherwise specified in the prize list.
- A copy of the program is not submitted in advance.
- Current USDF score sheets must be used.
- Pas de deux may be offered at any level.

Time

- There is no minimum time requirement for any level. There is a maximum time limit of 5 minutes from Training through Intermediate, and a maximum of 6 minutes for the Grand Prix.
- Movements performed after the time limit has elapsed will not be scored. One point will be deducted from the total points for artistic impression for exceeding the time limit.
- The first rider must enter the arena or signal the sound engineer within 45 seconds of the entry bell or the team will be eliminated.
- The first rider must enter the arena within 20 seconds of the start of the music or the team will be eliminated.
- Pairs are to salute the judge at C at the beginning and end of the test.
- The program is timed and judged from the move off the initial halt and salute. Timing and judging will cease at the final salute.

Music

- Music is mandatory.
- If the music source fails, the team can leave the arena with permission of

the judge at "C." The team may decide whether to restart the test from the beginning or to commence from the point where the music failed. Judging restarts at the point of interruption. The marks already given do not change.

- Exit music is not allowed.

Judges

- The pas de deux must be judged by a USEF-licensed dressage judge at levels appropriate to their license.
- If more than one judge is officiating, all judges must score both technical execution and artistic impression.
- Technical Execution Marks may be given in half or full points. Artistic Impression Marks may be given in tenth (.1) points.

Equipment and Turnout

- Whip: USEF-regulation whips are allowed in regular pas de deux classes. Management may restrict the use of whips in championship classes, if it is clearly stated in the prize list.
- Turnout: Attire and equipment must conform to USEF regulations, with the following exception: leg wraps may be used.
- Costumes are allowed only in specially designated costume classes and only if specifically permitted in the prize list.
- Similarity of equipment and turn-out will be considered in the scoring.

Elements of a Pas de Deux Test

- **Compulsory Elements:** All of the elements to be scored in one box on a dressage test sheet, whether movement, figure, pace or transition.
- **Dressage Movements:** An exercise as opposed to a figure, transition or a pattern. Dressage Movements are leg yields, rein-back, shoulder-in, travers, renvers, turn on haunches, half-pass (trot or canter), flying change, pirouette (walk or canter), piaffe, and passage.
- **Figures:** Geometrical component of a dressage test such as circle, serpentine, and figure-of-eight.
- **Transitions:** Changes between two different gaits or from one pace to another within the same gait.
- **Combinations:** Direct connection of any movement or figure with another movement or figure.
- **Patterns:** Geometric design formed in the arena when movements, figures and transitions are combined.

(There is some overlap. As examples: a simple change is a compulsory element and gait transition; a half-pass is a dressage movement, but half-pass zigzag in trot is a pattern, and half-pass zigzag in canter with flying change is a combination and a pattern.)

Freestyle and quadrille definitions can be found in their respective sections of the USDF Glossary of Judging Terms.

Requirements and Limitations

- All compulsory elements for the level must be incorporated into the freestyle program. These are listed on the score sheet under technical execution.
- Performing a dressage movement found in a higher level test than the one being declared is strictly forbidden
- Any figures, pattern, combinations, or transitions composed of elements permitted in the declared level are permitted. There are no limitations on shape, or combination of figures, even if the resulting configuration is found in higher levels.

Following is a list of dressage elements (and some combinations and transitions) specifically permitted and forbidden at each level.

Training Level

Clearly Forbidden:

Any lateral work, counter-canter, simple changes, flying changes, rein back, turn-on-haunches or pirouette at walk or canter, piaffe, passage.

Clearly Allowed:

Anything not clearly forbidden, 20-meter circle or smaller at trot, 20-meter circle or smaller at canter.

First Level

Clearly Forbidden:

Rein back, shoulder-in, travers, renvers, half-pass, flying changes, turn-on-haunches or pirouette at walk or canter, piaffe, passage.

Clearly Allowed:

Counter-canter (any configuration), zig-zag leg-yield, leg-yield along wall (like shoulder-in), lengthen trot or canter on 20-meter circle, simple change, walk-canter-walk, halt-canter-halt, 10-meter circle or smaller at trot, 15-meter circle or smaller at canter, all figures including circles regardless of size.

Second Level

Clearly Forbidden:

Half-pass, flying changes, pirouette at canter, piaffe, passage.

Clearly Allowed:

Full and double turn-on-haunches, renvers, travers, medium canter and trot on 20-meter circle, medium canter on diagonal, halt-canter-halt, 10-meter circle or smaller at canter.

Third Level

Clearly Forbidden:

Tempi changes (4s, 3s, 2s, 1s) pirouette at canter, piaffe, passage.

Clearly Allowed:

Everything that is not clearly forbidden, including: half-pass zig-zag in trot, half-pass zig-zag in canter with flying changes, full and double walk pirouettes.

Fourth Level

Clearly Forbidden:

Full pirouette at canter, tempi changes (2s, and 1s), piaffe, passage.

Clearly Allowed:

Everything that is not clearly forbidden.

FEI Levels

Follow FEI Prix St. Georges for Young Riders, Intermediate I, and Grand Prix freestyle score sheets for what is forbidden and allowed.

Scoring and Judging

Two (2) sets of marks are given—one for technical execution and one for artistic impression. Each set of marks is totaled separately, then those totals are added together and converted to the final percentage score. In the case of two or more judges, scores will be averaged and these averages will comprise the competitor's final score.

Technical Execution

- The beginning and end of the pas de deux must be executed facing C.
- Failure to perform a required element will incur a deduction of one point for each omission. This deduction will be taken under Required Elements – Technical Execution.
- Inclusion of dressage movements clearly “above the level” will incur a penalty of four points from the total for Technical Execution. This deduction will be taken for each forbidden movement, but not for each recurrence of the same movement.
- Performance as a pair: Spacing, Alignment, Synchrony (coefficient 4)
- Required Elements - Technical Execution (coefficient 3)
- Impulsion & submission (coefficient 3)
- In scoring Technical Execution, Judge's Mark must be given in half-points or full points (no tenths).

Artistic Impression

- In scoring artistic impression, “Judge's Marks” may be given in tenths (.1) increments.
- Movements “above the level” should not be rewarded in the artistic impression.

- Those movements not required on the score sheet and not found in higher-level tests may be rewarded or penalized under “Choreography” and/or “Degree of Difficulty.”
- Elements performed after the time limit has elapsed will not be scored, and a penalty of (1) point will be deducted from the Total Artistic Impression.

Tie

In case of a tie, the higher total for artistic impression will break the tie.

Understanding Artistic Impression

(***Bold italic*** denotes the exact wording of the artistic side of the 2011 USDF Pas De Deux Score Sheet.)

- ***Harmony between Horses & Riders, Fluency of Performance*** (coefficient 3)
Absence of resistance and /or disobedience.
- ***Choreography -- balance, creativity, difficulty, construction*** (coefficient 5)
Comprehensive use of the entire arena; suitable balance between left and right direction; non-testlike nature of the patterns and combinations; exceeding the expectation for the same level compulsory test; combination of the patterns.
- ***Musicality -- suitability, cohesiveness, editing, phrasing & dynamics*** (coefficient 2)
Appropriateness of rhythm and temp of the music to the gaits of the horses; music selections are from one genre, style or theme; cuts and transitions are smooth and create an overall flow of the music; choreography reflects changes in the music.



Music

- Any type of music may be selected.
- It is strongly recommended that music for a freestyle ride be of one genre, style, or theme. Mixing musical genres within one program is not recommended. A cohesive musical theme will be scored higher than a disjointed arrangement of musical selections.
- Strict tempo of music in relation to gaits is not required. However, for an effective freestyle, the tempo of the music should match the tempo of the horse's gaits.
- Music that can be interpreted choreographically and create highlights is encouraged.
- Vocals are permitted
- Entrance music is optional but advised, as it provides a sound check.

- Editing should be fluid and smooth. Choppy or disruptive editing will detract from the overall artistic impression.
- Evaluation of artistic merit should be based on the Music and Interpretation categories of the score sheet and on a broad artistic appreciation, not on mere personal preference (“I don’t like Mozart” or “Only classical music is appropriate”).
- The format for the freestyle music should be a CD. Final preparation of the music in a professional studio is recommended to ensure proper equalization, balance, and decibel levels.
- The CD should have only the freestyle ride on it. It should be clearly labeled with the competitor’s name, horse’s name, and level of ride.
- Always bring an extra copy of the music to the competition. Mark it in the same way as the original, plus some additional notation indicating that it is a backup copy. ALWAYS HAVE IT READILY AVAILABLE.
- Consult the competition prize list for information about sound checks and to whom the CD should go.
- Each competitor should be permitted one representative in the sound system booth to supervise the handling of the music. This person should not interfere with the show announcer or management in any way.
- Competitors must pick up their music CDs before leaving the show. If the competitor does not pick up their music show management has the option to discard the material.
- According to Section 115 of the Copyright Act, a mechanical license must be obtained for the re-recording of music in any format. For information on obtaining a mechanical license, it is recommended that the rider contact the National Music Publisher’s Association at www.nmpa.org.

Choreography

- Each competitive level has specific compulsory elements (listed on the score sheet) that must be performed.
- The pair can include use of mirror image, side-by-side, and in-line positioning.
- The horses should be shown to best advantage, commensurate with the level of training, and maximizing their strengths.
- Creativity and degree of difficulty in the composition are rewarded.
- The choreography should utilize the entire arena as imaginatively as possible, with a suitable balance between left and right.
- Movements, figures and their placement should be obvious to the judge.
- The letters of the arena serve as markers only. Movements or figures need not be executed at the letters nor at specific places. However, the construction should be clear and logical.



The Prize List

- State level(s), and how results will be tabulated and awarded (combined levels, level of choice, etc.).
- State any limitation on carrying of a whip (championships only).
- State time and place of sound check.
- State when, where, and to whom the CD and instruction should be delivered.

Score Sheets

- Current USDF score sheets must be used and may be obtained from the USDF office.
- Present the Judge with on score sheet per team and fill in the level at which the team will be showing.

Judges

- If possible, use at least two judges.
- If possible, all judges should be seated at the short end.

Time

The rides should be timed with a stopwatch by someone appointed by competition management. The official timer should have no other duties during the pas de deux.

Scheduling

- A good pas de deux is an audience pleaser and may advantageously be scheduled for maximum audience participation.
- Consideration should be given in the scheduling so that the music does not interfere with activities in adjacent arenas and so that show announcements do not interfere with the music.

Sound and Sound System

- Unless management can obtain a good, clear, loud sound system, freestyle classes should not be offered. An unamplified portable CD player at B does not supply sufficient sound quality or volume.
- If the dressage organizers, announcer, or show facility do not have a decent sound system, management should contact schools, clubs, stores, or members to rent, borrow, or buy equipment

- Well ahead of the competition date, the sound system and acoustics of the facility should be checked. People should be placed at the location of each judge, in the spectator area and in the arena to determine acoustical distortion and volume requirements of the area. (This will change somewhat when the area is filled with people and horses or in the event of wind or weather changes.)
- Competitors may request a sound check of their CD. Management should determine and post schedules of time allowed for sound checks (with sound technicians) well in advance of the class.
- The prize list should state when, where, and to whom the CD and instructions should be delivered and when the sound check may be made.

Reporting Scores to USDF

- Pas de Deux scores from every ride performed must be reported to USDF.
- Report the name and USDF number of the horses, riders, and owners.
- Report the judges of the Pas de Deux class.

Music Licensing

USEF has contracts with the American Society of Composers, Authors and Publishers (ASCAP) and Broadcast Music, Inc. (BMI) to license all USEF-recognized and endorsed competitions and events held in the United States effective 7/1/01.

These contracts grant non-exclusive licenses to USEF for its recognized and endorsed competitions and events to perform, present, or cause the live and recorded performance of all non-dramatic renditions of the separate musical compositions in the ASCAP and BMI repertories. These repertories include all copyrighted musical compositions written or published by ASCAP or BMI members or members of affiliated foreign performing rights societies. While some competitions feature music as part of the class, for example in dressage — freestyle to music, many use music for entertainment purposes. The licenses provide another valuable benefit to USEF-recognized and endorsed competitions.



Competition management may request additional information regarding the terms and limitations of both agreements by contacting the USEF office at (859) 258-2472.

USDF pas de deux and quadrille classes, like all other dressage classes, are recognized by USEF. USDF pas de deux and quadrille classes are expressly covered by the USEF rule book in Articles DR 120.10, DR 121.7, and DR 129. USEF Article 120.10 and 121.7 refers to the USDF Quadrille and Pas de Deux Guidelines for specific information regarding attire, saddlery, equipment and judging specifications for compulsory quadrille tests, freestyle quadrilles, special costume freestyle quadrilles, and pas de deux. Article 129 also states that current USDF rules must be followed.

USEF rules apply to all USEF licensed/USDF recognized competitions. All rules that would apply to dressage classes also apply to USDF pas de deux and quadrille classes, except where these classes are expressly exempted.




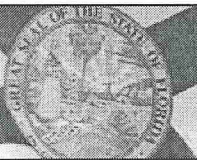
United States Dressage Federation
4051 Iron Works Parkway ♦ Lexington, KY 40511
(859) 971-2277 ♦ Fax: (859) 971-7722
usdressage@usdf.org ♦ www.usdf.org

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Title MGR					
WOLLENMAN, EDWARD P 13125 SOUTHFIELDS ROAD WELLINGTON FL 33414					
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Report Year	Filed Date				
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2011	03/18/2011				
2012	03/27/2012				
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03/27/2012 -- ANNUAL REPORT		View image in PDF format			
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247

10/28/2005 -- Merger	View image in PDF format		
05/13/2005 -- Florida Limited Liabilities	View image in PDF format		
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248

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Previous on List	Next on List	Return To List		Entity Name Search	
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Title PRES					
STONE, MICHAEL 14440 PIERSON ROAD WELLINGTON FL 33414					
Title CFO					
SAMUELS, RICHARD J					

249

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Annual Reports

Report Year Filed Date

2010	02/17/2010
2011	04/19/2011
2012	04/06/2012

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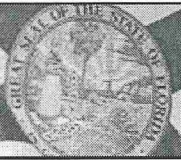
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250

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251

14440 PIERSON ROAD
WELLINGTON FL 33414

Annual Reports

Report Year Filed Date

2010	02/17/2010
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2012	04/06/2012

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252

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253

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Annual Reports

Report Year Filed Date

2010	02/18/2010
2011	06/22/2011
2012	04/06/2012

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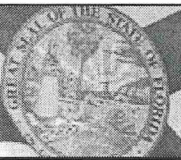
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254

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Home	Contact Us	E-Filing Services	Document Searches	Forms	Help
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255

14440 PIERSON ROAD
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Annual Reports

Report Year Filed Date

2010	02/17/2010
2011	04/20/2011
2012	04/06/2012

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04/06/2012 -- ANNUAL REPORT	View image in PDF format
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10/04/2007 -- Reg. Agent Change	View image in PDF format
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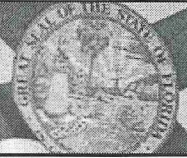
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256

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Home	Contact Us	E-Filing Services	Document Searches	Forms	Help
Previous on List		Next on List		Return To List	
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257

Annual Reports

Report Year Filed Date

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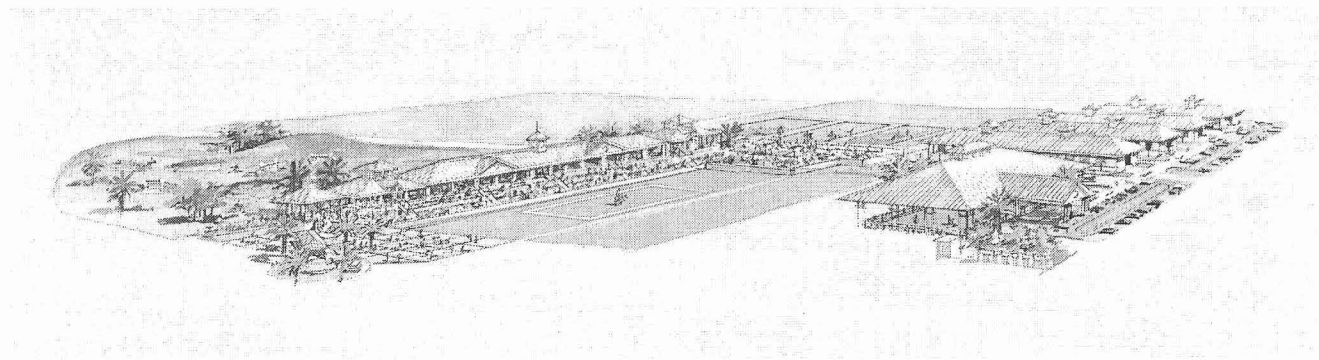
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Concessions & Vendor Services:Matt Morrissey 941-915-3457

Download the vendor application and information[here](#).

Drawing of the facility



Drawing of the Proposed Hotel/Condo unit in front of the facility





WELLINGTON

Planning, Zoning & Building Department

12794 Forest Hill Blvd., Suite 23, Wellington, FL 33414 (561) 753-2430 Fax (561) 791-2439

SPECIAL USE PERMIT APPLICATION

II. PROPERTY OWNER/AGENT INFORMATION

Property Owner(s) of Record: (See Attached List)

Address: _____ City: _____ ST: _____ Zip: _____

Phone: _____ Cell Phone: _____ Fax: _____

Applicant if other than owner(s): World Dressage Festival, LLC

Address: 14440 Pierson Road City: Royal Palm Beach ST: FL Zip: 33414

Phone: (561) 793-5867 Cell Phone: _____ Fax: (561) 258-2395

Agent Name: Michael Stone

Company Name: Equestrian Sport Productions, LLC.

Address: 14440 Pierson Road City: Wellington ST: FL Zip: 33414

Phone: (561) 793-5867 Cell Phone: _____ Fax: (561) 258-2395

Consultants: If applicable to your request, please attach a separate list of all consultants that will provide information on this request. You should include the name, address, telephone number and fax number as well as the type of professional service provided.

III. PROPERTY LOCATION

A. Property Control Number (PCN): If additional PCN's, list on a separate sheet and attach to the application.

PCN: (See Attached List)

B. Section 16 Township 44S Range 41E Total Acreage of Subject Property 59.43 Acres

C. **Project Name:** World Dressage Complex Previous Petition #: _____

D. **Project Address:** 13466 South Shore Blvd, Wellington, Florida

E. General Location Description (proximity to closest major intersection, in miles or fractions thereof):
Subject property is located at the NE corner of Pierson Road and South Shore Blvd in Wellington.

IV. LAND USE AND ZONING INFORMATION

A. Zoning Designation: PUD/EZOD Future Land Use Designation: CR Is Property within the EOZD? Yes

B. Existing Use(s) on Property: Polo Fields, Equestrian Arena, Equestrian Ring & Event Support Facilities



12794 Forest Hill Blvd., Suite 23, Wellington, FL 33414 (561) 753-2430 Fax (561) 791-2439

II.	PROPERTY OWNER/AGENT INFORMATION
------------	---

Phone: _____ Cell Phone: _____ Fax: _____

Phone: 561 793 5867 Cell Phone: Fax: 561 258 2390

Company Name: _____

Phone: _____ Cell Phone: _____ Fax: _____

Consultants: If applicable to your request, please attach a separate list of all consultants that will provide information on this request. You should include the name, address, telephone number and fax number as well as the type of professional service provided.

III. PROPERTY LOCATION

PCN: [] [] [] -- [] [] [] -- [] [] [] -- [] [] [] -- [] [] [] -- [] [] [] -- [] [] [] -- [] [] []

D. Project Address: _____

THE PROPERTY IS LOCATED AT THE INTERSECTION OF
PIERSON RD + SOUTHSIDE BLVD

IV. LAND USE AND ZONING INFORMATION

B. Existing Use(s) on Property: Equestrian Competitions + Event Support
FACILITIES

C. Proposed Use(s): _____

IV. ADDITIONAL INFORMATION

RECEIVED

The following information is required as part of this application:

A. Standards for Review

Failure of the proposed special use to meet any standard below shall be deemed adverse to the public interest and the application shall not be approved. A letter verifying the decision of the Planning & Zoning Manager to approve, approve with conditions, or deny the application will be sent to the applicant. The applicant shall explain how the request is consistent with the following:

1. **Consistency with Wellington Comprehensive Plan**—the proposed Special Permit Use is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan.

Yes, the proposed temporary use is consistent with the historic utilization of this property for equestrian events and equestrian support facilities. It fulfills the principle goal of the Equestrian Preservation Element of the comprehensive plan by preserving and protecting the equestrian industry which exists within the Equestrian preserve.

2. **Complies with supplementary use standards**—the proposed Special Permit Use complies with all relevant and appropriate portions of LDRS Section 6.4, Use Regulations & Definitions and Section 6.6 Supplementary Regulations.

The CRE land use designation specifies equestrian arenas as a permitted use. All required setbacks will be adhered to as per Section 6.6 of the supplementary LDRS. In addition, all of the proposed uses on the property are Permitted activities in the EOZD and the additional standards are listed in the Zoning Matrix for any of these uses.

3. **Compatibility with surrounding uses and zones**—the proposed Special Permit Use is consistent with the character of the immediate vicinity of the land proposed for development.

Yes, the proposed uses are consistent with previous uses of the property and consistent with other equestrian operations within the EOZD. The land in the vicinity consists of polo fields and general equestrian events. The property in question has historically been used for various equestrian events. The Site Plan prepared for this Special Use Permit has been designed to assure that there are no land use conflicts with adjacent properties.

4. **Design minimizes adverse impact**—the design of the proposed Special Permit Use minimizes adverse effects, including visual impact, of the proposed use on adjacent lands.

Yes, existing landscape buffers will serve to minimize adverse impacts on adjacent lands and the temporary structures will be sited to ensure minimal impact.

5. **Duration**—the length of time the proposed Special Permit Use will occur and how impacts will be minimized.

Dates: The dates will be November 1st, 2011 to April 30, 2012, there will be a total of 45 competition days.

Time: The times will comply with the EOZD of 7:00AM to 10:00PM

6. **Health and sanitation**—the proposed Special Permit Use complies with all relevant standards related to health and sanitation as determined by the Palm Beach County Public Health Unit.

Yes, temporary facilities for compliance will be provided throughout the project area. All such facilities will have the required health and sanitation permits and inspections.

7. **Traffic considerations**—the proposed Special Permit Use complies with all relevant transportation standards as determined by Wellington Engineering Department.

Yes, primary access will be provided at the existing driveway along South Shore Blvd. The main events will take place on the weekends which will minimize the traffic impact on the area. Ample space for parking is provided to ensure no congestion on South Shore Blvd.

8. **Consistent with the LDRS**—the proposed Special Permit Use complies with all additional standards imposed on it by all other applicable provisions of the LDRS.

Yes, all temporary improvements will be removed at the completion of this permit period unless additional Building Permits and/or Land Development Permits are issued by Wellington. All temporary structures will meet the setback requirements of the Code and more than sufficient parking will be provided.

9. **Adequate public facilities**—permanent structures shall comply with Article 11, Adequate Public Facilities Standards, of the LDRS.

No permanent structures are proposed with this permit and the permit for the activities will expire in six months. Therefore, this Special Use Permit application is not subject to Concurrency requirements.

- B. **Describe Special Use/Event Proposed:** The summary shall include the LDRS Section that authorizes the Special Permit Use request, the specific requirement of the code and your proposed request. If live entertainment is proposed as a part of the use/event, provide a description of the type of entertainment and whether amplified sound will or will not be used as a part of the entertainment.

This use will provide a venue and support facilities for equestrian competitions and shows during the requested time period.

- C. State the number of days and dates the use/event is expected to last: 180 days

- D. Provide the hours of operation for the entire use/event: 7:00AM - 10:00PM

- E. Is entertainment proposed at the event? Yes What type of entertainment is proposed? Periodic

music and entertainment will be provided to support the equestrian events including post competition activities.

- F. If applicable, state the hours of operation for the entertainment: 9:00AM - 10:00PM

- G. Will amplified sound be used? Yes

- H. Provide the number of vendors anticipated for the use/event: 30

- I. Will food be served? Yes Will alcohol be served? Yes

- J. Provide the anticipated attendance for the special use/event: 1,000

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PZ & CODE DEPARTMENT

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**Village of Wellington
Special Use Permit Application
PBIEC Showgrounds Property
Steeplechase Course
Property Owners List**

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73-41-44-16-00-000-5070

Polo Field One, LLC
14440 Pierson Rd
Wellington Fl 33414

73-41-44-16-00-000-5050

Stadium North LLC
14440 Pierson Rd
Wellington Fl 33414

73-41-44-16-00-000-5030

73-41-44-16-00-000-5040

Stadium South LLC
14440 Pierson Rd
Wellington Fl 33414

73-41-44-16-00-000-5060

Far Niente Stables II LLC
14440 Pierson Rd
Wellington Fl 33414

C. Proposed Use(s): _____

IV. ADDITIONAL INFORMATION

The following information is required as part of this application:

A. Standards for Review

Failure of the proposed special use to meet any standard below shall be deemed adverse to the public interest and the application shall not be approved. A letter verifying the decision of the Planning & Zoning Manager to approve, approve with conditions, or deny the application will be sent to the applicant. The applicant shall explain how the request is consistent with the following:

1. **Consistency with Wellington Comprehensive Plan**—the proposed Special Permit Use is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan.

Yes

2. **Complies with supplementary use standards**—the proposed Special Permit Use complies with all relevant and appropriate portions of LDRS Section 6.4, Use Regulations & Definitions and Section 6.6 Supplementary Regulations.

Yes

3. **Compatibility with surrounding uses and zones**—the proposed Special Permit Use is consistent with the character of the immediate vicinity of the land proposed for development.

Yes

4. **Design minimizes adverse impact**—the design of the proposed Special Permit Use minimizes adverse effects, including visual impact, of the proposed use on adjacent lands.

Yes

5. **Duration**—the length of time the proposed Special Permit Use will occur and how impacts will be minimized.

Dates: _____ November 1st April 30th

Time: _____ 8 AM - 11 PM

6. **Health and sanitation**—the proposed Special Permit Use complies with all relevant standards related to health and sanitation as determined by the Palm Beach County Public Health Unit.

Yes

7. **Traffic considerations**—the proposed Special Permit Use complies with all relevant transportation standards as determined by Wellington Engineering Department.

Yes

8. **Consistent with the LDRS**—the proposed Special Permit Use complies with all additional standards imposed on it by all other applicable provisions of the LDRS.

Yes

9. **Adequate public facilities**—permanent structures shall comply with Article 11, Adequate Public Facilities Standards, of the LDRS.

Yes

- B. **Describe Special Use/Event Proposed:** The summary shall include the LDRS Section that authorizes the Special Permit Use request, the specific requirement of the code and your proposed request. If live entertainment is proposed as a part of the use/event, provide a description of the type of entertainment and whether amplified sound will or will not be used as a part of the entertainment.

THE USE WILL PROVIDE A VENUE + SUPPORT FACILITY FOR EQUESTRIAN SHOWS DURING THE TIME PERIOD SPECIFIED

- C. State the number of days and dates the use/event is expected to last: 180 DAYS

- D. Provide the hours of operation for the entire use/event: 6am - 11pm

- E. Is entertainment proposed at the event? Yes What type of entertainment is proposed? PERIODIC ENTERTAINMENT

activities will be provided & support Equestrian

- F. If applicable, state the hours of operation for the entertainment: 9AM - 10PM

- G. Will amplified sound be used? Yes

- H. Provide the number of vendors anticipated for the use/event: 30

- I. Will food be served? Yes Will alcohol be served? Yes

- J. Provide the anticipated attendance for the special use/event: 3,000 - 6,000

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VILLAGE OF WELLINGTON

PZ & CODE DEPARTMENT

V. OTHER APPROVALS

Sign-off is required for temporary amusement rides, carnival, circus, revival tent, auction, bazaar, and other temporary events.

Name of Event: _____ Event Date: _____

This acknowledgement, in no way constitutes approval of the attached designated use.

SHERIFF'S DEPARTMENT

12794 W. Forest Hill Blvd. Ste#14A, Wellington, FL 33414

FAX (561) 753-8554

By: _____ Date: _____

Site Plan Required? Yes / No

Comments:

FIRE RESCUE

50 S. Military Trail, Suite 101, West Palm Beach, FL

FAX (561) 790-6104

By: _____ Date: _____

Site Plan Required? Yes / No

Comments:

DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATIONS/DIVISION OF HOTEL & RESTAURANTS

(850) 487-1395

By: _____ Date: _____

Site Plan Required? Yes / No

Comments:

ENVIRONMENTAL HEALTH DIVISION/PLANNING & ZONING

100 Australian Avenue, West Palm Beach, FL 33406

By: _____ Date: _____

Site Plan Required? Yes / No

Comments:

VI. OWNER/APPLICANT ACKNOWLEDGEMENT

I/We: FAR Niente STARS II LLC, do hereby swear/affirm that I/we am/are the owner(s)/applicant of the property referenced in this application.

I/We certify that the above statements and the statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments and fee become part of the official record of the Planning & Zoning Division of Wellington and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by Wellington in order to process this application.

I/We further consent to Wellington to publish, copy or reproduce any copyrighted document for any third party submitted as part of this application.

Signature(s) of Owner(s)/Applicant(s) [Signature]

Print Name(s) MARK BELLISSIMO

VII. CONSENT STATEMENT

Owner to complete if using agent/representative

I/We, the aforementioned owner(s), do hereby give consent to MICHAEL STONE to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s) [Signature]

Print Name(s) MARK BELLISSIMO

NOTARY

STATE OF FLORIDA
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 7th day of April, 2011

by MARK BELLISSIMO. He/She is personally known to me or has produced

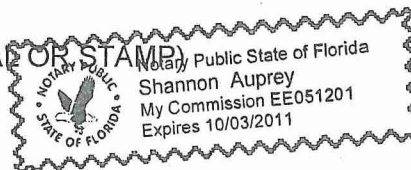
[Signature] as identification and did/did not take an oath.

My Commission Expires: _____

(Signature of Notary)

(Name – Must be typed, printed, or stamped)

(NOTARY'S SEAL OR STAMP)



Council

Darell Bowen, Mayor
Matt Willhite, Vice Mayor
Dr. Carmine A. Priore, Mayor pro tem
Howard K. Coates, Jr., Councilman
Anne Gerwig, Councilwoman

Manager
Paul Schofield

**VIA ELECTRONIC MAIL, HAND DELIVERY
AND REGISTERED MAIL**

February 14, 2012

Mr. Mark Bellissimo
Stadium North, LLC
Stadium South, LLC
Far Niente Stables II, LLC
Polo Field One, LLC
14440 Pierson Road
Wellington, FL 33414

**Subject: 2011-005 SPU
2011/2012 Dressage Festival**

Dear Mr. Bellissimo:

We have been in contact with your representatives concerning the operations at Equestrian Village under the auspices of the special use permit. When, as in this case, a special use permit contemplates usage of facilities that are the subject of building or land development permits, certificates of completion or occupancy are a necessary prerequisite to operation under the special use permit initiated. The Special Use Permit (SPU) as issued and as proposed to be revised for the subject facility requires the completion of various improvements in order for uses contemplated in the SPU to be conducted. As of today, several items including but not limited to 1). banquet hall tent, 2). bleachers, 3). stables, and 4). parking lot remain incomplete. Wellington's Engineering, Planning/Zoning, and Building staffs have met with you and your representatives and discussed the various components and have gone into greater detail with respect to what needs to be accomplished before operations can commence.

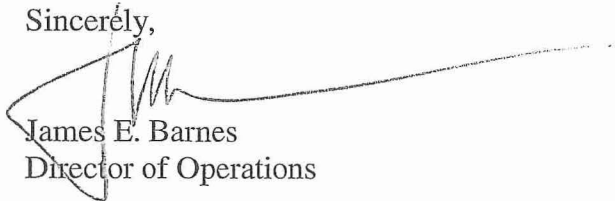
The use of the facility and associated improvements without the benefit of a certificate of completion/occupancy is not permitted by the special use permit. Whether you have chosen to schedule events and advertise them does not alter the necessity of receiving the appropriate

MAR 06 2012

approvals prior to operation. Any such use may result in the suspension or revocation of the approved special use permit. Please govern yourself accordingly.

If you require any additional information, please contact me at 561.791.4000.

Sincerely,



James E. Barnes
Director of Operations

c: Paul Schofield, AICP – Manager
David Flinchum, AICP, ASLA – Planning & Zoning Manager
Jacek Tomasik, CBO – Building Official
Bill Riebe, P.E. – Village Engineer
Jeff Kurtz, Esq. – Village Attorney

Michael Sexton, P.E., PSM
Sexton Engineering Associates, Inc.
110 Ponce de Leon Street
Royal Palm Beach, FL 33411

Daniel S. Rosenbaum, Esq.
Rosenbaum, Mollengarden, Janssen, & Siracusa
250 Australian Avenue – Suite 500
West Palm Beach, FL 33401

Michael Stone
14440 Pierson Road
Wellington, FL 33414

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Global Dressage Festival on Track for December 2011!

Submitted on 05/05/2011 to

Written by admin

Groundbreaking celebration for new Global Dressage Festival to be held on Tuesday, May 10th

Wellington, FL - Equestrian Sport Productions (ESP) is delighted to announce they have recently received a special use permit officially allowing ESP to hold dressage competitions on the Old Polo Stadium Property in Wellington from November 2011 - April 30th, 2012, as part of the new Global Dressage Festival (GDF). In even more



exciting news, a land development permit has been granted, which will allow ESP to begin construction on the new state-of-the-art dressage facility that the GDF will call home, in just less than one week! ESP is confident that the facility will be completed and ready for use before the 2012 season.

"I am thrilled to announce this groundbreaking, which is the next step in what we believe will become the finest dressage facility in the world, as well as an historic day for the Wellington equestrian community," stated Mark Bellissimo, founding partner of the Wellington Equestrian Partners and Chief Executive Officer of Equestrian Sport Productions.

ESP invites all of the community to enjoy the groundbreaking celebration on Tuesday, May 10th at 4:00 PM on the corner of South Shore Boulevard and Pierson Road in Wellington, where the derby stadium currently exists. Several members of the Executive Board of the Global Dressage Festival, including Mark Bellissimo, Michael Stone, Robert Dover, Kim Boyer, and Ken Braddick will be present to answer questions about the upcoming shows and the construction plans for the new facility.

Equestrian Sport Productions, LLC
14440 Pierson Rd., Wellington, FL 33414
561-793-5867 (phone)
561-753-3386 (fax)

Clara Belden
Public Relations and Marketing
561-793-5867
clara@equestriansport.com (<mailto:clara@equestriansport.com>)

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302

Home » Global Dressage Festival on Track for December 2011! » Page 2 of 2

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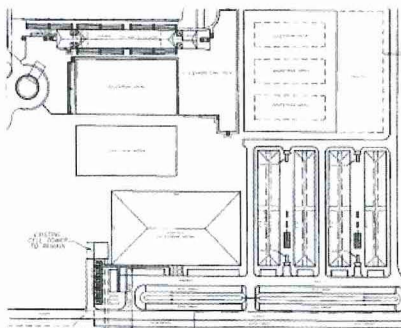
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Equestrian Sport Productions Announces Construction of Van Kampen Arena for 2012 Global Dressage Festival

Submitted on 07/30/2011 to

Wellington, Florida - July 30, 2011 - Mark Bellissimo, CEO of Equestrian Sport Productions, LLC (ESP) announced today that ESP will be building a covered arena and at least one permanent barn (approximately 100 stalls) in advance of the 2012 Global Dressage Festival. The covered arena will be the centerpiece of the new show grounds to host the Global Dressage Festival in 2012, and it will be named the Van Kampen Arena in memory of the late investor who established a family legacy of philanthropy and charitable giving.



Completion of the structure is targeted by year end and it will have a riding surface large enough at 200 feet by 350 feet (61x106m) for three full-size dressage rings. Van Kampen Arena will be available for 30 days a year for use by charities and non-profit organizations. Charities can apply and will be selected by a board that will include Wellington Equestrian Partners, Kim Van Kampen Boyer, Mark and Katherine Bellissimo, Bruce Duchossois, and Caroline Moran.

Construction, which had already begun for the new dressage facility, will resume next week now that the site plan has been adjusted to reflect a change in location for the larger covered structure and an enhanced hospitality area. The new facility is part of the Palm Beach International Equestrian Center complex that hosts the world famous Winter Equestrian Festival. The dressage grounds are on 57 acres (23 Ha.) that were the original Palm Beach polo fields that sparked the development of Wellington as the globe's major winter equestrian destination. The dressage arenas will have the same footing and surfaces as the competition rings at PBIEC that have won praise as among the best in the world.

"We are delighted to name the covered stadium the Van Kampen Arena to honor the late Robert Van Kampen and his family," Bellissimo said. "Kimberly Boyer, one of his three daughters, has been instrumental in spearheading the WEP dressage effort and she has been an inspiration in her dedication to charitable causes and her love and involvement in dressage on both sides of the Atlantic. The unique structure of this Van Kampen Sponsorship allows us to further connect to the community and local charitable causes."

Kimberly Boyer is a WEP partner and the owner of Hampton Green Farms in Wellington, Florida, and Fruitport, Michigan, and focuses on breeding, training and competition of P.R.E., Pure Spanish Horses. She is married to Frederic Boyer. "Frederic and I, and our children, are pleased to work with the Wellington Equestrian Partners in bringing the dream of the Global Dressage Festival and a state-of-the-art dressage facility to Wellington and the Palm Beach International Equestrian Center," she said.

304

July 12, 2012

She continued, "We are particularly excited to be involved in the designation of a beautiful covered arena for a significant amount of use by charities and non-profits. For us, this is a win-win proposition which will benefit the equestrian community in general, and which will make a world-class covered arena available at no charge to local and national groups for their functions, fund-raisers, therapeutic classes, camps, clinics, non-profit horse shows, and more. At the suggestion of Mark Bellissimo, the new building will be named Van Kampen Arena, in memory of my father who made philanthropy and charitable giving a tradition and a legacy in our family."

Robert Van Kampen founded an investment banking firm in 1975 that became Van Kampen Funds, a pioneer in the packaging of municipal bonds into unit trusts sold to individual investors with insurance against default. He also amassed one of the largest private collections of rare and antique Bibles in North America that is now owned by the family trust. The trust also owned Hampton Court in Herefordshire, England, a medieval country house converted into a Christian study center which included the Van Kampen garden. The property was sold in 2008. Robert Van Kampen died in 1999 at the age of 60.

In addition to the covered arena, the new dressage facility provides for 4,100 stall barns and five outdoor dressage arenas including a stadium arena and a VIP structure. A grass jumping derby course adjoins the dressage facility. A 100-unit condominium hotel and retail plaza are also planned for the site.

The construction of the dressage venue at the polo fields is the second phase of development of PBIEC and follows the re-design and rebuilding of the hunter/jumper grounds with 12 competition arenas, about 100 retailers, and entertainment and hospitality venues centered around the stadium-sized International Arena.

Equestrian Sport Productions, which organizes and manages the horse shows for Wellington Equestrian Partners, has been awarded five international-level CDI dressage competitions over a two-month period in winter in 2012, including two World Cup qualifiers, a CDI3*, a CDI5* and the first dressage Nations Cup in the western hemisphere outside of championship events.

For more information on Equestrian Sport Productions, please visit www.equestriansport.com (<http://www.equestriansport.com>).

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305

July 12, 2012

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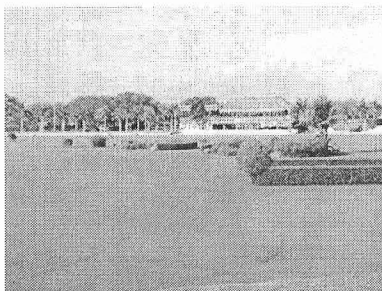
Bringing Back The Magic at the Global Dressage Festival 2012 with over \$250,000 in Prize Money

Submitted on 11/01/2011 to

The site where in 1985 Princess Diana accompanied her then husband Prince Charles onto the picturesque polo field in Wellington, Florida was where in many ways it all began for the surging equestrian community and Winter Equestrian Festival. The growth of the sport of Dressage has earned the status of an effort so strong and committed by the WEF Partners, that in its inaugural year the field of memories is about to become a field of dreams, introducing one of the richest Dressage series in the world, with over \$250,000 in prize money to be distributed throughout the five CDI shows scheduled for the winter of 2012. Bringing back the magic on this field, the Global Dressage Festival 2012 is underway, with not only confirmed prize money and sponsor support but with 10 weeks of show dates, and facility perks already in place. See the list of shows and prize money being offered.



In 1985 the late Princess Diana was on hand to watch her husband Prince Charles play polo on the field which is now the site of the Global Dressage Festival, in Wellington Florida



Progress is well underway and construction on schedule for the new covered arena with the VIP Pavilion already done offering full hospitality services.

History was made with showjumping talent when the smooth grassy polo fields were transformed into a picturesque Grand Prix course hosting Olympic greats Rodney Jenkins, Joe Fargis, Anne Kursinski and other emerging equestrian superstars. When the infrastructure moved across the street, the newer and massive show grounds became the center for the Winter Equestrian Festival and the field of memories lost its luster. Palm Beach Polo had moved its location a few miles away, and the abandoned stadium was beaten down by hurricanes and neglect. The site of where so many magical moments occurred became a faded memory, until

now. With construction underway the seasoned Equestrian Sport Productions team, which created so much excitement and atmosphere across the street at the Showjumping venue, is on target and focused on building what is sure to become the world's winter home for Dressage!

With multiple CDI's being offered during the Florida season it has been rumored that the series is attracting European Olympians such as Dressage superstars Anky Van Grunsven with Spanish U25 (under 25 Grand Prix division) rider Morgan Barbancon and Anky's former mount Painted Black. Californian Jan Ebeling's name has been mentioned as well as the possible return of Swedish rider Tina Tinne Wilhemson who had such a successful Florida season in 2011. There has been talk of Brit Carl Hester and German Anje Plonske considering a balmy winter as a good way to prepare for the 2012 Olympic trials. One fact is known for sure: for the Olympic level

306

sport of Dressage, there will be no other opportunity like this anywhere else in the world.

Some highlights already in place include

- Nighttime Freestyle classes on either Fridays or Sundays to make Saturday night Jumping and Sunday afternoon Polo available to everyone.
- Five mid-week National shows
- Prix Caprilli Pony Series, Para Equestrian Classes and U25 Classes

Show Dates for the Global Dressage Festival in Wellington Florida

- Jan. 24-25 – Global Dressage Festival Opener USEF/USDF
- Feb. 2-5 – \$50,000 Global Dressage Festival Wellington Dressage CDI CDI-W, CDI3*, CDI1, CDIU25, CDIY, USEF/USDF
- Feb. 16-19 – \$50,000 Global Dressage Festival Florida Dressage Classic CDI CDI-W, CDI3*, CDI1, CDIU25, CDIY, USEF/USDF
- Feb. 21-22 – Global Dressage Festival National I USEF/USDF
- Mar. 6-7 – Global Dressage Festival National Challenge USEF/USDF
- Mar. 15-18 – \$15,000 Global Dressage Festival WEF Dressage Classic CDI CDI3*, CDI1, CDIU25, CDIY, USEF/USDF
- Mar. 21-22 – Global Dressage Festival National Classic USEF/USDF
- Mar. 29-Apr. 1 – \$125,000 Global Dressage Festival S* CDI5*, USEF/USDF
- Apr. 3-5 – Global Dressage Festival National II USEF/USDF
- Apr. 11-15 – \$35,000 Global Dressage Festival Wellington Dressage Nations Cup CDIO3* CDI1, [CDIO3*], CDIU25, CDIY, USEF/USDF

Facility plans for 2012 include:

- VIP Pavilion with full Hospitality services-- similar to the International Club at the Jumper showgrounds for which ESP is famous
- A covered arena large enough for three regulation Dressage arenas
- Main outdoor arena and warm up, plus three additional outdoor arenas, all with world-class footing provided by Bart Poels Equestrian Services
- two permanent barns
- elevated vendor area
- all amenities of the Palm Beach International Equestrian Center are available by short golf cart ride-- an array of restaurants, shopping for the equestrian lifestyle, night clubs and art galleries.

Information, Prize Lists are posted at www.globaldressagefestival.com. (<http://www.dressageshowinfo.com>)

Related Pages:

[Equestrian Sport Productions Announces Construction of Van Kampen Arena for 2012 Global Dressage Festival \(/article/equestrian-sport-productions-announces-construction-van-kampen-arena-2012-global-dressage-festival\)](#)
[Global Dressage Festival on Track for December 2011! \(/article/global-dressage-festival-track-december-2011\)](#)
[Wellington's Equestrian 'Champion', Developer Mark Bellissimo Receives Economic Development Leadership Award \(/article/wellingtons-equestrian-champion-developer-mark-bellissimo-receives-economic-development-leadership-award\)](#)

Image Gallery



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307

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308

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USA 2012 CDI Calendar OF 27 EVENTS–11 IN FLORIDA IN WINTER

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Construction of a new dressage complex to host the Global Dressage Festival, part of Palm Beach International Equestrian Center. © 2011 Ken Braddick/dressage-news.com

309

A schedule of 27 CDIs for the United States in 2012 has been tentatively approved, including 11 in Florida next winter, up from six in 2011 and sparked by a multimillion dollar investment in a new dressage stadium by the organizers of the world famous Winter Equestrian Festival in Wellington.

Competition weeks headlined by five World Cup qualifiers, two CDI5* shows, three CDI3*s and possibly the first non-championship CDIO Nations Cup in the Western Hemisphere—with associated Young and Junior Rider, Under-25 and Para Equestrian CDIs—have been awarded to four different dressage groups in Palm Beach from mid-January to mid-April.

The dates were approved by the U.S. Equestrian Federation Dressage Committee and are subject to approval by the USEF Executive Committee and the International Equestrian Federation (FEI). The World Cup qualifying competition calendar has already been approved by the USEF executive committee.

The 11 weeks of CDI competitions in Florida for 2012 starts on Jan. 19 and runs through the week of April 12 with the Nations Cup.

Wellington Classic Dressage (WCD) and the Gold Coast Dressage Association (GCDA) competitions at the Jim Brandon Equestrian Center in West Palm Beach and International Horse Sport Palm Beach (IHS) shows at Equestrian Estates in Loxahatchee have the same number of CDI weeks, six, as in 2011, but with some changes in dates.

Equestrian Sport Productions (ESP), which took over hunter/jumper and dressage dates at the Palm Beach International Equestrian Center in Wellington four years ago but held no dressage competitions in 2011, was awarded five weeks of CDI competitions in 2012.

The CDI schedule for 2012:

Jan. 19 – CDI-W, CDI1*, CDIY, CDIJ, CDIP, CDIU25 – GCDA, West Palm Beach, Florida – Approved*

Jan. 26 – CDI5*, CDI3*, CDI1*, CDIY, CDIJ, CDIU25 – WCD, West Palm Beach, Florida – Approved

Feb. 2 – CDI-W, CDI3*, CDIY, CDIJ, CDIU25 – ESP, Wellington, Florida – Approved*

Feb. 9 – CDI3*, CDI1*, CDIY, CDIJ, CDIP, CDIU25 – WCD, West Palm Beach, Florida – Approved

Feb. 16 – CDI-W, CDI3*, CDIY, CDIJ, CDIU25 – ESP, Wellington, Florida – Approved*

Feb. 23 – CDI-W, CDIY, CDIJ – Burbank, California – Approved*

Mar. 1 – CDI-W, CDI1*, CDIY, CDIJ, CDIP, CDIU25 – IHS, Loxahatchee, Florida – Provisionally Approved**

Mar. 8 – CDI-W, CDI1*, CDIY, CDIJ, CDIU25 – WCD, West Palm Beach, Florida – Approved*

Mar. 8 – CDI-W, CDIY, CDIJ – Del Mar, California – Approved*

Mar. 15 – CDI3*, CDIY, CDIJ, CDIU25 – ESP, Wellington, Florida – Approved

Mar. 22 – CDI3*, CDI1*, CDIY, CDIJ, CDIU25 – IHS, Loxahatchee, Florida – Approved

Mar. 29 – CDI5* – Wellington, Florida – ESP, Approved

April 4 – CDI1*, CDIY, CDIJ – Rancho Murieta, California – Approved

April 12 – CDIO3*, CDIY, CDIJ, CDIU25 – ESP, Wellington, Florida – Approved

April 26 – CDI1*, CDIY, CDIJ, CDIP – Katy, Texas – Approved

April 26 – CDI3*, CDIY, CDIJ – Del Mar, California – Approved

May 24 – CDI3*, CDIJ, CDIY – Allentown, New Jersey – Approved

May 24 – CDI3*, CDIY, CDIJ – Lexington, Kentucky – Approved

May 31 – CDI1*, CDIY, CDIJ – Raleigh, North Carolina – Approved

June 7 – CDI1*, CDIY, CDIJ – Lake View Terrace, California – Approved

310

June 7 – CDI3*, CDIY, CDIJ, CDIU25 – Batavia, Ohio – Approved

June 14 – CDI1*, CDIY, CDIJ – Rancho Murieta, California – Approved

July 18 – North American Junior/Young Rider Dressage Championships – Lexington, Kentucky – Approved

Aug. 16 – CDI3*, CDIY, CDIJ, CDIP, CDIU25 – Estes Park, Colorado – Approved

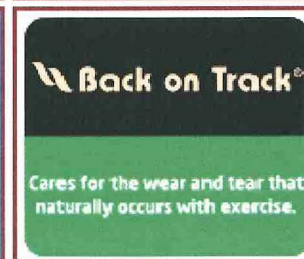
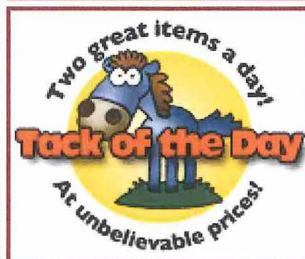
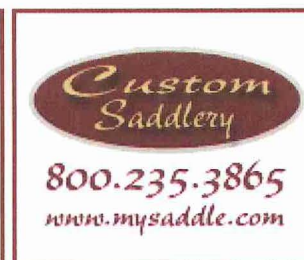
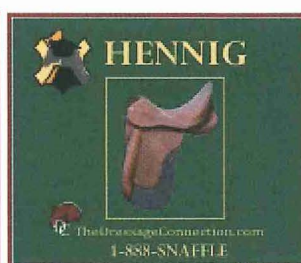
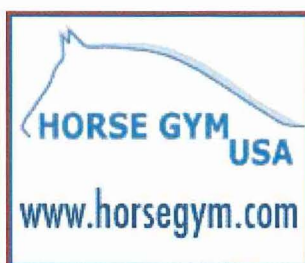
Aug. 16 – CDI-[W], CDIJY, CDIP – Saugerties, New York – Approved as CDI3*, CDI-W to be considered later for 2012/2013 season

Sept. 13 – CDI-[W], CDIJY – Saugerties, New York – Approved as CDI3*, CDI-W to be considered later for 2012/2013 season

Sept. 27 – CDI-[W], CDI1*, CDIY, CDIJ, CDIP – Devon, Pennsylvania – Approved as CDI3*, CDI-W to be considered later for 2012/2013 season

* CDI-Ws for the 2011/2012 WCD Season has USEF Executive Committee approval.

** Provisional approval of USEF Dressage Committee and Executive Committee.



LINKS

311

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Archives

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Customization by [Carlton Design Concepts](#)

VI. OWNER/APPLICANT ACKNOWLEDGEMENT

I/We: STADIUM SOUTH LLC, do hereby swear/affirm that I/we am/are the owner(s)/applicant of the property referenced in this application.

I/We certify that the above statements and the statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments and fee become part of the official record of the Planning & Zoning Division of Wellington and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by Wellington in order to process this application.

I/We further consent to Wellington to publish, copy or reproduce any copyrighted document for any third party submitted as part of this application.

Signature(s) of Owner(s)/Applicant(s) [Signature]

Print Name(s) MARK BELLISSIMO

VII. CONSENT STATEMENT

Owner to complete if using agent/representative

I/We, the aforementioned owner(s), do hereby give consent to MICHAEL STONE to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s) [Signature]

Print Name(s) MARK BELLISSIMO

NOTARY

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 4th day of APRIL, 2011 by MARK BELLISSIMO. He/She is personally known to me or has produced

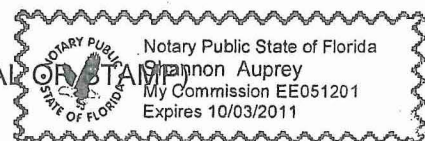
as identification and did/did not take an oath.

[Signature]
(Signature of Notary)

Shannon Auprey
(Name – Must be typed, printed, or stamped)

My Commission Expires: _____

(NOTARY'S SEAL OR STAMP)



VI. OWNER/APPLICANT ACKNOWLEDGEMENT

I/We: DOLO FIELD ONE LLC, do hereby swear/affirm that I/we am/are the owner(s)/applicant of the property referenced in this application.

I/We certify that the above statements and the statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments and fee become part of the official record of the Planning & Zoning Division of Wellington and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by Wellington in order to process this application.

I/We further consent to Wellington to publish, copy or reproduce any copyrighted document for any third party submitted as part of this application.

Signature(s) of Owner(s)/Applicant(s) [Signature]

Print Name(s) MARK BELLISSIMO

VII. CONSENT STATEMENT

Owner to complete if using agent/representative

I/We, the aforementioned owner(s), do hereby give consent to MICHAEL STONE to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s) [Signature]

Print Name(s) MARK BELLISSIMO

NOTARY

STATE OF FLORIDA
COUNTY OF PALM BEACH

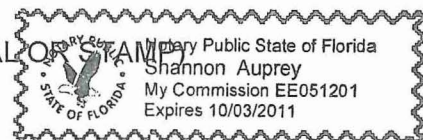
The foregoing instrument was acknowledged before me this 27th day of APRIL, 2011
by MARK BELLISSIMO. He/She is personally known to me or has produced
as identification and did/did not take an oath.

[Signature]
(Signature of Notary)

Shannon Auprey
(Name – Must be typed, printed, or stamped)

My Commission Expires: _____

(NOTARY'S SEAL OR STAMP)



VI. OWNER/APPLICANT ACKNOWLEDGEMENT

I/We: STADIUM NORTH LLC, do hereby swear/affirm that I/we am/are the owner(s)/applicant of the property referenced in this application.

I/We certify that the above statements and the statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments and fee become part of the official record of the Planning & Zoning Division of Wellington and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by Wellington in order to process this application.

I/We further consent to Wellington to publish, copy or reproduce any copyrighted document for any third party submitted as part of this application.

Signature(s) of Owner(s)/Applicant(s) _____

Print Name(s) _____

VII. CONSENT STATEMENT

Owner to complete if using agent/representative

I/We, the aforementioned owner(s), do hereby give consent to MICHAEL STONE to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s) _____

Print Name(s) _____

NOTARY

STATE OF FLORIDA

COUNTY OF Miami Beach

The foregoing instrument was acknowledged before me this 7th day of April, 2011

by MARK BELLISSIMO. He/She is personally known to me or has produced

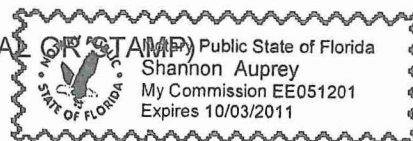
_____ as identification and did/did not take an oath.

(Signature of Notary)

(Name – Must be typed, printed, or stamped)

My Commission Expires: _____

(NOTARY'S SEAL OR STAMP)



VI. OWNER/APPLICANT ACKNOWLEDGEMENT

I/We: Palm Beach Polo, Inc., do hereby swear/affirm that I/we am/are the owner(s)/applicant of the property referenced in this application.

I/We certify that the above statements and the statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments and fee become part of the official record of the Planning & Zoning Division of Wellington and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by Wellington in order to process this application.

I/We further consent to Wellington to publish, copy or reproduce any copyrighted document for any third party submitted as part of this application.

Signature(s) of Owner(s)/Applicant(s) _____

Print Name(s) Glenn F. Straub, President

VII. CONSENT STATEMENT
Owner to complete if using agent/representative

I/We, the aforementioned owner(s), do hereby give consent to Michael Stone to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s) _____

Print Name(s) Glenn F. Straub, President

NOTARY

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 20th day of APRIL, 2011

by GLENN F. STRAUB. He/She is personally known to me or has produced _____ as identification and did/did not take an oath.

(Signature of Notary) _____

Jennifer Hargain
(Name – Must be typed, printed, or stamped)

My Commission Expires: NOV 30, 2013

(NOTARY'S SEAL OR



VI. OWNER/APPLICANT ACKNOWLEDGEMENT

I/We: White Birch Farm, Inc., do hereby swear/affirm that I/we am/are the owner(s)/applicant of the property referenced in this application.

I/We certify that the above statements and the statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments and fee become part of the official record of the Planning & Zoning Division of Wellington and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by Wellington in order to process this application.

I/We further consent to Wellington to publish, copy or reproduce any copyrighted document for any third party submitted as part of this application.

Signature(s) of Owner(s)/Applicant(s) Peter M. Brant, President

Print Name(s) Peter M. Brant, President

VII. CONSENT STATEMENT

Owner to complete if using agent/representative

I/We, the aforementioned owner(s), do hereby give consent to Michael Stone to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s) Peter M. Brant, President

Print Name(s) Peter M. Brant, President

NOTARY

STATE OF FLORIDA-- Connecticut
COUNTY OF Fairfield

The foregoing instrument was acknowledged before me this 21 day of April, 20 11

by Peter M. Brant, He/She is personally known to me or has produced

Richard D. Angotta as identification and did/did not take an oath.

(Signature of Notary)

My Commission Expires:

RICHARD D. ANGOTTA
NOTARY PUBLIC
State of Connecticut
My Commission Expires
11/01/2011

Richard D. Angotta

(NOTARY'S SEAL OR STAMP)

(Name - Must be typed, printed, or stamped)



WELLINGTON

VILLAGE OF WELLINGTON
PZ & CODE DEPARTMENT

VIII. NOTICE AFFIDAVIT

State of Florida)
) SS.
County of Palm Beach)

Before me, the undersigned authority, personally appeared MICHAEL STONE, who, having first been duly sworn deposes and says:

1. The accompanying Property Owners List is, to the best of his/her knowledge, a complete and accurate list of all property owners, mailing addresses and property control numbers as recorded in the latest official tax rolls of the Palm Beach County Property Appraiser for all property within five hundred (500) feet of the below described parcel of land.
2. The accompanying Property Owners List included, to the best of his/her knowledge, all affected municipalities and/or counties, in accordance with the Village of Wellington notice requirements and/or policies.
3. A tax map highlighting the properties located within five hundred feet of the parcel of land that is the subject of the request is attached as part of this application. The accompanying Property Owner's list contains the required information for all properties highlighted on the tax map.
4. Public notice, which is his/her obligation to provide, will be in accordance with the Village of Wellington requirements

The property in question is: ☐ legally described as follows ☐ see attached legal description

Signature

Print, type or stamp name here

NOTARY

STATE OF FLORIDA
COUNTY OF

Palm Beach

The foregoing instrument was acknowledged before me this 7th day of April, 2011

by Michael Stone He/She is personally known to me or has produced

as identification and did/did not take an oath.

(Signature of Notary)

My Commission Expires: _____

(Name – Must be typed, printed, or stamped)

(NOTARY'S SEAL OR STAMP)



THIS INSTRUMENT PREPARED BY
AND RETURN TO: WILL CALL 168
DANIEL DOORAKIAN, ESQ.
MOYLE, FLANIGAN, KATZ, BRETON,
WHITE & KRASKER, P.A.
12236 FOREST HILL BLVD., SUITE 200
WELLINGTON, FL 33414
File No. 16815-2

CFN 20070410643
OR BK 22063 PG 0964
RECORDED 08/28/2007 12:32:24
Palm Beach County, Florida
AMT \$, 000, 000.00
Doc Stamp 63, 000.00
Sharon R. Bock, CLERK & CONTROLLER
Pgs 0964 - 967; (4pgs)

Property Appraisers Parcel Identification (Folio) Number:
73-41-44-16-00-000-5010

Space Above This Line For Recording Data

WARRANTY DEED

THIS WARRANTY DEED, made the 27th day of August, 2007 by Palm Beach Polo, Inc., a Florida corporation, whose post office address is 11198 Polo Club Road, Wellington, FL 33414, herein called the Grantor, to Polo Field One, LLC, a Florida limited liability company, whose post office address is 12995 Via Christina Road, Wellington, FL 33414, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in PALM BEACH County, State of Florida, viz.:

SEE EXHIBITS A & B LEGAL DESCRIPTIONS ATTACHED HERETO

SUBJECT TO taxes for the current year and subsequent years; restrictions, reservations, covenants, conditions and easements of record; comprehensive land use plans, zoning, restrictions, prohibitions and other requirements imposed by governmental authority; and public utility easements (it not being the intent hereof to reimpose any of the foregoing).

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

RECEIVED

VILLAGE OF WELLINGTON
PZ & CODE DEPARTMENT

Book22063/Page964

Page 1 of 4

275



NOTICE OF APPLICATION FOR SPECIAL PERMIT USE

This notice is furnished to you, as required by the Land Development Regulations, to notify all persons owning property within 500 feet of the property involved in an application for a Special Permit Use.

Applicant: World Dressage Festival, LLC.

Special Use Property Address: 13466 South Shore Blvd, Wellington

Subdivision/Commercial Site Name: _____

Special Use Applied for: Equestrian Arena and Support Facilities

Dates of Special Use: November 1, 2011 to April 30, 2012

Hours of Special Use: 7:00AM - 11:00PM

If you have any questions regarding the petition, please contact:

Wellington Planning, Zoning, and Building Department
12794 W. Forest Hill Boulevard, Suite 10
Wellington, FL 33414
(561) 753-2430

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature

CRAIG T. GALIE
Witness #1 Printed Name

[Signature]
Witness #2 Signature

Douglas Vincent Moschano
Witness #2 Printed Name

Palm Beach Polo, Inc., a Florida corporation

[Signature]
By: Glenn F. Straub
Its President

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 27 day of August, 2007 by Glenn F. Straub, as President of Palm Beach Polo, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification.

SEAL



DOUGLAS VINCENT MOSCHANO
MY COMMISSION #00388942
EXPIRES: January 18, 2009
Record thru Budget Notary Services

[Signature]
Notary Public
Douglas Vincent Moschano
Printed Notary Name

My Commission Expires:

RECEIVED
VILLAGE OF WELLINGTON
PZ & CODE DEPARTMENT

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE EAST ONE HALF OF SECTION 16, TOWNSHIP 44, SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH ONE QUARTER CORNER OF SECTION 16, TOWNSHIP 44, SOUTH, RANGE 41 EAST; THENCE NORTH 89°37'54" WEST, ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 44.11 FEET; THENCE NORTH 00°08'47" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°08'47" WEST, A DISTANCE OF 650.77 FEET; THENCE SOUTH 89°16'43" EAST, A DISTANCE OF 54.97 FEET; THENCE NORTH 00°51'23" EAST, A DISTANCE OF 647.12 FEET TO A POINT ON THE SOUTHEAST LINE OF PARCEL A, EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AS RECORDED IN PLAT BOOK 35, PAGES 187 AND 188, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE NORTH 51°06'56" EAST ALONG SAID SOUTHEAST LINE, A DISTANCE OF 165.79 FEET TO A CORNER OF SAID PARCEL A; THENCE NORTH 38°53'04" WEST, ALONG SAID PARCEL A, A DISTANCE OF 118.38 FEET TO THE SOUTHWEST CORNER OF PARCEL B OF SAID EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D.; THENCE SOUTH 89°37'54" EAST, ALONG THE SOUTH LINE OF SAID PARCEL B, A DISTANCE OF 430.33 FEET; THENCE SOUTH 00°22'06" WEST, A DISTANCE OF 120.00 FEET; THENCE SOUTH 89°37'54" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 00°22'06" WEST, A DISTANCE OF 1322.29 FEET; SOUTH 89°37'54" EAST, A DISTANCE OF 680.64 FEET; THENCE NORTH 00°22'06" EAST, A DISTANCE OF 58.67 FEET; SOUTH 89°37'54" EAST, A DISTANCE OF 390.00 FEET; THENCE SOUTH 00°22'06" WEST, A DISTANCE OF 118.67 FEET, TO A POINT 50.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 16; THENCE NORTH 89°37'54" WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 1634.01 FEET TO THE POINT OF BEGINNING

LESS THE FOLLOWING PROPERTY:

A PORTION OF THE SOUTH 1/2 OF SECTION 16, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING SOUTHERLY AND EASTERLY OF SOUTH SHORE BOULEVARD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/2 CORNER OF SAID SECTION 16; THENCE S89°37'54"E ALONG THE SOUTH LINE OF SAID SECTION 16, FOR 280.34 FEET; THENCE N00°13'08"E FOR 253.22 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE N89°46'52"W FOR 40.00 FEET; THENCE N00°13'08"E FOR 45.00 FEET; THENCE S89°46'52"E FOR 40.00 FEET; THENCE S00°13'08"W FOR 45.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.04 ACRES MORE OR LESS.

Book22063/Page966

Page 3 of 4

278

EXHIBIT B

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE EAST ONE HALF OF SECTION 16, TOWNSHIP 44, SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH ONE QUARTER CORNER OF SECTION 16, TOWNSHIP 44 SOUTH, RANGE 41 EAST; THENCE NORTH 89°37'54" WEST, ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 44.11 FEET; THENCE NORTH 00°22'06" WEST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 89°37'54" EAST, ALONG A LINE 50.00 FEET NORTH AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 1834.01 FEET; THENCE NORTH 00°22'06" EAST, A DISTANCE OF 118.67 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°37'54" EAST, A DISTANCE OF 390.00 FEET; THENCE SOUTH 00°22'06" WEST, A DISTANCE OF 8.67 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 100.00 FEET, A RADIAL BEARING TO SAID POINT BEARS SOUTH 17°49'33" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 72°32'33", A DISTANCE OF 126.61 FEET; THENCE NORTH 00°22'06" EAST, A DISTANCE OF 1216.89 FEET; THENCE NORTH 89°37'54" WEST, A DISTANCE OF 635.64 FEET; THENCE NORTH 00°22'06" EAST, A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTH LINE OF PARCEL B, EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AS RECORDED IN PLAT BOOK 35, PAGES 187 AND 188, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE SOUTH 89°37'54" EAST, ALONG THE SOUTH LINE OF SAID PARCEL B, A DISTANCE OF 522.36 FEET TO A POINT OF CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 175.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°00'10", A DISTANCE OF 94.69 FEET TO A POINT OF REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 175.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°00'10", A DISTANCE OF 94.69 FEET; THENCE SOUTH 89°37'54" EAST, A DISTANCE OF 1.00 FEET TO THE NORTHWEST CORNER OF LOT 1, EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AS RECORDED IN PLAT BOOK 35, PAGES 187 AND 188, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE SOUTH 00°22'06" WEST, ALONG THE WEST LINE OF SAID EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AND THE WEST LINE OF POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AS RECORDED IN PLAT BOOK 50, PAGE 135-136, PUBLIC RECORDS OF PALM BEACH COUNTY, A DISTANCE OF 1290.00 FEET TO THE SOUTHWEST CORNER OF SAID POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D.; THENCE SOUTH 89°37'54" EAST, ALONG THE SOUTH LINE OF SAID POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., A DISTANCE OF 390.00 FEET TO THE SOUTHEAST CORNER OF SAID POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D.; THENCE SOUTH 00°22'06" WEST, A DISTANCE OF 43.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.65 ACRES MORE OR LESS.

RECEIVED

VILLAGE OF WELLINGTON
PZ & CODE DEPARTMENT

This instrument prepared by:

Seth S. Sheitelman, Esq.
Greenberg Traurig, P.A.
777 East Flagler Drive Suite 300 East
West Palm Beach, Florida 33401

CFN 20070458047
OR BK 22150 PG 1851
RECORDED 10/01/2007 16:24:19
Palm Beach County, Florida
AMT \$ 400,000.00
Doc Stamp \$ 44,800.00
Sharon R. Bock, CLERK & COMPTROLLER
Pg. 1851 - 1856; (6pgs)

Property ID #'s: 73-41-44-16-00-000-5050

Will Call #42

WARRANTY DEED

THIS WARRANTY DEED is made this 28th day of September, 2007, by and between PIERSON SOUTH SHORE, LLC, a Florida limited liability company, whose post office address is 19700 Beach Road, Suite 6N, Tequesta Florida 33469, as fifty percent (50%) tenant-in-common and HOSPITALITY, LLC, a District of Columbia limited liability company, whose mailing address is 1000 28th Street, NW, Washington DC 20007-3820, as fifty percent (50%) tenant-in-common (collectively, the "Grantor"), and STADIUM NORTH, LLC, a Florida limited liability company, whose post office address is 24 NE 24th Avenue, Pompano Beach, Florida 33062 (the "Grantee"). (Wherever used herein, the terms "Grantor" and "Grantee" shall include all of the parties to this instrument and their successor and assigns.

WITNESSETH

GRANTOR, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell to Grantee and Grantee's heirs, successors and assigns forever, that certain parcel of land situate and being in Palm Beach County, Florida (the "Property"), to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining.

THIS CONVEYANCE is subject to taxes and assessments for the year 2007 and subsequent years; and zoning and governmental ordinances.

TO HAVE and to hold the same in fee simple forever.

GRANTOR hereby covenants with Grantee that it is lawfully seized of the Property in fee simple, that it has good right and lawful authority to sell and convey the Property, that it

WPB 381721265v1 094061 010400

1

Book22150/Page1851

Page 1 of 6

280

hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

PIERSON SOUTH SHORE, LLC, a
Florida limited liability company

By:

Eileen F. Sudler, Manager

(Signature of Witness)

Beth Ann Lemongello

(Printed Name of Witness)

(Signature of Witness)

Anne M. Chadill

(Printed Name of Witness)

STATE OF NEW JERSEY

COUNTY OF MORRIS

SS:

The foregoing instrument was acknowledged before me this 27 day of September, 2007, by Eileen F. Sudler, as Manager of Pierson South Shore, LLC, a Florida limited liability company. She is personally known to me or has produced _____ as identification.

My commission expires:

NOTARY PUBLIC

Notary Public, State of New Jersey At Large

(Printed Name of Notary Public)

Commission No. _____

[NOTARY SEAL]

BETH S. FREEDMAN
NOTARY PUBLIC - NEW JERSEY
My Commission Expires 1/21/2010

WPB 381721265V1 094061 010400

Book22150/Page1852

Page 2 of 6

281

July 12, 2012

Page 106 of 317

11/11

HOSPITALITY, LLC, a District of Columbia limited liability company

[Signature]
(Signature of Witness)

By [Signature]
Jack Y. Matthews, Managing Member

Cristal A. Sullivan
(Printed Name of Witness)

[Signature]
(Signature of Witness)

Linda Richardson
(Printed Name of Witness)



STATE OF Maryland }
COUNTY OF Montgomery } SS.

The foregoing instrument was acknowledged before me this 20th day of September, 2007, by Jack Y. Matthews, as Managing Member of Hospitality, LLC, a District of Columbia limited liability company. He is personally known to me or has produced FL Driver License as identification.

My commission expires.

NOTARY PUBLIC
[Signature]
Notary Public, State of Maryland At Large
Wini Freda B. Kitzke
(Printed Name of Notary Public)

Commission No. _____

[NOTARY SEAL]

Exhibit "A"

(Legal Description of the Property)

This is not a certified copy

WPB 381721265v1 094061 010400

4

RECEIVED

6-2-11

VILLAGE OF WELLINGTON
PZ & CODE DEPARTMENT

Book22150/Page1854

Page 4 of 6

283

Exhibit "A"

A parcel of land in Section 16, Township 44 South, Range 41 East, Palm Beach County, Florida, being more specifically described as follows:

Commencing at the Southwest corner of said Section 16; thence bear South 89° 37' 54" East, along the South line of said Section 16, a distance of 2090.00 feet; thence North 00° 51' 23" East, along the Easterly right of way line of Lake Worth Road, now known as South Shore Boulevard as same is shown on the Plat of GREENVIEW SHORES NO. 2 OF WELLINGTON - P.U.D., according to the Plat thereof as recorded in Plat Book 31, Pages 120 through 137, Palm Beach County, Florida Public Records, a distance of 754.48 feet to the point of curvature of a curve to the right, having a radius of 1440.00 feet; thence Northerly along the arc of said curve and along said right of way line, through a central angle of 20° 29' 06", a distance of 514.84 feet; thence North 90° 00' 00" East, along the Southerly line of Parcel A of the Plat of EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON - P.U.D., according to the Plat thereof, as recorded in Plat Book 35, Page 188, Palm Beach County, Florida Public Records, a distance of 336.97 feet to the Point of Beginning; thence continue North 90° 00' 00" East, a distance of 61.15 feet; thence North 00° 00' 00" East, a distance of 2.14 feet to a point on a curve concave to the South having a radius of 1080.00 feet, said point bears North 60° 50' 33" West from the radius of point of said curve; thence Northerly along the arc of said curve being also a curve 360.00 feet Southeastery from and parallel with the Southerly right of way of said South Shore Boulevard, through a central angle of 04° 12' 37", a distance of 79.36 feet; thence North 90° 00' 00" East, along the Southerly line of said Parcel A, a distance of 68.80 feet; thence North 51° 06' 23" West, a distance of 647.12 feet; thence North 89° 16' 43" West, a distance of 200.00 feet; thence North 00° 51' 23" East, a distance of 550.15 feet to the Point of Beginning.

A parcel of land in Section 16, Township 44 South, Range 41 East Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 16; thence bear South 89° 37' 54" East, along the South line of said Section 16, a distance of 2090.00 feet; thence North 00° 51' 23" East, along the Easterly right of way line of Lake Worth Road, now known as South Shore Boulevard as same is shown on the Plat of GREENVIEW SHORES NO. 2 OF WELLINGTON - P.U.D., according to the Plat thereof, as recorded in Plat Book 31, Pages 120 through 137, Palm Beach County, Florida Public Records, a distance of 712.30 feet to the Point of Beginning; thence continue North 00° 51' 23" East, along said right of way line, a distance of 42.18 feet to the point of curvature of a curve to the right having a radius of 1440.00 feet; thence Northerly along the arc of said curve and along said right of way line, through a central angle of 09° 42' 35", a distance of 244.03 feet; thence South 89° 16' 43" East, a distance of 207.37 feet; thence South 00° 51' 23" West, a distance of 285.00 feet; thence North 89° 16' 43" West, a distance of 226.00 feet to the Point of Beginning.

A parcel of land in Section 16, Township 44 South, Range 41 East Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 16; thence bear South 89° 37' 54" East, along the South line of said Section 16, a distance of 2090.00 feet; thence North 00° 51' 23" East, along the Easterly right of way line of Lake Worth Road, now known as South Shore Boulevard as same is shown on the Plat of GREENVIEW SHORES NO. 2 WELLINGTON - P.U.D., according to the Plat thereof, as recorded in Plat Book 31, Pages 120 through 137, Palm Beach County, Florida Public Records, a distance of 754.48 feet to the point of curvature of a curve to the right, having a radius of 1440.00 feet; thence Northerly along

Exhibit "A" continued

the arc of said curve and along said right of way line, through a central angle of $20^{\circ} 29' 06''$, a distance of 514.84 feet; thence North $90^{\circ} 00' 00''$ East, along the Southerly line of parcel A of the Plat of EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON - P.U.D., according to the Plat thereof, as recorded in Plat Book 35, Page 188, Palm Beach County, Florida Public Records, a distance of 136.97 feet to the Point of Beginning; thence continue North $90^{\circ} 00' 00''$ East, along said Southerly line, a distance of 200.00 feet; thence South $00^{\circ} 51' 23''$ West, a distance of 550.15 feet; thence North $89^{\circ} 15' 43''$ West, a distance of 200.00 feet; thence North $00^{\circ} 51' 23''$ East, a distance of 547.83 feet to the Point of Beginning.

A parcel of land in Section 16, Township 44 South, Range 41 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 16; thence bear South $89^{\circ} 37' 54''$ East, along the South line of said Section 16, a distance of 2090.00 feet; thence North $00^{\circ} 51' 23''$ East, along the Easterly right of way line of Lake Worth Road, now known as South Shore Boulevard as same is shown on the Plat of GREENVIEW SHORES NO. 2 WELLINGTON - P.U.D., according to the Plat thereof, as recorded in Plat Book 31, Pages 120 through 137, Palm Beach County, Florida Public Records, a distance of 754.48 feet to the point of curvature of a curve to the right, having a radius of 1440.00 feet; thence Northerly along the arc of said curve and along said right of way line, through a central angle of $09^{\circ} 42' 35''$, a distance of 244.03 feet to the Point of Beginning, said point bears North $79^{\circ} 26' 02''$ West from the radius of said curve; thence continue Northerly along the arc of said curve along said right of way through a central angle of $10^{\circ} 46' 31''$. A distance of 270.81 feet; thence North $90^{\circ} 00' 00''$ East, along the Southerly line of Parcel A of the Plat of EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON - P.U.D., according to the Plat thereof, as recorded in Plat Book 35, Page 188, Palm Beach County, Florida Public Records, a distance of 136.97 feet; thence South $00^{\circ} 51' 23''$ West, a distance of 262.63 feet; thence North $89^{\circ} 15' 43''$ West, a distance of 207.37 feet to the Point of Beginning.

This instrument prepared by
and return to: W/C 168
Daniel Doorakian, Esq.
Moyle, Flanigan, Katz, Breton
White & Krasker, P.A.
13501 South Shore Blvd., Suite 103
Wellington, FL 33414
File No. 27-341-2

CFN 20070501752
OR BK 22223 PG 0834
RECORDED 10/31/2007 11:17:42
Palm Beach County, Florida
AMT 5,850.00
Doc Stamp 40,950.00
Sharon E. Bock, CLERK & CONTROLLER
Pgs 0834 - 836; (3pgs)

Property ID #'s: 73-41-44-16-00-000-5030 and 73-41-44-16-00-000-5040

WARRANTY DEED

THIS WARRANTY DEED is made this 29th day of October, 2007 by and between EQUESTRIAN ENTERPRISES, L.L.C., a Florida limited liability company (hereinafter referred to as the "Grantor"), whose mailing address is 13125 Southfields Road, Wellington, Florida 33414, and STADIUM SOUTH, LLC, a Florida limited liability company (hereinafter referred to as the "Grantee") whose mailing address is 3100 Aachen Lane, Wellington, FL 33414. Wherever used herein, the terms "Grantor" and "Grantee" shall include all of the parties to this instrument and their successors and assigns.

WITNESSETH

GRANTOR, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell to Grantee and Grantee's heirs, successors and assigns forever, that certain parcel of land situate and being in Palm Beach County, Florida (the "Property"), to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining.

THIS CONVEYANCE is subject to taxes and assessments for the year 2007 and subsequent years; and zoning and governmental ordinances.

TO HAVE and to hold the same in fee simple forever.

GRANTOR hereby covenants with Grantee that it is lawfully seized of the Property in fee simple, that it has good right and lawful authority to sell and convey the Property, that it hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

RECEIVED

1

Book22223/Page834

Page 1 of 3

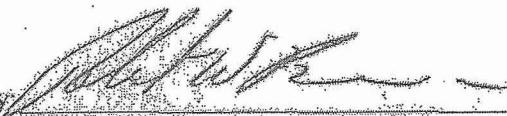
286


IN WITNESS WHEREOF, Grantor has executed this instrument under seal on the date
aforesaid.

Signed, sealed, and delivered
in the presence of

EQUESTRIAN ENTERPRISES, L.L.C., a
Florida limited liability company


Print Name: Daniel Denzel

By 
Name: Robert W. Brasie, Managing Member


Print Name: MARI-ELLEN K. SHELDON

STATE OF FLORIDA

COUNTY OF Palm Beach) ss:

The foregoing instrument was sworn to and acknowledged before me this 29th day of
October, 2007 by Robert W. Brasie, as Managing Member of Equestrian Enterprises, L.L.C., a
Florida limited liability company on behalf of the company. He is personally known to me or
produced NOTES as identification.

Name: 
Notary Public, State of Florida

Commission No. _____

My commission expires:

[Notarial Seal]



Exhibit "A"

LEGAL DESCRIPTION:

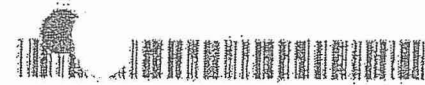
A PARCEL OF LAND IN SECTION 16, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE SOUTH 89°37'54" EAST, ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 2090.00 FEET; THENCE NORTH 00°51'23" EAST, ALONG THE EAST RIGHT OF WAY LINE OF SOUTH SHORE BOULEVARD AS SHOWN ON THE PLAT OF GREENVIEW SHORES NO. 2, WELLINGTON P.U.D., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGES 126 THROUGH 137, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST RIGHT OF WAY LINE, NORTH 00°51'23" EAST, A DISTANCE OF 662.30 FEET; THENCE SOUTH 89°16'43" EAST, A DISTANCE OF 573.03 FEET; THENCE SOUTH 00°08'47" EAST, A DISTANCE OF 658.77 FEET; THENCE NORTH 89°37'54" WEST, PARALLEL WITH AND 50.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 584.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.74 ACRES MORE OR LESS.

File No. 27-341-2

w/c 168



CFN 20060334854
OR BK 20439 PG 1626
RECORDED 06/06/2006 16:14:35
Palm Beach County, Florida
AMT \$,734,000.00
Doc Stamp 47,138.00
Sharon R. Hook, CLERK & COMPTROLLER
Pgs 1626 - 1628; (3pgs)

THIS INSTRUMENT PREPARED BY AND RETURN TO:
DANIEL R. DOORAKIAN, ESQ.
MOYLE FLANIGAN KATZ RAYMOND
WHITE & KRASKER, PA
12230 FOREST HILL BLVD., SUITE 200
WELLINGTON, FL 33414

Property Appraisers Parcel Identification (Folio) Number:
73-41-44-16-90-000-3000

Space Above This Line For Recording Data

WARRANTY DEED

THIS WARRANTY DEED, made the 24th day of May, 2006 by Palm Beach Polo Inc., a Florida corporation, whose post office address is 11199 Polo Club Road, Wellington, FL 33414, herein called the Grantor, to Far Niente Stables II, LLC, a Florida Limited Liability Company, whose post office address is 2930 Hurlingham Drive, Wellington, FL 33414, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alienis, remises, releases, conveys and confirms unto the Grantee all that certain land situate in PALM BEACH County, State of Florida, viz.:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO taxes for the current year and subsequent years; restrictions, reservations, covenants, conditions and easements of record; comprehensive land use plans, zoning, restrictions, prohibitions and other requirements imposed by governmental authority; and public utility easements (it not being the intent hereof to reimpose any of the foregoing).

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

RECORDED

VILLAGE OF WEST PALM BEACH
PZ & COS. DESIGN, INC.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

PALM BEACH POLO, INC.
A Florida corporation

[Signature]

Witness #1 Signature

CHRIS T. CAVE

Witness #1 Printed Name

By: *[Signature]*
Glenn F. Straub
Its President

[Signature]

Witness #2 Signature

Douglas Vincent Moschiano

Witness #2 Printed Name

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 24th day of May, 2006 by Glenn F. Straub, President of Palm Beach Polo Inc. on behalf of the corporation. He is personally known to me or has produced _____ as identification.

SEAL



DOUGLAS VINCENT MOSCHIANO
MY COMMISSION # DD 888442
EXPIRES: January 18, 2009
Bonded thru Budget Notary Services

Copy

[Signature]
Notary Public

Douglas Vincent Moschiano
Printed Notary Name

My Commission Expires:

RECEIVED

VILLAGE OF WELLINGTON
PZ & CODE DEPARTMENT

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE EAST ONE HALF OF SECTION 16, TOWNSHIP 44, SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 16, TOWNSHIP 44 SOUTH, RANGE 41 EAST, THENCE NORTH 01°09'54" EAST ALONG THE EAST LINE OF SAID SECTION 16, A DISTANCE OF 50.00 FEET, THENCE NORTH 89°37'54" WEST, ALONG LINE 50.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 1,520.68 FEET, THENCE NORTH 00°22'06" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89°37'54" WEST, PARALLEL WITH SAID SOUTH LINE OF SECTION 16, A DISTANCE OF 680.64 FEET, THENCE NORTH 00°22'06" EAST, A DISTANCE OF 1322.28 FEET, THENCE NORTH 89°37'54" WEST, A DISTANCE OF 25.00 FEET, THENCE NORTH 00°22'06" EAST, A DISTANCE OF 40.00 FEET TO A POINT, SAID POINT BEING 80.00 FEET SOUTH OF THE SOUTH LINE OF TRACT "C" OF EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AS RECORDED IN PLAT BOOK 35, PAGES 187 AND 188, PUBLIC RECORDS OF PALM BEACH COUNTY, THENCE SOUTH 89°37'54" EAST, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 635.64 FEET TO A POINT SAID POINT BEING 70.00 FEET WEST OF THE WEST LINE OF LOT 1 OF SAID EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., THENCE SOUTH 00°22'06" WEST, ALONG A LINE 70.00 FEET WEST OF SAID WEST LINE OF EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AND POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AS RECORDED IN PLAT BOOK 35, PAGES 187 AND 188, PUBLIC RECORDS OF PALM BEACH COUNTY, A DISTANCE OF 2216.89 FEET TO A POINT OF CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 100.00 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 72°32'33", A DISTANCE OF 126.81 FEET TO A POINT ON A NON TANGENT LINE, A RADIAL BEARING TO SAID POINT BEARS SOUTH 17°49'33" WEST, THENCE SOUTH 00°22'06" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING

CONTAINING 19.24 ACRES MORE OR LESS.

Property Appraiser GIS - Parcel listing

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S 73414416000005040
S 73414416000005050
S 73414416000005060
S 73414416000005070

Buffer:500

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Property Appraiser GIS - PCA listing

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RECEIVED
293
VILLAGE OF WILLOW
PZ 2000

July 12, 2012

LETTER OF TRANSMITTAL

DATE: 04/07/2011

JOB:	World Dressage Stadium
	2011/2012 Special Use Permit

SEA:	1428T11
RE:	2011/2012 Special Use Permit Site Plan

ATTENTION: Michael Stone

☐ Hard copy transmitted as follows:

☐ Overnight

☐ Reports
☐ Shop Drawings

	Copy of letter
	Surveys

THESE ARE TRANSMITTED as checked below:

	For corrections
	Returned after loan

RECEIVED
FEB 2 1971
VILLAGE OF WELLINGTON
PZ & CODE DEPARTMENT

Yours very truly,
SEXTON ENGINEERING ASSOCIATES, INC.

	Utilities
	Contracts

By: Michael F. Sexton
Michael F. Sexton, P.E., P.S.M.
President

294

July 12, 2012



A Great Hometown...
Let Us Show You!

12300 Forest Hill Boulevard, Wellington, Florida 33414
(561) 753-2430

SPECIAL PERMIT USE
Revised 4/28/11

Permit #:	2011-005 SPU H T E 11-0027	Permit Type:	Special Use – 2011/2012 Dressage Festival
Owners:	Stadium North, LLC Stadium South, LLC Far Niente Stables, II LLC Polo Field One, LLC 14440 Pierson Road Wellington, Florida 33414		
Applicant:	World Dressage Festival LLC 14440 Pierson Road Wellington, Florida 33414	Phone:	561-793-5867
Property Location: PCN:	Northeast corner of South Shore Boulevard and Pierson Road 73-41-44-16-00-000-5030 73-41-44-16-00-000-5040 73-41-44-16-00-000-5050 73-41-44-16-00-000-5060 73-41-44-16-00-000-5070	59.43 acres Zoning District:	AR/SE/PUD/EOZD
Effective Date(s):	November 1, 2011	Land Use	Commercial Recreation (CRE)
Conditions of Approval (Y or N):	YES	Date Expiration:	April 30, 2012

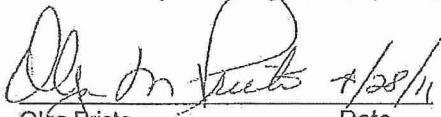
This Special Permit Use authorizes the applicant, World Dressage LLC to conduct a 2011/2012 Dressage Festival equestrian event from November 1, 2011 through April 30, 2012 and in accordance with the site plan date stamped April 28, 2011 as submitted to the Wellington Planning and Zoning Division. The 2011/2012 Dressage Festival site plan includes:

- a) Six (6) temporary stabling tents
- b) Paddocks, horse wash areas, manure bins
- c) Two (2) event tents
- d) One (1) covered arena tent

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15. Separate permit and application are required for manure bins. Manure bins shall be in compliance with BMP requirements for setbacks from canals, water bodies, wells and property lines. Please contact the Village BMP officer Cindy Drake 753-2527 for further information. All manure bins shall be at least 100 feet from any water body.
16. Manure bins shall meet the minimum setbacks for accessory structures which are 100 feet front and 100 feet from the south property line.
17. On-site horse trailer storage shall be limited to the rectangular area west of the existing cell tower.
18. Use of any mechanical equipment to prepare or clean up the site shall be limited from 7:00 a.m. to 10:00 p.m.
19. The applicant is to restore the site to its original or better condition by 6:00 p.m. on April 30, 2012. This includes the removal of the temporary structures and removal of all trash and debris.

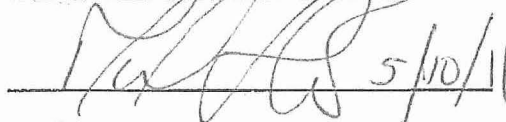
This special permit is issued to the applicant for the above use to occur only at the location and on the dates noted above. The applicant will abide by and comply with any use restrictions noted above and all conditions as set forth in the special permit application and in Wellington's Land Development Regulations pertaining to the above named use.


Olga Prieto Date
Project Manager


David Flinchum, ASLA, AICP Date
Planning & Zoning Manager

Note: This Special Permit must be signed and dated by the Planning & Zoning Manager and the project manager prior to operating. Also, all required permits and inspections must be completed before the use can be conducted.

BY MY SIGNATURE BELOW, I HEREBY ACKNOWLEDGE RECEIPT OF THE SPECIAL PERMIT USE, CAREFULLY READ THE FOREGOING, KNOW AND UNDERSTAND ITS CONTENT. FURTHER I AGREE TO BE BOUND BY ALL TERMS AND CONDITIONS AS CONTAINED IN THIS DOCUMENT.


Applicant Signature Date

ORIGINAL TO BE POSTED ON SITE

Cc: Code Compliance Division
Public Works Division
PB County Fire Rescue and Sheriff's Departments
Wellington Building Division

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296

July 12, 2012

Page 121 of 317

TO: No. 1772 P. 1
James Poag

THIS CHECK HAS A COLORED BACKGROUND AND CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

EQUESTRIAN SPORT PRODUCTIONS, LLC
OPERATING ACCOUNT
14440 PIERSON ROAD
WELLINGTON, FL 33414
(561) 793-5887


BANK OF AMERICA
63-4/630
4/3/11

13809

PAY TO THE ORDER OF Village of Wellington


One Thousand and 00/100 *****
\$ 1,000.00
DOLLARS


Village of Wellington
2704 W. Forest Hill Blvd
Suite 23
Wellington, FL 33414

MEMO: 
AUTHORIZED SIGNATURE


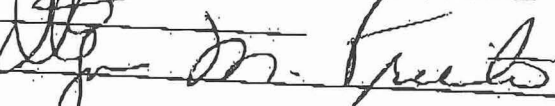
BEAT SENSITIVE AND AREA TO VIBRATE

⑈013309⑈ ⑆063000047⑆ 898017907104⑈

 WELLINGTON
Planning & Zoning Department
(561) 753-2430



RECEIPT NO. 2104
DATE: 4/7/11

RECEIVED FROM: Equestrian Sport Productions, LLC
PHONE NUMBER: ADDRESS:
PROJECT LOCATION/NAME: World Equestrian Stadium
APPLICANT/AGENT: Michael Stone
METHOD OF PAYMENT: CASH CHECK ☒
BALANCE DUE:  CHECK NO. 13309 297
RECEIVED BY: 

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UNITED STATES *Dressage* FEDERATION

Competition Management Checklist

Produced by the USDF Competition Management Committee

This checklist may be used to plan and organize your activities before, during and after your dressage competition. It may be adapted to fit individual needs. REMEMBER: this checklist is NOT a substitute for a thorough knowledge of the United States Equestrian Federation (USEF) Rule Book and the United States Dressage Federation (USDF) Show Biz, contracts, and other USDF program rules and guidelines.

QUESTIONS? Your regional coordinator to the USDF Competition Management Committee is ready to assist. Contact the USDF office, competitions department or www.usdf.org.

ONE YEAR -- Before Competition

☐ Study current USEF Rule Book (available at www.usef.org), USEF Dressage Competition Levels information (available at www.usef.org), and USDF Show Biz. Read updates posted online throughout the year on www.usdf.org.

USEF: 4047 Iron Works Parkway, Lexington, KY 40511
859/258-2472, www.usef.org

USDF: 4051 Iron Works Parkway, Lexington, KY 40511
859/971-2277, www.usdf.org

☐ Form show committee:

- | | | |
|-------------------------------------|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> Manager* | <input type="checkbox"/> Grounds | <input type="checkbox"/> Hospitality |
| <input type="checkbox"/> Secretary* | <input type="checkbox"/> Advertising | <input type="checkbox"/> Scoring |
| <input type="checkbox"/> Treasurer | <input type="checkbox"/> Sponsorship | <input type="checkbox"/> Personnel |
| <input type="checkbox"/> Awards | <input type="checkbox"/> Stabling | |

☐ Contact facility and inspect for suitability of grounds, footing and stabling (size, doors, lights). Check warm-up footing. It should be comparable to the arena footing. Confirm availability and placement of sharps containers. If suitable, draw a written contract.

☐ Register management and competition license with USEF.

☐ New competitions must request dates from USEF at least 60 days prior. Prior to applying for joint USEF license/USDF recognition check with USEF website for existing license dates and locations. (USEF GR212)

☐ Apply for local group recognition, where applicable.

☐ Prepare prize list. If an omnibus is available check the closing date for inclusion.

☐ ** Hire judges. Be sure they are rated for the classes you wish to offer. Ask if they are doing other shows in your area - it is a good idea to consider hiring two years in advance for the best pick of judges.

☐ ** Hire dressage technical delegate (TD). If holding regional championship finals, restrictions on eligible TDs apply. For regional championship finals you must hire an "R" TD from outside your region. Competitions scheduling 300 rides or more for each competition day must have two TDs.

☐ ** Retain and contract veterinarian, in attendance or on-call. You must have a contract with the veterinarian and provide a copy for the TD's inspection at the show (USEF GR1211.4c)

☐ Locate the nearest equine surgical facility to the showground and obtain permission to post their information before and during the competition. Post on the showground prior to the arrival of competitors.

☐ ** Retain farrier, in attendance or on-call. It is a good idea to have a contract with the farrier.

☐ ** Retain emergency medical services with agreement for hours and duties. Prepare an accident preparedness plan. Give to the TD prior to the start of the competition. A copy of this must be sent in with the TD report. If you have an electronic version, send it to the TD before the show.

- ☐ ** Retain announcer.
- ☐ ** Retain competition photographer and/or videographer.
- ☐ ** Order tents, portable stalls, public announcement system and portable toilets, if necessary.
- ☐ Contact food service operations/caterers. Determine hours of service and menu. Check facility and county requirements.
- ☐ Put together sponsorship packets and begin to contact potential sponsors.
- ☐ If interested, check out available computer programs for dressage competition organizers - check compatibility with USDF and USEF electronic results submission standards.

*Manager and competition secretary must be individual USEF Senior Active Members. The competition manager must have a USDF Participating or Group Membership at the time of recognition and at the time of the competition.

** All officials, including judges and TD, and all employed services should receive contracts or letters of confirmation - must be done before officials' names can be published. Copies to be signed and kept on file by the committee.

FIVE TO SIX MONTHS -- Before Competition

- ☐ Order ribbons, trophies, badges, bridle numbers and prizes.
- ☐ Grounds manager prepares details for food service, portable toilets, P.A. system, judges' stands, stalls, feed, bedding, competitors' party, arenas, signage, and locations for manager, secretary, scorers, and hospitality.
- ☐ Apply to USEF for guest-judge's cards, if necessary for foreign judges, if applicable. Send fees.
- ☐ Follow up with sponsors and begin to acquire advertisers.

THREE TO FOUR MONTHS -- Before Competition

- ☐ Print and plan distribution of posters/promotional materials/advertising packets.
- ☐ Plan volunteer training as needed.
- ☐ Prepare as much program material as is possible.
- ☐ Examine arena equipment - check watering equipment and drags. Make sure they meet your needs.
- ☐ Plan all printing needs: prize list, program, posters, signs, name tags, admission tickets, parking, boxes, sponsor/advertiser admissions, workers passes, other.
- ☐ Order necessary furniture and equipment-tables, chairs, arena markers (etc.) and arrange for timely delivery and pickup.
- ☐ Obtain Training Level through Grand Prix, FEI Junior & Young Rider, Intermediate and Grand Prix freestyle score sheets, and FEI Pony and Young Horse tests from the USEF or FEI websites. Obtain First through Fourth Level freestyle score sheets, pas de deux, quadrille, dressage sport horse breeding, amateur handler, materiale and USDF Introductory score sheets from the USDF website or a CD may be purchased which contains USDF score sheets.
- ☐ Plan awards ceremony, if necessary. Outline awards presentation. (presenters, times, etc.)

ONE TO TWO MONTHS -- Before Competition

- ☐ A copy of the prize list or omnibus pages and entry form must be sent to USDF at least 30 days prior to the competition, or as noted in USDFBC Series or USDF Regional Championship contracts.
- ☐ At least 30 days prior, send a completed prize list and entry form to USEF.
- ☐ Mail prize lists to competitors, judges and TD and post on website. (if applicable)
- ☐ Arrange for flowers and decorations.
- ☐ Pick up ribbons, trophies and numbers. Check for accuracy.
- ☐ Clean any perpetual trophies and secure any that are missing.
- ☐ Distribute promotional posters.
- ☐ Prepare scoring materials.
- ☐ Be sure sufficient tests and freestyle score sheets are on hand as entries come in and photocopy more if needed.
- ☐ Secure all volunteers: scribes, arena personnel, scorers, stable help, night watchmen, parking attendants, runners, post-show clean-up crew, etc. Make a plan for volunteer hours and placement and have a few 'floaters' in case of no-shows. See that they are all instructed carefully in their duties. A written agreement with a thank-you ahead of time helps to ensure cheerful compliance.

- ☐ Acknowledge all entries upon receipt. Check forms for completeness. Inform entrants of any missing information, memberships or non member fees for USDF and USEF.
- ☐ Confirm volunteers. Mail all volunteer personnel assignments and work times.
- ☐ Check with fire and police departments for coverage - prepare accident preparedness plan.
- ☐ Arrange travel, local transportation and lodging for officials. Purchase airline tickets, if necessary.
- ☐ Notify judges, TD, announcer, etc., of arrangements for travel, local transportation and lodging. Also make sure they have a current show contact phone number in case of problems during travel. Get their cell phone numbers to give to the transport company/volunteer and get an emergency contact number for each official in case they have a problem. Send them a copy of the prize list.
- ☐ Engage security personnel for overnight stabling.
- ☐ Prepare master chart for personnel-day, work times and assignments.

ONE TO FOUR WEEKS -- Before Competition

- ☐ Send proof of insurance to USDF and USEF. (at least 14 days before competition – USEF GR215) Note that USDF & USEF must be listed as additional insureds. Check and send insurance requirements for the facility and other possible entities.
- ☐ Schedule ride times. Don't forget time to work arena and warm-up. Allow for judges' breaks per USEF rules.
- ☐ Send remaining entry confirmation letters for all entries received before closing date.
- ☐ Notify entrants of any missing documents.
- ☐ Reconfirm services and equipment-food service, portable toilets, P.A. system, judges' stands, stalls, feed, bedding, arenas, competitors' party and locations for secretary and scorer.
- ☐ Reconfirm all personnel and officials. Prepare personnel nametags, if used.
- ☐ Prepare competitor's envelopes to contain: number, program, stable assignment, nametag, tickets, parking pass, Competition Evaluation form and any other pertinent information.
- ☐ Prepare judge and TD envelopes to contain: program, welcome letter, nametag, official's badge, time schedule, expense record form, 1099-MISC, etc.
- ☐ Prepare tests and scoreboards.
- ☐ Prepare class envelopes or clipboards with class time schedule, arena, judge, blank tests and all competitors' tests.
- ☐ Prepare supplies for:
 - ☐ judges ☐ scorers
 - ☐ secretary's office ☐ workers
- ☐ If not using a software program prepare master score report forms for scorers. Fill in completely, except for scores and placings, which head scorer will do during the competition. If using a software program, make sure data is saved regularly as scores are inputted.
- ☐ Check P.A. system on grounds for sound quality-you will need a P.A. system for announcements, award ceremonies, if scheduled, and freestyle music. Make sure the system can accept CDs and cassette tapes if freestyles are being performed
- ☐ Print out announcements for Great American/USDFBC qualifiers, if applicable
- ☐ Type tentative class schedule for program - make sure to note they must check the score board or show office at the beginning of each show day for minor schedule changes.
- ☐ Prepare exhibitor and horse lists for program-alphabetically and/or by number.
- ☐ Mail or post on internet the ride times of all competitors, send copy to all officials.
- ☐ Prepare last minute advertising and promotion for local media.
- ☐ Check program for completeness and readability.
- ☐ Reconfirm hospitality preparations, including transportation of officials, make sure officials have the contact numbers of the person picking them up at the airport.

ONE TO TWO DAYS -- Before Competition

- ☐ Complete set-up of arenas, office and judges' boxes.
- ☐ Complete hospitality preparations, including transportation of officials.
- ☐ Confirm all personnel for first morning rides.
- ☐ Post schedule of rides by noon of the day preceding the first ride.
- ☐ Deliver judge and TD envelopes and baskets to hotel. Be sure they have a current schedule and show program, along with facility maps and any other important information such as directions to the showground.
- ☐ Prepare and post stabling charts and stall cards with names and a place for an emergency number where the rider can be reached if needed during the show or overnight for every stabled horse, before horses are due to arrive.

- ☐ Post name and telephone for manager, veterinarian, equine surgical facility, farrier, fire/emergency. Also post facility address and directions at emergency phone.
- ☐ Show TD facility after arena is set up.
- ☐ Secretary available to hand out packets.
- ☐ Follow up with media.
- ☐ Post all required documents in show office.

DAYS OF COMPETITION

1 1/2 hours before first ride

- ☐ Secretary arrives. Open show office.
- ☐ Manager checks facility.

1 hour before:

- ☐ All personnel for morning arrive.
- ☐ TD arrives.
- ☐ EMS arrives (it is suggested the EMS arrives when warm-up opens but is only required to arrive at the start of the competition).

1/2 hour before:

- ☐ Judge(s) arrive.

After start of competition:

- ☐ All departments should be checked regularly:

	AM	mid-AM	PM	mid-PM
Judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Announcer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Runners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scorers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hospitality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stabling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Facility and Footing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ Prepare entry forms and documents for TD to check.
- ☐ Prepare prize money as stipulated in the prize list. On prizes of \$600 or more, you will need to file an IRS 1099-Misc., so obtain the winner's social security number.
- ☐ Prepare to pay officials and staff as they finish. On fees of \$600 or more, you will need to file an IRS 1099-Misc., so obtain the person's social security number or employer ID number.
- ☐ Get judge and TD off to airport, if necessary. Previously, you should have noted their flight times to determine when they need to leave the showground.
- ☐ Prepare to clean up areas as finished, but do not disturb riders in remaining arenas!
- ☐ Adjust awards ceremony, if necessary.

AFTER COMPETITION

- ☐ Return all rental equipment.
- ☐ Repair and store all owned equipment.
- ☐ Clean facility.
- ☐ Send to USEF (within 10 days or late fee will be assessed):
 - ☐ All results using the current electronic USEF Universal spreadsheet template
 - ☐ Drug fees and USEF non-member fees
 - ☐ Show program
 - ☐ All fees collected from membership applications, Horse HID applications, etc.
 - ☐ All completed membership, HID, etc. application forms
- ☐ Send to USDF (within 10 days* or late fee will be assessed)

- ☐ All results using the current electronic USEF Universal spreadsheet template.
- ☐ Report of Fees document and Great American/USDF qualifying fees.
- ☐ All fees collected from membership applications, horse applications, non-member fees etc.
- ☐ All completed membership, non-member, HID etc. application forms.

***Competitions held the last two weeks of September (including the last two weekends) must have results, fees and all paperwork into the USDF office within 5 days after the last day of the competition.**

***Special results submission requirements exist for NAJYRC and Great American/USDF Regional Championship qualifying competitions held towards the end of the qualifying period. Contact USDF for more information.**

- ☐ E-mail results to USDF via the current electronic USEF Universal spreadsheet template on the first business day following the show if the show is held during the calendar week of the regional championship closing date and has completed a declaration of intent contract.
- ☐ Send results to all sponsoring organizations and publications desired.
- ☐ Return banners to advertisers and USDF, if applicable.
- ☐ Mail unclaimed ribbons and tests to competitors.
- ☐ Remove promotional posters.
- ☐ Write thank-you notes.



USDF

UNITED STATES *Dressage* FEDERATION

Competition Fee and Penalty Structure

It is the United States Dressage Federation's goal that all USDF-recognized competitions are conducted in a manner which assures a fair, well run competition in full compliance with all USDF competition regulations and guidelines. However, to accomplish this goal we must have your cooperation in receiving accurate, complete, and timely information, both prior to and after the event. **If rules and guidelines are not followed, or information is not supplied in an accurate or timely manner**, a competitor may be unfairly penalized or USDF staff may have to spend an inordinate amount of time tracking down the missing information. To this end, we have had to institute a fee and penalty structure. USDF does NOT want to assess fines, but MUST do so when necessary. **These fees will be strictly enforced.** This document shall serve as the **official policy** of the United States Dressage Federation with respect to competition fees and penalties. Please note that failure to comply with USDF rules and refusal to pay assessed fees may affect recognition of subsequent competitions.

Once competition recognition has been granted, the following fees will be applied for changes less than 30 days prior to competition:

Change of location \$25

Change in name of competition \$25 (does not apply to USDF Regional Championships or USDFBC Series finals)

Change of date \$25

Fee for late competition recognition:

USDF competition recognition must be made on the appropriate form provided by USEF. Application for competition recognition via USEF must be made at least 60 days in advance of a competition and must be accompanied by the appropriate fees. USDF will allow late competition recognition after payment of the applicable late fee (listed below). The late fee is in addition to all normal fees required of a competition.

59-45 days prior to competition	\$ 50
44-30 days prior to competition	\$150
29-1 day prior to competition	\$250
Non-compliance with competition recognition	\$350

Fee for late or missing prize list:

It is required that the prize list be submitted to USDF at least 30 days prior to the competition unless otherwise noted in the manager's contract for the particular competition (i.e. USDFBC series finals or USDF regional championships). If the prize list is not received at least 30 days prior to the competition, a fee of up to \$250 will be assessed. It is strongly recommended that the prize list be forwarded by mail with proof of delivery or submitted via e-mail, with staff confirming receipt. If changes are made to the prize list, per USEF GR904, after it is submitted, the USDF office must be notified of these changes, in writing, prior to the competition. Fees up to \$100 may also be assessed for incomplete prize lists (i.e. missing USDF recognition page, or other required USDF information). USDF is not responsible for lost, damaged or misdirected mail.

Fees for violations of results reporting requirements:

In order to adequately and precisely enter correct scores for each competition, USDF requires cooperation from each competition management to submit complete, accurate and timely results. Processing errors and delays may occur because of late, incomplete or incorrect results.

a. "Late" is defined as postmarked or electronically submitted more than ten days after or, for competitions held during the last two weeks in September (including the last two weekends), received in the USDF office more than five days after the last day of dressage and/or DSHB competition.

b. "Incomplete" is defined as missing any of the items listed on the USDF Results, Fees, and Paperwork Submission Guidelines. Competitions missing only a small percentage of the required information may, upon review by staff, be excused from paying this fine.

Competition results must be submitted to USDF via the USDF ERSS (USEF Universal Spreadsheet Template) or a processing fee of \$100 per competition will be assessed when results are not submitted to the USDF in the USDF ERSS format (Effective 10/1/2011). The following fees will be assessed separately:

a. Incomplete results and/or fees (per the USDF Results, Fees, and Paperwork Submission Guidelines) for results submitted on time: \$50.

b. Late results and/or fees: \$50 per day after the ten days following the last day of dressage or DSHB competition up to a maximum of \$1000, counting from the 11th day after the last day of dressage or DSHB competition, until the date that the results are submitted. For competitions held during the last two weeks in September (including the last two weekends), late fees will accrue at the rate of \$50 per day late up to a maximum of \$1000, counting from the 6th day after the last day of dressage or DSHB competition, until date that the results are received.

Fee for failure to submit proof of insurance:

The fee for failure to submit to USDF a certificate of insurance for at least \$1,000,000 liability coverage which cites USDF as an "additional insured" is \$100. The certificate must include the competition name, date and number, one event per certificate and must be postmarked at least two weeks prior to the competition.

Other fees and penalties:

Fees for other violations of USDF regulations and guidelines:

To be determined, on a case by case review. Examples: overcharging USDF regional championship qualifying class fee; allowing two judges to collaborate on, and/or submit, one score instead of two independent scores at a USDFBC series final; and incorrectly formatting USDF qualifying rides.

Dispute of Competition fees

If competition management disputes any competition fees or penalties imposed by USDF, they may appeal in writing to USDF within 30 days of the postmarked date of the competition-related invoice, specifying the reason for the appeal. The appeal is brought forward by the Executive Director to the USDF Management Committee which will review the appeal and, upon finding good cause, may waive a part or all of the fee or penalty.

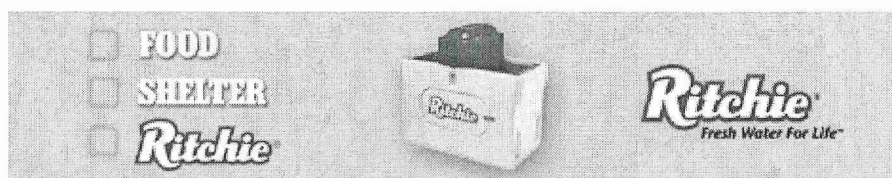

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[Competitions & Results](#)
[List of Omnibus \(Catalog of Shows\) Carriers](#)

Home » Calendar » Competitions & Results

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Competitions & Results

 Year: [2011](#) [2012](#) [2013](#)

 Type: [Recognized Competitions](#) [Breeder's Championships \(BC\)](#) [BC Finals](#) [Breed Restricted](#) [CDI](#) [NAJYRC](#) [Regional Championships \(RC\)](#) [RC Finals](#) [Special Competitions](#)

 Region: [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#)

Region 3 States: Alabama; Florida; Georgia; South Carolina; Tennessee

2012 CDI Competitions (Region 3)

Class Code Key:

 Adult Amateur = AA
 Benefit Classes = BS
 CDI Competition = C
 Dressage Sport Horse Breeding = D
 Dover Medal = DM
 Equitation = EQ
 Freestyle = F
 Junior/Young Rider = J

 Materiale = M
 NAJYRC Qualifier = NA
 Para Equestrian = PE
 Pas De Deux = P
 Quadrille = Q
 Regional Championship Qualifier = RC
 USDF Breeder's Championship = BC
 Young Horse = Y

Insurance Received = IR

Insurance Not Received = INR

Name

Date/Location

 Gold Coast Opener
[Contact/Official Information](#)
 USDF# 253398

 1/19/2012-1/22/2012
 West Palm Beach, FL

319

July 12, 2012

Levels: Training - Grand Prix www.qcdafl.org	Results RC/Y/P/F/J/AA/DM/C/NA IR	
Wellington Dressage Contact/Official Information USDF# 2642 Levels: Intro - Grand Prix www.dressageshowinfo.com	Results RC/F/J/AA/DM/C/NA IR	2/2/2012-2/5/2012 Wellington, FL
Wellington Classic Spring Challenge Contact/Official Information USDF# 325099 Levels: Intro - Grand Prix www.wellingtonclassicdressage.com	Results RC/Y/P/F/J/AA/DM/C/NA IR	2/9/2012-2/12/2012 West Palm Beach, FL
Florida Dressage Classic Contact/Official Information USDF# 3846 Levels: Grand Prix - Grand Prix www.dressageshowinfo.com	Results RC/DM/C/NA IR	2/16/2012-2/19/2012 Wellington, FL
Palm Beach Dressage Derby Contact/Official Information USDF# 3099 Levels: Intro - Grand Prix www.pbderby.com	Results RC/Y/F/J/AA/DM/C/NA IR	3/1/2012-3/4/2012 Loxahatchee, FL
Wellington Classic Dressage Challenge II Contact/Official Information USDF# 324026 Levels: Intro - Grand Prix www.wellingtonclassicdressage.com	Results RC/Y/P/F/J/AA/DM/C/NA IR	3/8/2012-3/11/2012 West Palm Beach, FL
WEF Dressage Classic Contact/Official Information USDF# 7136 Levels: Intro - Grand Prix www.dressageshowinfo.com	Results RC/DM/C/NA IR	3/15/2012-3/18/2012 Wellington, FL
International Horse Sport Champions Cup Contact/Official Information USDF# 328342 Levels: Training - I1 www.wellingtonclassicdressage.com	Results RC/Y/P/F/J/AA/DM/C/NA IR	3/22/2012-3/25/2012 West Palm Beach, FL
5* West Palm Beach Contact/Official Information USDF# 329199 Levels: Training - Grand Prix www.dressageshowinfo.com	Results RC/Y/F/J/AA/DM/C/NA IR	3/28/2012-4/1/2012 Wellington, FL
WEF Wellington Dressage Nation Cup Contact/Official Information USDF# 329237 Levels: Training - Grand Prix www.dressageshowinfo.com	Results RC/Y/F/J/AA/DM/C/NA IR	4/12/2012-4/15/2012 Wellington, FL

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 4051 Iron Works Parkway, Lexington, KY 40511 | Phone: (859) 971-2277 | Fax: (859) 971-7722
 USDF 501(c)(3) Non-Profit Organization - [Privacy Policy](#) | [Terms & Conditions](#)

320

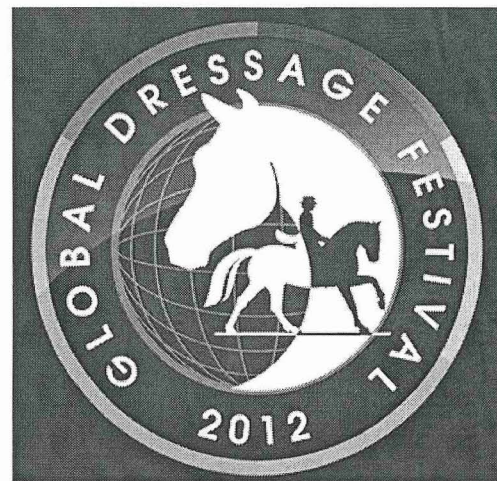


Home of the Global Dressage Festival

[Prize Lists](#)
[Membership Verifications](#)
[On-Line Entry](#)
[Ride Times & Results](#)
[Facility](#)
[Show News](#)
[Links](#)

Schedule of Events

January 24-25, 2012	CDF Opener USDF/USEF
February 2-5, 2012	Wellington Dressage CDI-W/USDF/USEF
February 16-19, 2012	Florida Dressage Classic CDI-W/USDF/USEF
February 21-23, 2012	GDF National I USDF/USEF
March 6-7, 2012	GDF National Challenge USDF/USEF
March 15-18, 2012	WEF Dressage Classic CDI3*/USDF/USEF
March 20-21, 2012	GDF National Classic USDF/USEF
March 29- April 1, 2012	5* West Palm Beach CDI5*/USDF/USEF
April 3-5, 2012	GDF National II USDF/USEF
April 12-15, 2012	WEF Wellington Dressage Nations Cup CDI03*/USDF/USEF



Welcome

Welcome to the World of Dressage with the Winter Equestrian Festival and the Global Dressage Festival, the premier dressage destination of choice for international riders and dressage enthusiasts.

Sign-Up



**For Festival Updates
& News**

When a horse greets you with a nicker and regards you with a large and liquid eye, the question of where you want to be has been answered. *Author Unknown*

321

Wellington Dressage CDI-W and National Show

\$50,000 prize money

Qualifying Competition for the 2012 Collecting Gaits Farm/USEF Dressage Festival of Champions and USEF Dressage Selection Trial for the 2012 Olympic Games, Qualifier for the Great American/USDF Regional Championships, USDF Dover Medal AA, USEF Brentina Cup Championships, USEF National Developing Horse Championship (Sponsored by the Dutta Corp. and PSI), Qualifying Competition for the FEI North American Junior and Young Rider Championships, Qualifying Competition for the Markel/USEF Young Horse Dressage Program

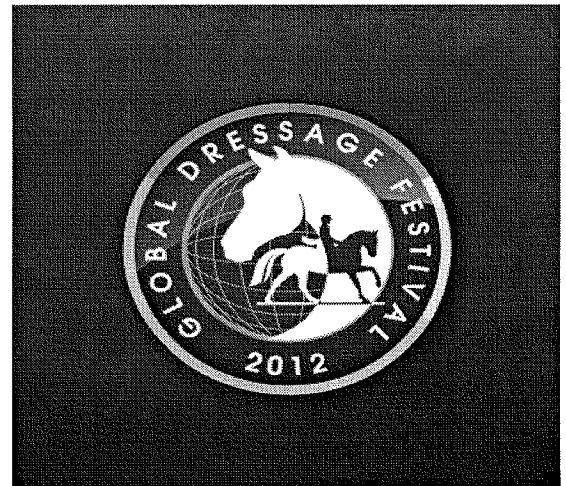
February 2 - February 5, 2012

Warm-Up Classes available on February 2, 2012 for CDI Horses

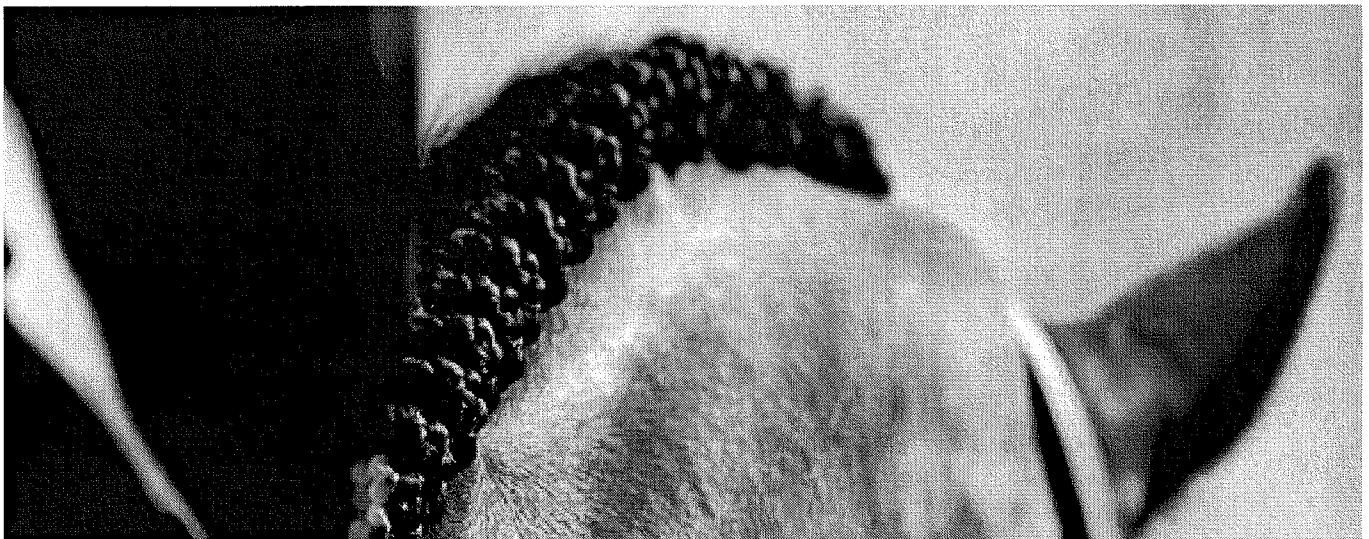
Horse Inspection February 2 at 4:00 PM

Officials

Leif Torblad "5* DEN" - CDI and National
Gustaf Svalling "5* SWE" - CDI and National
Stephen Clarke "5* GBR" - CDI and National
Gary Rockwell "5* USA" - CDI and National
Janet Foy "4* USA" - CDI and National
Charlotte Bredahl "S" - National
Paula Lacy "S" - National
Elisabeth Williams - FEI Steward
Jean Kraus - TD



USEF Level Five / USDF/USEF #2642 / Licensee: Equestrian Show Holdings LLC



July 12, 2012 ³²²

CDI W Information

\$50,000 Prize Money

Manager/Entry Secretary: Lloyd Landkamer *phone:* 612-290-8523 *Fax:* 866-832-8610

Secretary: Margaret Warren/Angela Goodwin-Volpert

Assistant Manager/Secretary: John Hoppman

E-mail: DressageFestival@aol.com **Website:** EquestrianSport.com

Tentative class schedule will be posted at EquestrianSport.com

Important: please see the "General Regulations and Entry Specification Section" for additional policies that this show subscribes to and follows.

On-line entries at EquestrianSport.com beginning opening date.

Opening Date 12/15/2011

Definite Entries by 1/23/2012

Last date of substitution: 12:00 PM date of horse inspection

For mailed entries: draw checks in US Funds and mail entries to:

Palm Beach International Equestrian Center

Attn: Global Dressage Festival

14440 Pierson Road

Wellington, FL 33414

Office Charge for Online entries: \$40 per horse/rider combination per show

Additional Charge for Mailed entries: \$5 per horse/rider combination per show

Entry Information Requirement: Competitors are responsible to include a copy of all memberships for horse, owner, rider, and trainer listed on entry form. A current negative coggins or interstate health papers must also be submitted with entry. If in freestyle class - a copy of the qualifying test must also be included in the entry.

Faxed Entries: \$5 per entry fee. Fax Number - 866-832-8610

Rider/Handler/Horse Change: \$50 for either rider or horse change after entries submitted.

Non-competing horses: \$50 per show plus stall.

Must fill out entry form for number and pay office fee.

Stabling/Tack Stall Fees: \$300 per Stall per show. Temporary stabling with doors.

Bedding: Ordered from Gold Coast at 561-793-4607 (see attached form)

Entry Cancellation/Refunds and Event Limitation: Cancellations only in writing either by mail, e-mail or fax prior to or on closing date. **Cancellation prior to or on definite entry date - entire entry minus office fees and charges. No Refunds for any reason after definite entry date.** All fees collected on behalf of USEF to be submitted to the Federation provided all outstanding fees are paid in full; else it will be applied to those fees.

The Event will be limited to approximately 40 rides per day.

Entries received by the closing of the definite entries will be prioritized in the following manner:

- 1) Priority will be given to the entries in the Grand Prix Tour followed by
- 2) Riders within the Small Tour until the approximate number of rides per day is reached. The remaining rides will be placed on the wait list and riders will be notified of their acceptance.

Class Schedule

Date	Class Number and Name *Great American/USDF Qualifying	Class Fee	Prize Money
2/3/2012	#1 FEI Prix St Georges*	\$175	\$900 - \$3,000.00
2/3/2012	#2 FEI Grand Prix*	\$225	\$1,800 - \$6,000.00
2/4/2012	#3 FEI Intermediare I*	\$175	\$1,500 - \$5,000.00
2/4/2012	#4 FEI Grand Prix Freestyle*	\$300	\$6,000 - \$20,000.00
2/5/2012	#5 FEI Intermediare Freestyle*	\$225	\$1,800 - \$6,000.00
2/5/2012	#6 FEI Olympic Grand Prix Special	\$225	\$3,800 - \$10,000.00

Riders in the Grand Prix – Opting for the Freestyle or Grand Prix Special

Grand Prix: Athletes (Riders) must give a 1st and 2nd choice in the order of the following two competitions they wish enter, (i.e. opt for the Grand Prix Freestyle as 1st choice and the Grand Prix Special as 2nd choice. Following the conclusion of the Grand Prix, if based on final scores, the Freestyle is over-subscribed; the Athlete (Rider) may start in the Grand Prix Special instead). Participation is possible in only one (1) of the competitions on the same horse, and the order of their original competition choices cannot be changed. **Grand Prix Special:** If there are fewer than fifteen (15) Athlete/Horse combinations entered and starting in the qualifying Grand Prix, Athletes with two (2) horses may go forward to the Grand Prix Special.

Taxes: U.S. Athletes must report winnings to IRS Form W9. Prize Money Won by Foreign

Competitors: Be advised that the U.S. Internal Revenue Service requires sporting events to withhold 30% of prize money won in the United States. Foreign competitors should apply for a U.S. Social Security number and will be asked to complete form 8283 or complete a W-8 Certificate of Foreign Status form.

Great American/USDF Qualifying Classes: Please indicate that the class is to count for qualifying by placing a **Q** after the class number. Qualifying will not require a separate ride. An exhibitor riding in the Open, AA, or JR/Young rider classes will pay an additional \$10 USDF fee to have this score entered in the Great American/USDF qualifying division at that level.

Schedule:

Stable opens 2/1/2012 at 12 PM

2/1/2012 Schooling available in all arenas

2/2/2012 Warm up classes for CDI available in National Show Prize List

2/2/2012 Horse Inspection at 4:00 PM

Veterinary Services (Also Nearest Surgery Center):

Palm Beach Equine Clinic **Phone: 561-793-1599**

Farrier: Information will be posted at the show office.

Photographer: Susan Stickle at www.dressagephotos.com or susanjstickle.com

Concessions & Vendor Services: Matt Morrissey 941-915-3457

Accommodations: Hampton Inn - West Palm Beach, 561/ 682-9990, Holiday Inn- Turnpike Lake Worth Blvd. 561/ 968-5000; Fairfield Inn by Marriot, Okeechobee Blvd. 561/ 697-3388; The Royal Inn 561/ 793-3000; Homestead Inn - Airport 561/ 640-3335; Days Inn West Palm Turnpike 561/ 687-0415; Radisson Suite 561/ 689-6888; Southern Palm Bed & Breakfast 561/ 790-1413; Best Western Palm Beach Lakes Inn 800/ 528-1234; Boardwalk Realty Robbie Johnson 561/ 790-0500.

Camping/RV Reservations: Camper parking is not available on the show grounds. Lion Country Safari KOA 561-793-1084 (approximately 3-4 miles from the show grounds)

Arenas: Standard size arenas with sand/fiber footing. Warm-up and lunging areas of same footing.

Directions:

From the Florida Turnpike: Take Exit 93 – Lake Worth Road. Make a right onto Lake Worth Road and proceed west until the road ends (about 5 miles). Make a right onto South Shore Boulevard. Make a left at onto Pierson Road. The showgrounds Main Entrance is clearly marked.

From I-95: Take Exit 66: Forest Hill Boulevard. Proceed West on Forest Hill Blvd. for about 11 miles. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked.

From Palm Beach: Go over the Southern Boulevard Bridge and proceed west on Southern Boulevard for about 14 miles. Make a left on to Route 441/SR 7. Make a right onto Forest Hill Boulevard. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked.

GPS Address: 14440 PIERSON ROAD, WELLINGTON, FL 33414

Liability:

a) Equestrian Sport Productions, LLC, Gold Coast Feed, Grand Prix Village at the Equestrian Club, Wellington Equestrian Partners, LLC., Littlewood Fences, Inc., Palm Beach International Equestrian Center, the Global Dressage Festival, and their officials, sponsors and employees will not be responsible for any accident or loss which may occur to any exhibitor, spectators, guest, rider, groom, attendant or other employee, animal or equipment at any of the competition.

b) FLORIDA SENATE BILL 1658 EQUINE ZERO LIABILITY STATUTE: Warning-Under Florida Law an equine activity sponsor or equine professional is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risk of equine activities. Also see Florida Equine Activity Statute - Florida Statutes Title XLV TORTS Chapter 773 Equine Activities

c) "All owners and competitors are personally responsible for damages to third persons caused by themselves, their employees, their agents or their horses. They are therefore strongly advised to take out third-party insurance providing full coverage for participation in equestrian events at home and abroad, and to keep the policy up to date."

Prize money (if offered):

a) Prize money will be credited to the entry's show account after the results of the class winnings are posted or a check will be mailed to the owner at the address on the entry blank within thirty days after the show, thereby ending the show's responsibility as long as all criteria has been met. **You must provide a social security number or Federal TIN for the Prize Money recipient. If one is not provided then prize money will be withheld until one is provided.** If you do not denote a prize money recipient the prize money will automatically go to the owner. FEI Prize money will be distributed to the Chefs d'Equipe or to the winning Owners, lessees or competitors not later than

immediately after the last Competition of the Event provided they have met all their financial and other obligations to the Horse Show. Any excess prize money will be mailed to the prize money participant.

b) Prize Money Won by Foreign Competitors: Be advised that the U.S. Internal Revenue Service requires sporting events to withhold 30% of prize money won in the United States. Foreign competitors should apply for a U.S. Social Security number and will be asked to complete form 8283 or complete a W-8 Certificate of Foreign Status form.

c) Lost or stolen prize money checks will be reissued only after a 180 day waiting period from the original check date has passed. In the event of unauthorized redeeming of a check, Equestrian Sport Productions, LLC will provide check copies to exhibitors and will be held harmless from the collection process.

Health Certificates: Florida regulations require that all equines be covered by official interstate health certificates, issued by a licensed veterinarian, showing that the animals are free from any symptoms of any infectious or communicable disease. The certificate shall include the name of the owner and address, destination in Florida, number of horses examined, the name, registration number(s), if any, tattoo, if any, sex, age, rectal temperature, color, and markings of each animal listed. Health certificates will become void after 30 days from issue. Health certificates must show animals to be negative to an equine infectious anemia test within the past 12 months. Date of test and approved laboratory must be shown on health certificate.

Animal Welfare Policy: Upholding the welfare of the horses exhibited at the Global Dressage Festival is of primary concern to Equestrian Sport Productions, LLC. We require that all horses be treated with kindness, respect and compassion and never be subject to mistreatment. Owners, trainers, riders and grooms, or their agents, must use reasonable care in the handling and treatment of their horses, whether owned or placed in their care for competition or for any other purpose. At all times for horses competing at the Global Dressage Festival we will provide for the continuous well-being of the horse by vigorously enforcing the rules of the U.S. Equestrian, Inc. and the U.S. Dressage policy which pertain to the welfare of the horse. Exhibitors are cautioned that GR839 (which defines the Federation policy on abuse), and GR803 (which pertains to the Use of Whips), will be strictly enforced. Any handling and veterinary treatment should ensure the health and welfare of the horse. High standards of nutrition, health, sanitation and safety shall be encouraged and maintained at all times. Adequate provision will be made for ventilation, feeding and watering and maintaining a healthy environment. Any method of riding and training should take into account the horse as a living entity, and must not include any technique considered to be abusive. The well-being of the horse must be considered above the demands of the breeders, trainers, riders, owners, dealers, organizers, sponsors or officials. Violators are subject, under the above rules, to elimination from competition and to protest or charge with resulting formal proceedings which may result in severe fines, suspensions or other penalties.

VETERINARY EXAMINATIONS, INSPECTIONS AND PASSPORT CONTROLS

Veterinary Regulations, 10th Edition, effective 1st June 2006

A horse inspection will be scheduled for each week in which FEI competitions are held. Rider's will be notified and notice will be posted in the competition office 24 hours before.

These will be carried out in accordance with the "Veterinary Regulations", Art. 1011 & the discipline rules.

"General Regulations", 22nd Edition, effective 1st June 2007 will apply: Art. 139.1 Every horse entered for any competition at CNs or CIMs (see Appendix D) in a foreign country (see GRs 141.2), and all horses entered for other CIs, CIOs, Championships, Regional and Olympic Games, whether at home or in foreign countries (see GRs 141.2), must have an official, valid FEI Passport, or a National Passport approved by the FEI and accompanied by an FEI Recognition Card and, when applicable, an FEI registration number, as a means of identification and to establish ownership. Art. 139.2 Horses taking part in CNs and CIMs (see Appendix D) in their country of residence are not required to have such a passport as is mentioned in paragraph 1.

All such horses must be properly registered and identifiable and, unless there is no national requirement for equine influenza vaccination in the host country and in the country of origin all horses must have a valid vaccination certificate.

EQUINE INFLUENZA VACCINATION, VET. REGS. ANNEX VII (except events taking place in NZL & AUS)

All horses and ponies for which an FEI Passport, or a National Passport approved by the FEI has been issued, must have the vaccination section endorsed by a veterinarian, stating that it has received two injections for primary vaccination against equine influenza, given between 1 and 3 months apart. In addition, a booster injection must be recorded as having been given within each succeeding 6 months, subsequent to the second injection of the primary vaccination.

None of these injections must have been given within the preceding 7 days including the day of the competition or of entry into the competition stables.

The above are the minimum requirements for influenza vaccination. Both primary and first and subsequent booster injections should be given according to the manufacturer's instructions which will fall within the stipulation of the FEI ruling.

SAMPLING FOR PROHIBITED SUBSTANCES (Vet. Regs. Chapter V & VI and Annex IV)

Regular sampling is carried out in CCI3*/4*, CSIs (3*, 4*, 5*), CIOs, World Cup Qualifiers and Finals, Championships and Games, whereas at other CIs sampling is recommended. When testing takes place, the number of horses tested is at the discretion of the Testing Veterinarian/Veterinary Delegate; however, a minimum of three is recommended (Vet. Regs. Art. 1016)

HEALTH REQUIREMENTS FOR THE ENTRY OF HORSES/PONIES

A) Florida regulations require that all equines be covered by official interstate health certificates, issued by a licensed veterinarian, showing that the animals are free from any symptoms of any infectious or communicable disease. The certificate shall include the name of the owner and address, destination in Florida, number of horses examined, the name, registration number(s), if any, tattoo, if any, sex, age, rectal temperature, color, and markings of each animal listed. Health certificates will become void after 30 days from issue. Health certificates must show animals to be negative to an equine infectious anemia test within the past 12 months. Date of test and approved laboratory must be shown on health certificate. Equine Rhinopneumonitis vaccination is not required; however, if any animal is vaccinated, it is ineligible for entry within 21 days of vaccination. Vehicles transporting animals must have certificates showing that it was cleaned and disinfected under veterinary supervision prior to loading. This information can be written on the health certificate.

B) To reserve space at a USDA-operated quarantine facility the importer or agent should contact the port veterinarian at one of the following locations:

Miami Animal Import Center P.O. Box 660657 Miami Springs, FL 33266 (305) 526-2926 USDA, APHIS, VS, 7022 NW 10th Place, Gainesville, FL 32605-3147 (352) 333-3120, Fax (352) 333-6849

New York Animal Import Center, New York USDA-APHIS-VS, 200 Drury Lane, Rock Tavern, NY 12575 (845) 564-2950 Office & (845) 564-1075 Fax

Los Angeles Animal Import Center, California USDA-APHIS-VS, 11850 S. La Cienega Blvd, Hawthorne, CA 90250 (310) 725-1970 Office & (310) 725-9119 Fax

Importing a Horse into the United States call to find out current rates and whether or not you are required to do a 3-Day, 7-Day or 60 Day Quarantine. Go to <http://www.aphis.usda.gov/vs/ncie>. It may be prudent to check with the State of destination as to any additional State Health requirements that must be met. Some States have health requirements that are in addition to those required by the Federal Government.

c) CUSTOMS' FORMALITIES

Contact the USDA (850) 410-0910 or www.usda.gov for current criteria on shipping across US borders.

National Information

Manager/ Entry Secretary: Lloyd Landkamer *phone:* 612-290-8523 *Fax:* 866-832-8610

Assistant Manager/Secretary: John Hoppman

Secretary: Margaret Warren/Angela Goodwin-Volpert

E-mail: DressageFestival@aol.com **Website:** EquestrianSport.com

Tentative class schedule and Times will be posted at EquestrianSport.com

Important: please see the “General Regulations and Entry Specification Section” for additional policies that this show subscribes to and follows.

On-line entries at EquestrianSport.com beginning opening date.

Opening Date: 12/15/2012 / Closing and Received by Date: 1/17/2011

For mailed entries: draw checks in US Funds and mail entries to:

Palm Beach International Equestrian Center

Attn: Global Dressage Festival

14440 Pierson Road

Wellington, FL 33414

Office Charge for Online entries: \$30 per horse/rider combination per show

Additional Charge for Mailed entries: \$5 per horse/rider combination per show

Entry Information Requirement: Competitors are responsible to include a copy of all memberships for horse, owner, rider, and trainer listed on entry form. A current negative coggins or interstate health papers must also be submitted with entry. If in freestyle class - a copy of the qualifying test must also be included in the entry.

Late Entries: \$25 per show if postmarked and received after the received by date (contact secretary first).

Post Entries: Will be taken as scheduling permits - Class fee plus \$10.00 – requests must be made by 3PM the day prior to the requested ride.

Faxed Entries: \$5 per entry fee. Fax Number - 866-832-8610

Rider/Handler/Horse Change: \$25 for either rider or horse change after entries submitted.

Time Change within a class: \$10 per change if possible (request by 3 PM the day prior)

Non-competing horses: \$50 per show. Must fill out entry form for number and pay office fee and per day grounds fee.

Non-Stabled Horses: \$35 per day grounds fee.

Stabling/Tack Stall Fees: \$75 per Stall per show day. Temporary stabling with doors.

Bedding: Ordered from Gold Coast at 561-793-4607 (see attached form)

Thu 2/2 #	Fri 2/3 #	Sat 2/4 #	Sun 2/5 #	Class Name Any class (*) GAIG/USDF regional qualifying if test is eligible.	Divisions Offered	Class Fee	Q Fee
1	101	201	301	USDF Intro A	JR-YR / AA / Open	\$60	
2	102	202	302	USDF Intro B	JR-YR / AA / Open	\$60	
3	103	203	303	USDF Intro C	JR-YR / AA / Open	\$60	
4	104	204	304	USEF Training Level Test One - Open	Open	\$60	
4A	104A	204A	304A	USEF Training Level Test One - AA	AA	\$60	
4J	104J	204J	204J	USEF Training Level Test One – JR/YR	JR/YR	\$60	
5	105	205	305	USEF Training Level Test Two - Open	Open	\$60	
5A	105A	205A	305A	USEF Training Level Test Two - AA	AA	\$60	
5J	105J	205J	305J	USEF Training Level Test Two – JR/YR	JR/YR	\$60	
6	106	206	306	USEF Training Level Test Three* - Open	Open	\$60	\$70
6A	106A	206A	306A	USEF Training Level Test Three* - AA	AA	\$60	\$70
6J	106J	206J	306J	USEF Training Level Test Three* - JR/YR	JR/YR	\$60	\$70
7	107	207	307	USEF First Level Test One - Open	Open	\$60	
7A	107A	207A	307A	USEF First Level Test One - AA	AA	\$60	
7J	107J	207J	207J	USEF First Level Test One – JR/YR	JR/YR	\$60	
8	108	208	308	USEF First Level Test Two - Open	Open	\$60	
8A	108A	208A	308A	USEF First Level Test Two - AA	AA	\$60	
8J	108J	208J	308J	USEF First Level Test Two – JR/YR	JR/YR	\$60	
9	109	209	309	USEF First Level Test Three* - Open	Open	\$60	\$70
9A	109A	209A	309A	USEF First Level Test Three* - AA	AA	\$60	\$70
9J	109J	209J	309J	USEF First Level Test Three* - JR/YR	JR/YR	\$60	\$70
10	110J	210	310	USEF Second Level Test One - Open	Open	\$60	
10A	110A	210A	310A	USEF Second Level Test One - AA	AA	\$60	
10J	110J	210J	310J	USEF Second Level Test One – JR/YR	JR/YR	\$60	
11	111	211	311	USEF Second Level Test Two - Open	Open	\$60	
11A	111A	211A	311A	USEF Second Level Test Two - AA	AA	\$60	
11J	111J	211J	311J	USEF Second Level Test Two – JR/YR	JR/YR	\$60	
12	112	212	312	USEF Second Level Test Three* - Open	Open	\$60	\$70
12A	112A	212A	312A	USEF Second Level Test Three* - AA (Dover Medal Saturday)	AA	\$60	\$70
12J	112J	212J	312J	USEF Second Level Test Three* - JR/YR	JR/YR	\$60	\$70
13	113	213	313	USEF Third Level Test One - Open	Open	\$60	
13A	113A	213A	313A	USEF Third Level Test One - AA	AA	\$60	
13J	113J	213J	313J	USEF Third Level Test One – JR/YR	JR/YR	\$60	
14	114	214	314	USEF Third Level Test Two -Open	Open	\$60	
14A	114A	214A	314A	USEF Third Level Test Two - AA	AA	\$60	
14J	114J	214J	314J	USEF Third Level Test Two – JR/YR	JR/YR	\$60	
15	115	215	315	USEF Third Level Test Three* -Open	Open	\$60	\$70
15A	115A	215A	315A	USEF Third Level Test Three* - AA	AA	\$60	\$70
15J	115J	215J	315J	USEF Third Level Test Three*- JR/YR	JR/YR	\$60	\$70
16	116	216	316	USEF Fourth Level Test One - Open	Open	\$60	
16A	116A	216A	316A	USEF Fourth Level Test One - AA	AA	\$60	
16J	116J	216J	316J	USEF Fourth Level Test One- JR/YR	JR/YR	\$60	
17	117	217	317	USEF Fourth Level Test Two - Open	Open	\$60	

17A	117A	217A	317A	USEF Fourth Level Test Two - AA	AA	\$60	
17J	117J	217J	317J	USEF Fourth Level Test Two – JR/YR	JR/YR	\$60	
18	118	218	318	USEF Fourth Level Test Three* - Open	Open	\$60	\$70
18A	118A	218A	318A	USEF Fourth Level Test Three* - AA	AA	\$60	\$70
18J	118J	218J	318J	USEF Fourth Level Test Three* - JR/YR	JR/YR	\$60	\$70
19	119	219	319	FEI Prix St George* - Open	Open	\$75	\$85
19A	119A	219A	319A	FEI Prix St George* - AA	AA	\$75	\$85
19J	119J	219J	319J	FEI Prix St George* - JR/YR	JR/YR	\$75	\$85
20	120	220	320	FEI Intermediare I* - Open	Open	\$75	\$85
20A	120A	220A	320A	FEI Intermediare I* - AA	AA	\$75	\$85
20J	120J	220J	320J	FEI Intermediare I* - JR/YR	JR/YR	\$75	\$85
21	121	221	321	FEI Intermediare II* - Open	Open	\$75	\$85
21A	121A	221A	321A	FEI Intermediare II* - AA	AA	\$75	\$85
21J	121J	221J	321J	FEI Intermediare II* - JR/YR	JR/YR	\$75	\$85
22	122	222	322	FEI Grand Prix* - Open	Open	\$75	\$85
22A	122A	222A	322A	FEI Grand Prix* - AA	AA	\$75	\$85
22J	122J	222J	322J	FEI Grand Prix* - JR/YR	JR/YR	\$75	\$85
		223		USDF Freestyle* (specify test – USDF 1st-4th)	JR-YR / AA / Open	\$60	\$70
		224		FEI Freestyle* (specify test – Intermediare or GP)	JR-YR / AA / Open	\$75	\$85
25	125	225	325	FEI TOC* (state test – no freestyles, Young Horse or Para)	JR-YR / AA / Open	\$75	\$85
26	126	226	326	Equitation		\$35	
27	127	227	327	FEI Para TOC (any grade Team or Individual only)		\$60	
		228		FEI Para Freestyle TOC – state tests		\$60	
				USEF and NAJAYRC Qualifying Classes			
		229		Young Horse TOC – State test (Markel/USEF)		\$85	
	130			FEI YR Team* (NAJYRC/USEF Qualifying)		\$85	\$95
		231		FEI YR Individual (NAJYRC/USEF Qualifying)		\$85	
			332	FEI YR Freestyle(NAJYRC/USEF Qualifying)		\$85	
	133			FEI JR Team* (NAJYRC/USEF Qualifying)		\$85	\$95
		234		FEI JR Individual (NAJYRC/USEF Qualifying)		\$85	
			335	FEI JR Freestyle (NAJYRC/USEF Qualifying)		\$85	
		236		FEI Pony Individual – 2012 (USEF Qualifying)		\$85	
			337	USEF Brentina Cup (USEF Qualifying)		\$85	
			338	USEF Developing PSG (USEF Qualifying)		\$85	
			339	USEF Developing Grand Prix (USEF Qualifying)		\$85	
				Materiale Division			
	140	240	340	Three Year Old Fillies		\$40	
	141	241	341	Three Year Old Colts/Geldings		\$40	
	142	242	342	Four and Five Year Old Mares		\$40	
	143	243	343	Four/Five Year Old Stallions/Geldings		\$40	
				Special Classes			
	150			Prix Caprilli - Preliminary	JR-YR	\$60	
	151			Prix Caprilli - Intermediate	JR-YR	\$60	
	152			Prix Caprilli - Advanced	JR-YR	\$60	

Schedule:

Stable opens 2/1/2012 at 12 PM

2/1/2012 Schooling available in all arenas

2/2/2012 classes begin – Schooling after the last class of each day for 1 Hour after the competition.

Entry Cancellation/Refunds: Cancellations only in writing either by mail, e-mail or fax prior to or on closing date. **Cancellation prior to or on closing/received by date - entire entry minus office fees and charges. No Refunds for any reason after closing/received by date.** All fees collected on behalf of USEF to be submitted to the Federation provided all outstanding fees are paid in full; else it will be applied to those fees.

Great American/USDF Qualifying Classes: Please indicate that the class is to count for qualifying by placing a **Q** after the class number. Qualifying will not require a separate ride. An exhibitor riding in the Open, AA, or JR/Young rider classes will pay an additional \$10 USDF fee to have this score entered in the Great American/USDF qualifying division at that level.

Awards for USEF Classes: Divisions will be pinned separately. Riders must clearly specify division choice. When no designation is made, riders will automatically be entered as open Trophy and ribbons to sixth for each class. No awards for Qualifying classes.

Veterinary Services (Also Nearest Surgery Center):

Palm Beach Equine Clinic **Phone: 561-793-1599**

Farrier: Information will be posted at the show office.

Photographer: Susan Stickle at www.dressagephotos.com or susanjstickle.com

Concessions & Vendor Services: Matt Morrissey 941-915-3457

Accommodations: Hampton Inn - West Palm Beach, 561/ 682-9990, Holiday Inn- Turnpike Lake Worth Blvd. 561/ 968-5000; Fairfield Inn by Marriot, Okeechobee Blvd. 561/ 697-3388; The Royal Inn 561/ 793-3000; Homestead Inn - Airport 561/ 640-3335; Days Inn West Palm Turnpike 561/ 687-0415; Radisson Suite 561/ 689-6888; Southern Palm Bed & Breakfast 561/ 790-1413; Best Western Palm Beach Lakes Inn 800/ 528-1234; Boardwalk Realty Robbie Johnson 561/ 790-0500.

Camping/RV Reservations: Camper parking is not available on the show grounds. Lion Country Safari KOA 561-793-1084 (approximately 3-4 miles from the show grounds)

Arenas: Standard size arenas with sand/fiber footing. Warm-up and lunging areas of same footing.

Directions:

From the Florida Turnpike: Take Exit 93 – Lake Worth Road. Make a right onto Lake Worth Road and proceed west until the road ends (about 5 miles). Make a right onto South Shore Boulevard. Make a left at onto Pierson Road. The show grounds Main Entrance is clearly marked. *From I-95: Take Exit 66:* Forest Hill Boulevard. Proceed West on Forest Hill Blvd. for about 11 miles. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked. *From Palm Beach:* Go over the Southern Boulevard Bridge and proceed west on Southern Boulevard for about 14 miles. Make a left on to Route 441/SR 7. Make a right onto Forest Hill Boulevard. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked. GPS Address: 14440 PIERSON ROAD, WELLINGTON, FL 33414

Liability:

- a) Equestrian Sport Productions, LLC, Gold Coast Feed, Grand Prix Village at the Equestrian Club, Wellington Equestrian Partners, LLC., Littlewood Fences, Inc., Palm Beach International Equestrian Center, the Global Dressage Festival, and their officials, sponsors and employees will not be responsible for any accident or loss which may occur to any exhibitor, spectators, guest, rider, groom, attendant or other employee, animal or equipment at any of the competition.
- b) FLORIDA SENATE BILL 1658 EQUINE ZERO LIABILITY STATUTE: Warning-Under Florida Law an equine activity sponsor or equine professional is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risk of equine activities. Also see Florida Equine Activity Statute - Florida Statutes Title XLV TORTS Chapter 773 Equine Activities
- c) "All owners and competitors are personally responsible for damages to third persons caused by themselves, their employees, their agents or their horses. They are therefore strongly advised to take out third-party insurance providing full coverage for participation in equestrian events at home and abroad, and to keep the policy up to date."

Health Certificates: Florida regulations require that all equines be covered by official interstate health certificates, issued by a licensed veterinarian, showing that the animals are free from any symptoms of any infectious or communicable disease. The certificate shall include the name of the owner and address, destination in Florida, number of horses examined, the name, registration number(s), if any, tattoo, if any, sex, age, rectal temperature, color, and markings of each animal listed. Health certificates will become void after 30 days from issue. Health certificates must show animals to be negative to an equine infectious anemia test within the past 12 months. Date of test and approved laboratory must be shown on health certificate.

Animal Welfare Policy: Upholding the welfare of the horses exhibited at the Global Dressage Festival is of primary concern to Equestrian Sport Productions, LLC. We require that all horses be treated with kindness, respect and compassion and never be subject to mistreatment. Owners, trainers, riders and grooms, or their agents, must use reasonable care in the handling and treatment of their horses, whether owned or placed in their care for competition or for any other purpose. At all times for horses competing at the Global Dressage Festival we will provide for the continuous well-being of the horse by vigorously enforcing the rules of the U.S. Equestrian, Inc. and the U.S. Dressage policy which pertain to the welfare of the horse. Exhibitors are cautioned that GR839 (which defines the Federation policy on abuse), and GR803 (which pertains to the Use of Whips), will be strictly enforced. Any handling and veterinary treatment should ensure the health and welfare of the horse. High standards of nutrition, health, sanitation and safety shall be encouraged and maintained at all times. Adequate provision will be made for ventilation, feeding and watering and maintaining a healthy environment. Any method of riding and training should take into account the horse as a living entity, and must not include any technique considered to be abusive. The well-being of the horse must be considered above the demands of the breeders, trainers, riders, owners, dealers, organizers, sponsors or officials. Violators are subject, under the above rules, to elimination from competition and to protest or charge with resulting formal proceedings which may result in severe fines, suspensions or other penalties.

General regulations, policies and entry specifications

EVERY CLASS OFFERED HEREIN WHICH IS COVERED BY THE RULES AND SPECIFICATIONS OF THE CURRENT FEDERATION RULE BOOK WILL BE CONDUCTED AND JUDGED IN ACCORDANCE THEREWITH."

US EQUESTRIAN FEDERATION rules are in force from the moment show management allows access to the showgrounds. This includes conduct, correct saddlery and equipment, and attire.

Liability – Horses by their inherent nature present a risk. This show, the management, the USEF Licensee, and the facility will not be responsible for any loss or damage or injury to horses exhibited, or for any article of any kind or nature that may be lost or destroyed, or in any way injured. Each exhibitor will be responsible for any injury that may be occasioned to any person, whomsoever, by any horse owned or exhibited by said exhibitor and shall indemnify the show, the management, the show committee and volunteers, the USEF Licensee, the USEF and USDF, or any member thereof, against all claims and demands, of any nature or kind, that may grow out of any injury occasioned by any horses owned or exhibited by them, or arise from the negligence of the person in charge of any such horse. All horses exhibited in this show participate entirely at the owner's risk. **Neither the Organizing Committee, show volunteers and staff, the facility or its owners, any host GMO, USEF or USDF or their members will be responsible for any damage, injury, or loss to persons, horses, or property of exhibitors or spectators. All owners and competitors are personally responsible for damages to third parties caused by themselves, their employees, their agents or their horses. They are therefore strongly advised to take out third-party insurance providing full coverage for participation in equestrian events at home and abroad, and to keep the policy up to date.**

Life, senior active and junior active members shall be eligible to participate in all classes at Regular Competitions, Eventing Competitions at the Preliminary Level or above and Combined Driving Competitions at the Advanced Level, Dressage, Reining and Vaulting Competitions and Endurance Rides. A nonmember may participate as a handler, rider, driver, owner, lessee, agent, coach or trainer at Regular Competitions, Eventing Competitions, Dressage Competitions, Reining Competitions and Combined Driving Competitions upon payment of a \$30 nonmember registration fee. Participants in the following classes are exempted from the Requirements of this rule: 1) leadline; 2) exhibitions; 3) games and races; 4) classes for 4-H members; 5) walk trot and academy classes (academy classes are classes limited to horses used regularly in a lesson program); 6) USDF introductory level tests, pas de deux and quadrille classes; 7) NRHA Endorsed Reining Competitions. 8) Opportunity classes, 9) citizens of other nations who have proof, in English, of current membership in good standing of their own National Federation, 10) USEA beginner novice division; and 11) assistant handlers in Dressage Sport Horse Breeding classes.

Exhibitors should exercise extreme caution before medicating their horses and should be aware of the US EQUESTRIAN FEDERATION rules governing drugs and medications. Any questions about the use of certain medications and regarding Rule IV should be directed to the **USEF drugs and medication program, 3780 Ridge Mill Drive, Hilliard, Ohio 43026-9231 – Phone: (800) 633-2472**

A trainer is defined as any adult who has responsibility for the horse on the competition grounds and must sign the entry form.

Hazardous Weather/Accident/Acts of God, and Emergency Policy: Management reserves the right to cancel any classes due to hazardous weather, Acts of God, accident, or emergency. Every effort will be made to reschedule with priority given to any Championship or qualifying classes being offered. No refunds for cancellations due to hazardous weather, Acts of God, accidents, or emergencies. Please see specific shows if there are any additional conditions to this policy.

Food and concessions will be available on the show grounds during normal show hours. Any changes to this policy will be posted.

Numbers must be worn at all times when a horse is being exercised or ridden.

Warning: Under the Equine Activity Liability Act, each participant who participates in an equine activity expressly assumes the risks of engaging in and legal responsibility for injury, loss, or damage to person or property resulting from the risk of equine activities. Please be aware of the laws specific to the show location.

Show Management reserves the right to vary or add officials and refuse any entry for a cause; to disqualify any exhibitor and/or his or her horse for cause; to cause an exhibitor to forfeit his or her ribbons and winnings for cause; to return any entry and/or stall fee before or during the show for cause; all without being liable for damage or compensation. Show management reserves the right to make any changes deemed necessary for the safe and efficient conduct of this competition.

Important notice to all affected parties: Third parties may come upon the property or enter the facilities where any herein described or listed event will occur; provided, that this is a license to enter the premises, for the purpose of observing or participating in the event, but not otherwise, and such license to any individual is subject to revocation by the owner, lessee or organizer, and entry for any purpose other than granted herein, shall be deemed criminal trespass and subject to appropriate legal proceedings.

Attention Competitors: Each competitor is responsible for supplying the show management with the correct and required association numbers of USDF and/or USEF for the horse, owner, rider, coaches, and trainer, before the day(s) of the competition. The scores of competitors who fail to supply correct numbers may not count towards national awards. The proof of these numbers must be in the form of either their actual membership/registration cards or a facsimile of them. Proof of membership must be included with entry form. Please provide the USEF/USDF Master Verification (www.eqverification.org) although membership cards or photocopies of cards are still acceptable. Failure to provide proof of USEF and/or USDF membership will result in competitor being charged non-member fees. Members that are unable to produce the USDF memberships cards/registrations or a facsimile will be asked to sign an affidavit and pay an affidavit fee. All entries are taken on a first come, first served basis. Some shows return late arriving entries after the show is filled, and some shows place entries on a wait list on a as-received basis. Please check each show for any additional policies. Send in the entries as soon as possible to assure entry to the show. **Only one horse-rider combination per entry form per show.**

In accordance with GR1301.7: Minors who do not have a valid driver's license which allows them to operate a motorized vehicle in the state in which they reside will not be permitted to operate a motorized vehicle of any kind, including, but not limited to, golf carts, motorcycles, scooters, or farm utility vehicles, on the competition grounds of licensed competitions. Minors who have a valid temporary license may operate the above described motorized vehicles as long as they are accompanied by an adult with a valid driver's license. The parent(s), legal guardian(s), or individual who signs the entry blank as a parent or guardian of a minor operating a motorized vehicle in violation of this rule are solely responsible for any damages, claims, losses or actions resulting from that operation. Violations of this rule will be cause for sanctions against the parent(s), guardian(s) and/or trainer(s) who are responsible for the child committing the offense. Penalties may include exclusion of the child, parent(s), guardian(s), and/or trainer(s) from the competition grounds for the remainder of the competition and charges being filed against any of the above individuals in accordance with Chapter 6. Wheelchairs and other mobility assistance devices for individuals with disabilities are exempt from this rule.

Non-U.S. Citizens and Foreign Competitors must provide proof, in English, of current membership in good standing in their respective National Federation, or hold current membership in good standing with the USEF.

No exhibitor may withdraw horses from a licensed show after it has commenced, or remove them from the show grounds without permission of the show secretary.

Health Papers: Riders should be aware that Interstate Health Papers are required to be in your vehicle when attending shows not within their home state. Some states also require health papers when transporting between facilities within the same state. Please contact your state veterinarian office for further information.

No Shows: All "No Shows" that have not contacted the show office will be considered a scratch for the rest of the show and time slots may be filled. Exhibitors enter with this understanding and agreement.

Sharps Disposal: Competition management may fine any individuals including trainers, owners, exhibitors, or their agents up to \$100 for improper disposal of needles or other sharp disposable instruments. Containers are located at the end of each barn aisle and within center aisles when center aisles are present within the barns.

Freestyle Entry: In order to enter a freestyle class at any level, a horse/rider combination must have received a minimum score of 60% in the highest test of the declared freestyle level or any test of a higher level at a USEF Recognized Competition. A photocopy of the test verifying eligibility must be submitted with the entry for a freestyle class. Does not apply to competitors in NAJYRC qualifiers.

DOGS MUST BE ON LEASHES AT ALL TIMES WHILE ON SHOW GROUNDS (including in stable areas). Owner may be fined. All pets must be leashed. Non-compliance may result in USEF penalties.

FEI Ponies: If ponies are entered in FEI Pony Test(s) and in need of a USEF measurement card, an appointment for measuring **MUST** be made with show management prior to the show.

MEMBERSHIP/REGISTRATION REQUIREMENTS FOR GAIG/USDF QUALIFYING CLASSES

Riders must be current USDF Participating members & USEF members (Junior, Senior or Life) in good standing. Horses must be USDF registered and USEF recorded. Horses with only an HID are not eligible. Owners must be current USDF Participating or Business members & USEF members (Junior, Senior or Life) in good standing.

For current Great American/USDF Championship requirements, go to www.usdf.org/competitions/competitions-championships/regionals/index.asp.

USEF and USDF Fees for all shows

USDF Affidavit	\$5.00
USDF Horse ID	\$25.00
USDF Non Member	\$25.00 (for each NM rider & owner)
USEF Non Member	\$30.00 (for each NM rider, owner, trainer, coach)
USEF Fee for National:	\$16.00 (D & M \$8.00, USEF \$8.00) per USEF Horse
USEF Fee for CDI:	\$28.00 (D & M \$20.00, USEF \$8.00) per CDI Horse

GAIG/USDF QUAL - Qualifying class for GAIG/USDF Regional Dressage Championships. Declare qualifying ride on entry form. Class fee plus additional \$10 fee must be paid prior to start of the class.

Markel/USEF QUAL – Qualifying class for Markel/USEF Young Horse Dressage Program

NAJYRC and USEF QUAL - Qualifying class for FEI NAJYRC and USEF National Junior and Young Rider Championships

USEF QUAL – Qualifying class for USEF National Championships

Classes may not necessarily be run in the order listed in the prize lists.

Show Schedule and Ride Time Conflicts: It is the responsibility of the rider to inform the management of any time conflicts as soon as possible after receiving the schedule.

Opportunity Classes: Any Opportunity Classes offered must include "Opportunity" in the class name. These classes must follow all USEF Dressage Division rules and applicable USEF General Rules, including dress and saddlery.

- Opportunity Classes are for entry level riders and these classes must be judged by USEF licensed judges or FEI Dressage judges.
- If entered in opportunity classes restricted to amateurs, riders are required to have an amateur status with USEF or pay the \$30 non-member amateur card fee.
- The prize list must state whether or not horses and/or riders/drivers/handlers entered in Opportunity Classes can cross enter into the rated/recognized classes at the same competition. If cross entry is allowed, all applicable fees and membership requirements will apply.
- Opportunity Classes cannot be used as qualifying classes for the Great American/USDF Regional Championships.
- Freestyles or Test of choice classes may not be offered as Opportunity classes.
- Riders and Owners entered only in these classes are exempt from both USDF and USEF membership requirements and are not required to pay a non-member fee but are required to list the Federation membership number if the participant is a member.
- Horses entered only in these classes:
 - **Are** exempt from the Federation fee, including the Equine Drugs and Medication fee.
 - **Are not** required to have either a USEF or USDF Horse Identification (HID) or Recording Number but are to list the HID or Recording number if the horse has been assigned this number.
- Horses entered only in these classes are still subject to and must comply with the Drugs and Medication rules and are subject to drug testing.

Adult Amateur Classes - Participants must possess a current USEF Amateur Card and qualify under the USEF Amateur rules. Any non-member that wishes to participate in the Adult Amateur designated classes must purchase a USEF non-member amateur card for \$30 from USEF. Open to Adult Amateurs only; riders must compete as adults from the beginning of the calendar year in which they reach the age of 22.

JR/YR - Open to Juniors and Young Riders only; any rider is eligible until the end of the calendar year in which they reach the age of 21. Only riders ages 14-18 may ride FEI JR Tests. Only riders age 16-21 may ride FEI YR Tests. Only riders ages 12-16 may ride FEI Pony Tests. Must include birth date on entry form.

Announcements: Class announcements and ride time announcements are a courtesy to the exhibitor and not all shows provide the capability of public address announcements. Exhibitors are responsible for presenting themselves to the ring at their designated time and accept the full responsibility for doing so. Competitions offering public announcements will make every effort to maintain a working PA system, but it is stressed that it is still the exhibitors responsibility to be on time. No protest will be upheld, nor any ride time changed, on the basis of a PA breakdown or missed announcement. Ring stewards will also make every effort to keep people informed and entering the ring in a timely fashion. Exhibitors are responsible for knowing the correct show time and their scheduled performance time irregardless of PA announcements or ring stewards. No protest will be upheld, nor ride time changed due to failure of the exhibitor to meeting their responsibilities.

Arena Sizes: Standard arena is 20m x 60m. Small arena is 20m x 40m.

U.S. Equestrian Federation, Inc. Entry Agreement

By entering a Federation-licensed Competition and signing this entry blank as the Owner, Lessee, Trainer, Manager, Agent, Coach, Driver, Rider, Handler, Vaultor or Longeur and on behalf of myself and my principals, representatives, employees and agents, I agree that I am subject to the Bylaws and Rules of The United States Equestrian Federation, Inc. (the "Federation") and the local rules of the competition.

I agree to be bound by the Bylaws and Rules of the Federation and of the competition. I will accept as final the decision of the Hearing Committee on any question arising under the Rules, and agree to release and hold harmless the competition, the Federation, their officials, directors and employees for any action taken under the Rules.

I represent that I am eligible to enter and/or participate under the Rules, and every horse I am entering is eligible as entered.

I also agree that as a condition of and in consideration of acceptance of entry, the Federation and/or the Competition may use or assign photographs, videos, audios, cable -casts, broadcasts, internet, film, new media or other likenesses of me and my horse taken during the course of the competition for the promotion, coverage or benefit of the competition, sport, or the Federation. Those likenesses shall not be used to advertise a product and they may not be used in such a way as to jeopardize amateur status. I hereby expressly and irrevocably waive and release any rights in connection with such use, including any claim to compensation, invasion of privacy, right of publicity, or to misappropriation.

The construction and application of Federation rules are governed by the laws of the State of New York, and any action instituted against the Federation must be filed in New York State. See GR908.4.

USDF/Dover Saddlery Adult Amateur Medal Program

The USDF/Dover Saddlery Adult Amateur Medal Program is designed to specifically recognize and encourage adult amateurs riding at Second Level.

Awards

1. USDF/Dover Saddlery Medal Recipient

The eligible rider with the highest score of 60 percent or better in the designated Second Level Test Three class or applicable test of choice USDF/Dover Saddlery Adult Amateur Medal class at a participating competition will receive a handcrafted USDF/Dover Saddlery pewter medal and neck ribbon. Winners will receive a \$20 Dover Saddlery gift certificate for the first three USDF/Dover Saddlery Medals they win during the competition season.

2. USDF/Dover Saddlery National Merit Award

A USDF/Dover Saddlery National Merit Award will be awarded to riders winning three USDF/Dover Saddlery Medals in the same competition year.

3. Year-End Awards

The USDF/Dover Saddlery Medal National Champion and Reserve Champion are determined from the average of the top three winning ride scores during the competition year. The champion receives a \$1000 Dover Saddlery gift certificate and the reserve champion receives a \$500 Dover Saddlery gift certificate.

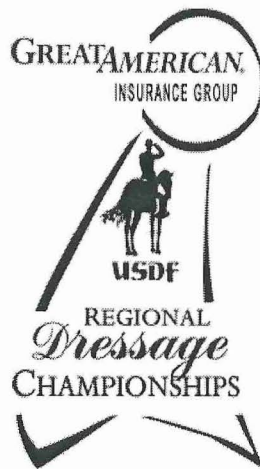
Rider Eligibility

To be eligible, a rider must meet the following criteria:

1. Rider must be a current USDF Participating Member or Group Member at the time of the competition.
2. Rider must be an adult amateur in accordance with Article GR1306 of the USEF rules and be designated with USEF as an adult amateur as of the competition date.

Additional Information

For additional information and an updated list of competitions offering the USDF/Dover Saddlery Adult Amateur Medal Program, please visit
<http://www.usdf.org/awards/performance/adultmedalprogram.asp>.



2012 Great American Insurance Group/ USDF Regional Dressage Championships

A single Regional Dressage Championship program organized by the United States Dressage Federation (USDF), and recognized by the United States Equestrian Federation, Inc. (USEF), will be held in each of the nine USDF regions. In addition, Alaska and Hawaii may each hold state championships if an official request from a Group Member Organization (GMO) is received by April 1 of the prior year.

The Regional Championship Program Rules can be found on the USDF website at www.usdf.org. Please refer to the 2012 USDF Member Guide for the comprehensive list of rules and requirements for this program.

Membership/Registration Requirements for Qualifying and Championships

Rider:

- Must be a USDF Participating* Member (PM) at the time qualifying scores are earned and at the time of the championships.
- Must be a USEF member (Junior Active, Senior Active, or Life) at the time the qualifying scores are earned and at the time of the championships.

Horse:

- Must be USDF Lifetime Registered (LTR) at the time qualifying scores are earned and at the time of the championships.
- Must be USEF (Annual or Lifetime) recorded at the time qualifying scores are earned and at the time of the championships.
- USDF horse registration and USEF horse/recording must be in the name(s) of the current owner(s) or lessee(s) of record.
- A horse is not required to have breed registry papers.

Owner:

- Must be a USDF member (PM* or Business Member (BM)) at the time the qualifying scores are earned and at the time of the championships.
- Must be a USEF member (Junior Active, Senior Active, or Life) at the time qualifying scores are earned and at the time of the championships.

* PMs are USDF members who join USDF directly. USDF Group Members (GM) are ineligible.

Minimum Qualifying Scores

One set of nationally-standardized qualifying scores has been established for all USEF/USDF Regional Championships, for levels through Grand Prix, in three divisions: open, adult amateur and junior/young rider. FEI Junior and FEI Young Rider classes have only one respective division. Freestyles have only open divisions.

The minimum percentages are as follows:

	OPEN	AA	JR/YR
Training Level (Test 3)	68%	63%	63%
First Level (Test 3)	66%	62%	62%
Second Level (Test 3)	64%	61%	61%
Third Level (Test 3)	62%	60%	60%
Fourth Level (Test 3)	62%	60%	60%
FEI Junior (Team Test)	—	—	60%
FEI Young Rider (Team Test)	—	—	60%
Prix St. Georges	60%	60%	60%
Intermediate I	60%	60%	60%
Intermediate II	60%	60%	60%
Grand Prix	60%	60%	60%

FREESTYLE	OPEN	AA	JR/YR
First Level	63%	—	—
Second Level	63%	—	—
Third Level	63%	—	—
Fourth Level	63%	—	—
Intermediate I	63%	—	—
Grand Prix	63%	—	—

USDF Statement on Animal Welfare

The United States Dressage Federation, Inc. (USDF), a federation of over 125 independent organizations throughout the United States with a membership in excess of 33,000 members, supports the concept of ethical treatment of animals.

Dressage is a classical method of training horses, based upon the horse's natural responses, as carried out in a gradual, planned program during which the horse's athletic abilities are improved in a systematic manner. As a result, the horse becomes capable, comfortable, and responsive in partnership with the rider without the use of force. Dressage competition at various levels of achievement is the ultimate test of the training program to determine whether the desired harmony between horse and rider has been achieved.

The rules pertaining to dressage competition prohibit the use of artificial appliances, training aids, and drugs, which would force the horse to submit. Instead, the emphasis is upon training and a cooperative partnership with the rider. Major competitions are carefully monitored to assure that there is no unnecessary force or harshness displayed.

Unlike other horse sports in which horses enter training at a relatively immature state, dressage training is usually not seriously begun until the horse is three or four. The top levels of achievement require five or more years of progressive training and it is not unusual to see horses in international competition in their late teens. This, in itself, places a premium on good care and soundness throughout the horse's life.

While supporting the concept of animal welfare in its broadest form, the United States Dressage Federation, Inc., also recognizes that it is unrealistic to ascribe human emotions and responses to the horse which in its wild state is a creature of flight, living a hard and precarious existence. Under domestication, the horse is assured of ample food, water, and shelter, as well as protection against infectious diseases and damaging parasites, thus leading a longer and healthier life with a high rate of survival.

As an educational organization, USDF has numerous programs, which teach people how to pursue the accepted, humane training methods. A program of certifying instructors also emphasizes protecting the horse's welfare in pursuit of dressage training.

UNITED STATES *Dressage* FEDERATION
4051 IRON WORKS PARKWAY, LEXINGTON, KY 40511
PHONE: 859/971-2277, FAX: 859/971-7722, EMAIL: usdressage@usdf.org, WEBSITE: www.usdf.org

USDF Membership Benefits: USDF is dedicated to education, the recognition of achievement, and promotion of dressage. For details on member benefits, including educational programs, awards, and other opportunities, refer to the *USDF Competitor & Member Guide* or the USDF website at www.usdf.org.



Membership Requirements for USEF-licensed/USDF-recognized Competitions: Owners and riders, including foreign riders and owners who are not residents of the US, wishing to participate in a USEF-licensed/USDF-recognized competition as a rider or owner/lessee, must have either a USDF Group Membership, Participating Membership (PM), or have a USDF Non-Member (NM) identification number and pay the USDF NM fee. (Note: USDF business members can own horses but cannot compete as riders with their USDF BM.) Individuals cannot compete at a USEF-licensed/USDF-recognized competition with a USDF Education Membership.

Horses competing at USEF-licensed/USDF-recognized competitions must have either a USDF Horse Identification (HID) number or a USDF Lifetime Horse Registration (LHR). Proper credentials or verification certificates must be presented to the competition secretary.

Riders and owners wishing to participate in a USEF-licensed/USDF-recognized competition, and not able to present the competition secretary with verification of a USDF membership or NM identification, and USDF LHR or USDF HID, must complete a USDF Competition Affidavit Form and pay the \$5 affidavit filing fee. A copy of a completed affidavit form from another competition may also be used for verification purposes for up to 60 days. (Exception: Affidavits cannot be used at Great American Insurance Group/USDF Regional Dressage Championships.)

Exceptions:

- Horses competing only in Individual Breed Classes (IBCs) at DSHB competitions, sires and dams of horses in DSHB group classes, where those sires or dams are not actually competing in the same competition, horses competing only in breed restricted dressage or DSHB classes at Regular Competitions (e.g. all Arabian, all Friesian, or all Morgan classes), or in USDF Introductory Level tests, Pas de Deux, Quadrille, FEI ParaEquestrian classes, are exempt from this requirement. Also exempt are horses ridden in leadline, exhibitions, games and races, classes for 4-H members, walk-trot, academy and opportunity classes.
- Riders and owners/lessees competing only in classes which are exempt from the USDF HID requirements are also exempt from the USDF NM identification number and NM fee requirements. Also exempt are handlers of horses competing in DSHB In-Hand or Group classes.

Memberships Defined

Participating Membership (PM): A membership issued to an individual directly by USDF. The membership year is December 1 through November 30. PMs are available for 1-year (\$75), 5-years (\$300), or life (\$1,500). A USDF Youth Participating Membership (YPM) is available for individuals who have not reached their 21st birthday by December 1 of the current membership year (\$60). A PM allows the member to compete at USEF-licensed/USDF-recognized competitions and to participate as a rider and/or owner/lessee for all Adequan®/USDF Year-End Awards, Great American Insurance Group/USDF Breeders' Championship Series Finals and the Great American Insurance Group/USDF Regional Dressage Championship program.

Group Membership (GM): A membership issued to an individual by USDF when the member name and dues are submitted to USDF through an affiliate Group Member Organization (GMO). The GM year begins December 1 and ends November 30. A GM allows the member to compete at USEF-licensed/USDF-recognized competitions and participate in the USDF Rider Awards program.

Business Membership (BM): A membership that runs December 1 through November 30 and is issued to a business or organization directly by USDF. The USDF BM (\$200) offers a wider variety of advertising benefits. BMs satisfy requirements of horse ownership only.

Education Membership (EM): A membership issued to an individual directly by USDF. This online education only membership expires 12 months after the date joined. This membership type does NOT allow an individual to compete at a USEF-licensed/USDF-recognized competition.

Non-Member (NM) Identification Number: For each USDF NM owner/lessee and USDF NM rider there will be a USDF NM fee of \$25 and a USDF NM form per competition that must be collected by the show secretary and submitted to USDF along with the USDF Report of Fees document and the \$5 affidavit fee if the person cannot provide a copy of their USDF NM card. Owners/lessees or riders exempt from the NM number requirements are also exempt from paying the USDF NM fee. If there are multiple owners of a horse and all are NMs, only one of the owners must pay the NM fee. If the horse has at least one owner who is a current USDF member there is no NM fee assessed. Competition management will be invoiced for all applicable USDF NM fees not received with the USDF post competition paperwork, along with a report listing all USDF NMs. Competition management is then required to submit the NM fees within 30 days to the USDF. An individual with a USDF NM identification number is not eligible for any USDF membership benefits. Once a USDF NM number has been assigned, a USDF NM card can be obtained from the USDF website.

Horse Identification (HID) Number: A one-time tracking number for horses (\$25). Scores earned by a horse with an HID number will be recorded, but will NOT be counted towards Adequan®/USDF Year-End Awards. A horse with an HID number is not eligible to compete in Great American Insurance Group/USDF Regional qualifying or championship classes or Great American Insurance Group/USDF Breeders' Championship Series Finals. An HID number can be upgraded to a Lifetime Horse Registration (LHR) for a fee of \$70. If a horse has a USDF LHR it does not need an HID number. An HID number is a one-time fee that does not need to be renewed.

Lifetime Horse Registration (LHR): A horse with an LHR (\$95) is eligible for Adequan®/USDF Year-End Awards, and eligible to compete at Great American Insurance Group/USDF Breeders' Championship Series Finals and Great American Insurance Group/USDF Regional qualifying and championship classes, assuming requirements for the owner and rider are met. If a horse has an LHR it does not need an HID number. An LHR does not need to be renewed.

How to Join USDF

Applications for USDF Participating Membership (PM), Business Membership (BM), Horse Identification (HID) number, and Lifetime Horse Registration (LHR) may be found in the following locations:

- On the USDF website: www.usdf.org. You can submit the application online or download the form and fax or mail it to the USDF office.
- In the show office at USEF-licensed/USDF-recognized competitions classified by USEF as Dressage Competitions, and Regular Competitions which are open to all breeds.
- By calling or writing the USDF office at (859) 971-2277, 4051 Iron Works Parkway, Lexington, KY 40511

The effective date of membership is the date the form and correct fees are received in the USDF office or, if applying at a competition, the date accepted by the competition secretary, provided the application is signed and dated by the competition secretary, member, and/or horse owner on that same day.

09/10

USEF Competition Name: Wellington Dressage CDI W
Competition Division(s) and Rating(s): Level 5

USEF#: 2642

USEF Member To Do List:

Mow the fields.



JOHN DEERE

Haul the hay.



Auto Buying Program

Paint the barn — and the

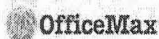
house.



Re-order supplements



and office supplies.



Get new tires and a full service check.



Make sure

we're covered



on the road and in the ring.



Get ready



the big competition. Win! Rent a

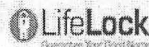


car and drive to

the coast. Take a vacation.



Relax!



You don't

have to bet the farm to check off this season's most important tasks. For details on

how you can save big



with USEF MemberPerks,



visit usef.org

or call one of our Customer Care agents at 859.258.2472.

2012

Official Use Only
BRIDLE #

COMPETITION NAME _____ COMPETITION DATES _____

NAME OF HORSE		PREVIOUS NAME (IF ANY)		USEF#	USDF#	FOR SALE
BREED	SEX	HEIGHT	COLOR	COGGINS DATE (ENCLOSED COPY)	SIRE	DAM
DAM'S SIRE	COUNTRY OF BIRTH	YEAR OF BIRTH	BREEDER	FEI/PASSPORT #	GROOM	

OWNER _____

USEF# _____ USDF# _____ LOCAL# _____

ADDRESS _____

CITY/ST/ZIP/CTRY _____

PHONE _____ CELL PHONE _____

EMAIL ADDRESS _____

OWNER CITIZENSHIP (IF NOT USA) _____

TIN/SSN (REQUIRED FOR PRIZE MONEY) _____

RIDER/HANDLER _____

USEF# _____ USDF# _____ FEI/LOCAL# _____

ADDRESS _____

CITY/ST/ZIP/CTRY _____

PHONE _____ CELL PHONE _____

EMAIL ADDRESS _____

RIDER CITIZENSHIP (IF NOT USA) _____

JR/YOUNG RIDER BIRTHDAY _____ WILLING TO VOLUNTEER? _____

RIDER STATUS (CIRCLE ONE): JR/YG AA OPEN

TRAINER _____

USEF# _____ USDF# _____ LOCAL# _____

ADDRESS _____

CITY/ST/ZIP/CTRY _____

PHONE _____ CELL PHONE _____

EMAIL ADDRESS _____

COACH _____

USEF# _____ USDF# _____ LOCAL# _____

Please Fill Out Both Sides of This Form. Reverse side MUST be SIGNED.

CLASS NO.	DIVISION	CLASS DESCRIPTION	QUAL Y/N	FEES

SUBTOTAL CLASS FEES AND QUALIFYING FEES	
USEF NON-MEMBER FEES \$30 PER NON-MEMBER	
USDF NON MEMBER FEE \$25 PER NON-MEMBER	
USDF AFFIDAVIT FEE (\$5 IF REQUIRED)	
USEF HORSE FEES \$8 USEF FEE + \$8 DRUG FEE = \$16.00	
CDI HORSE FEES \$8 USEF FEE + \$20 DRUG FEE = \$28.00	
IHP DISCIPLINE FEE (\$35 IF REQUIRED)	
OFFICE FEE AND/OR BRIDLE # FEE	
STABLING FEES ____ STALL @ \$____/STALL	
TACK STALLS ____ STALL @ \$____/STALL	
BEDDING ____ BALES @ \$____/BALE	
LATE/CHANGE/BANK CHARGES FOR CC	
NON COMPETING HORSE FEE	
GROUNDS FEE OR OTHER FEES _____	
OTHER _____	
TOTAL FEES	

Stabling Information & Special Requests: Please list only ONE name (either individual or barn) for entire group (so we can get everyone together)

Group/Self	Tue	Wed	Thu	Fri	Sat	Sun	Mon
Stalls							
Tack Stalls							

Stable Group: _____ Contact: _____

July 12, 2012 342

I hereby agree to release, indemnify and hold harmless USDF, its instructors, officers, directors, agents, and volunteers from and against any and all loss, liability or damage arising from or because of, or in connection with, participation in this competition or related activities. I also hereby agree to release, indemnify and hold harmless the competition licensee, show management, competition staff, show committee and members, officers, directors, agents, and volunteers from and against any and all loss, liability or damage arising from or because of, or in connection with, participation in this competition or related activities.

Federation Entry Agreement Effective

By entering a Federation-licensed Competition and signing this entry blank as the Owner, Lessee, Trainer, Manager, Agent, Coach, Driver, Rider, Handler, Vaultor or Longeur and on behalf of myself and my principals, representatives, employees and agents, I agree that I am subject to the Bylaws and Rules of The United States Equestrian Federation, Inc. (the "Federation") and the local rules of the Competition. I agree to be bound by the Bylaws and Rules of the Federation and of the competition. I will accept as final the decision of the Hearing Committee on any question arising under the Rules, and agree to release and hold harmless the Competition, the Federation, their officials, directors and employees for any action taken under the Rules. I represent that I am eligible to enter and/or participate under the Rules, and every horse I am entering is eligible as entered. I also agree that as a condition of and in consideration of acceptance of entry, the Federation and/or the Competition may use or assign photographs, videos, audios, cable-casts, broadcasts, internet, film, new media or other likenesses of me and my horse taken during the course of the Competition for the promotion, coverage or benefit of the Competition, sport, or the Federation. Those likenesses shall not be used to advertise a product and they may not be used in such a way as to jeopardize amateur status. I hereby expressly and irrevocably waive and release any rights in connection with such use, including any claim to compensation, invasion of privacy, right of publicity, or to misappropriation. The construction and application of Federation rules are governed by the laws of the State of New York, and any action instituted against the Federation must be filed in New York State. See GR908.4.

Federation Release, Assumption of Risk, Waiver, and Indemnification

This document waives important legal rights. Read it carefully before signing.

I AGREE in consideration for my participation in this Competition to the following:

I AGREE that "the Federation" and "Competition" as used herein includes the Licensee and Competition Management, as well as all of their officials, officers, directors, employees, agents, personnel, volunteers and Federation affiliates.

I AGREE that I choose to participate voluntarily in the Competition with my horse, as a rider, driver, handler, vaultor, longeur, lessee, owner, agent, coach, trainer, or as parent or guardian of a junior exhibitor. I am fully aware and acknowledge that horse sports and the Competition involve inherent dangerous risks of accident, loss, and serious bodily injury including broken bones, head injuries, trauma, pain, suffering, or death. ("Harm").

I AGREE to hold harmless and release the Federation and the Competition from all claims for money damages or otherwise for any Harm to me or my horse and for any Harm of any nature caused by me or my horse to others, even if the Harm arises or results resulted, directly or indirectly, from the negligence of the Federation or the Competition.

I AGREE to expressly assume all risks of Harm to me or my horse, including Harm resulting from the negligence of the Federation or the Competition.

I AGREE to indemnify (that is, to pay any losses, damages, or costs incurred by) the Federation and the Competition and to hold them harmless with respect to claims for Harm to me or my horse, and for claims made by others for any Harm caused by me or my horse while at the Competition. I have read the Federation Rules about protective equipment, including GR801 and if applicable, EV114, and I understand that I am entitled to wear protective equipment without penalty, and I acknowledge that the Federation strongly encourages me to do so while WARNING that no protective equipment can guard against all injuries. If I am a parent or guardian of a junior exhibitor, I consent to the child's participation and AGREE to all of the above provisions and AGREE to assume all of the obligations of this Release on the child's behalf. I represent that I have the requisite training, coaching and abilities to safely compete in this competition.

I AGREE that if I am injured at this competition, the medical personnel treating my injuries may provide information on my injury and treatment to the Federation on the official USEF accident/injury report form.

BY SIGNING BELOW, I AGREE to be bound by all applicable Federation Rules and all terms and provisions of this entry blank and all terms and provisions of this Prize List. If I am signing and submitting this Agreement electronically, I acknowledge that my electronic signature shall have the same validity, force and effect as if I affixed my signature by my own hand.

OWNER'S/AGENT'S SIGNATURE (MANDATORY)	RIDER/HANDLER SIGNATURE (MANDATORY)	TRAINER'S SIGNATURE (MANDATORY)	COACH'S SIGNATURE (IF APPLICABLE)
PRINT NAME	PRINT NAME	PRINT NAME	PRINT NAME

PARENT/GUARDIAN SIGNATURE IF RIDER/DRIVER/TRAINER/HANDLER/VAULTOR/LONGEUR IS UNDER 18	PRINT PARENT/GUARDIAN NAME

RIDER EMERGENCY CONTACT INFORMATION	
NAME OF CONTACT/RELATIONSHIP:	PHONE:

FILL OUT ONLY IF THE COMPETITION YOU ENTER ON THIS ENTRY FORM OFFERS CERTAIN USE OF CHARGE CARDS!! (Check in the prize list or individual competition requirements)	
<input type="checkbox"/> VISA	<input type="checkbox"/> AMEX
CARD NO. _____	EXP DATE _____
<input type="checkbox"/> MasterCard	<input type="checkbox"/> Other _____
NAME ON CARD: _____	3 Digit _____
BILLING ADDRESS _____	ZIP CODE _____

Gold Coast Feed & Supply Order Form

Thank you for choosing Gold Coast Feed & Supply to serve all of your shavings, hay and feed needs. In order to set up your account, we will need the following information.

Name: _____

Company Name: _____

Phone Number: _____

Alternate Phone Number: _____

Billing Address: _____

City: _____

State: _____ Zip Code: _____

Email Address: _____

Delivery Location:

Barn(s)/ Tent(s): _____

Stall Number(s): _____

To complete the setup of your account we will also need the following information for our records.

Credit Card Number: _____

Name on Card _____

Expiration Date: _____ Credit Card Provider: _____

Bedding

Elite Large Flake \$5.75 # of bags _____
Elite Med. Flake \$5.75 # of bags _____
Elite Sm. Flake \$5.75 # of bags _____

Hay

Timothy \$17.95 # of bales _____
Canadian T/A \$14.95 # of bales _____

Other Items:

Name Of Item _____ # needed _____
Name Of Item _____ # needed _____
Name Of Item _____ # needed _____
Name Of Item _____ # needed _____

Pricing and Availability subject to change. For a full list of Feed, Bedding and Hay call 561-793-4607

Fax this order form to 561-793-4491 or mail to the address listed below

Gold Coast Feed & Supply 13501 South Shore Blvd. Suite 101 Wellington, Fl 33414

344

July 12, 2012

Page 156 of 317

Updates to prize lists

With the opening of the new facility – the directions have changed from what is published in the prize list.

Here is the updated directions:

From the Florida Turnpike: Take Exit 93 – Lake Worth Road. Make a right onto Lake Worth Road and proceed west until the road ends (about 5 miles). Make a right onto South Shore Boulevard. Make a **right** onto Pierson Road, **Stable entrance is first on left.**

From I-95: Take Exit 66: Forest Hill Boulevard. Proceed West on Forest Hill Blvd. for about 11 miles. Make a left onto South Shore Boulevard. Make a **left** onto Pierson Road, **stable entrance first on left.**

From Palm Beach: Go **west on** Southern Boulevard Bridge and proceed west for about 14 miles. Make a left on to Route 441/SR 7. Make a right onto Forest Hill Boulevard. Make a left onto South Shore Boulevard. Make a **left** onto Pierson Road, **stable entrance first on left.**

GPS Address: 13550 South Shore Blvd., Wellington FL 33414 – then proceed to Pierson (at light) and follow above entrance for competitors.

Stabling Charges:

We were just informed that sales tax of 6% must be charged on all stalls. So please keep this in mind when filling out your entries.

Class additions for Wellington Dressage Classic CDI 3* and National Show #7136.

Add:

#136 Pony Team (USEF Qualifying) on Friday 3/16/2012

#336 Pony Freestyle on Sunday 3/18/2012

Florida Dressage Classic CDI-W and National Show

\$50,000 prize money

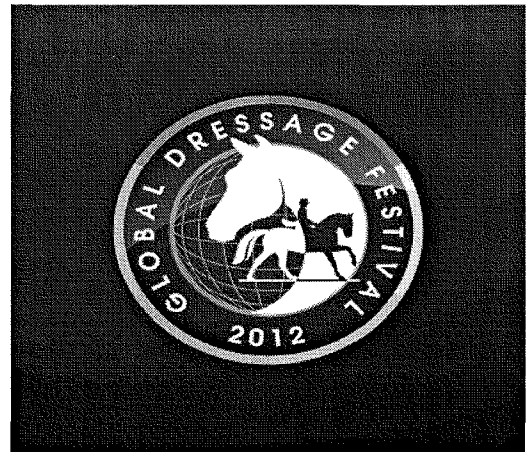
*Qualifying Competition for the 2012 Collecting Gaits Farm/USEF Dressage Festival of
Champions and USEF Dressage Selection Trial for the 2012 Olympic Games,
Qualifier for the Great American/USDF Regional Championships, USDF Dover Medal AA,
USEF Brentina Cup Championships, USEF National Developing Horse Championship
(Sponsored by the Dutta Corp. and PSI),
Qualifying Competition for the FEI North American Junior and Young Rider Championships,
Qualifying Competition for the Markel/USEF Young Horse Dressage Program*

February 16 - February 19, 2012

**Warm-Up Classes available on February 16, 2012 for CDI Horses
Horse Inspection February 16 at 4:00 PM**

Officials

Linda Zang '5* USA' CDI and National
Maribel Alonso '5* MEX' CDI and National
Victorie Mandl '4* AUT' CDI and National
Maria Colliander '4* FIN' CDI and National
Hilda Gurney '4* USA' CDI and National
Elisabeth Williams - FEI Steward
Kristi Wysocki - National Judge
Creeky Rouston - National Judge
Beverly Rogers - National Judge
Lisa Rogers (TD)
Heather Peterson (TD)
Anne Sushko (TD)



USEF Level Five / USDF/USEF #3846 / Licensee: Equestrian Show Holdings LLC



CDI W Information

\$50,000 Prize Money

Manager/Entry Secretary: Lloyd Landkamer *phone:* 612-290-8523 *Fax:* 866-832-8610

Secretary: Margaret Warren/Angela Goodwin-Volpert

Assistant Manager/Secretary: John Hoppman

E-mail: DressageFestival@aol.com **Website:** EquestrianSport.com

Tentative class schedule will be posted at EquestrianSport.com

Important: please see the "General Regulations and Entry Specification Section" for additional policies that this show subscribes to and follows.

On-line entries at EquestrianSport.com beginning opening date.

Opening Date 12/20/2011

Definite Entries by 2/06/2012

Last date of substitution: 12:00 PM date of horse inspection

For mailed entries: draw checks in US Funds and mail entries to:

Palm Beach International Equestrian Center

Attn: Global Dressage Festival

14440 Pierson Road

Wellington, FL 33414

Office Charge for Online entries: \$40 per horse/rider combination per show

Additonal Charge for Mailed entries: \$5 per horse/rider combination per show

Entry Information Requirement: Competitors are responsible to include a copy of all memberships for horse, owner, rider, and trainer listed on entry form. A current negative coggins or interstate health papers must also be submitted with entry. If in freestyle class - a copy of the qualifying test must also be included in the entry.

Faxed Entries: \$5 per entry fee. Fax Number - 866-832-8610

Rider/Handler/Horse Change: \$50 for either rider or horse change after entries submitted.

Non-competing horses: \$50 per show plus stall.

Must fill out entry form for number and pay office fee.

Stabling/Tack Stall Fees: \$300 per Stall per show. Temporary stabling with doors.

Bedding: Ordered from Gold Coast at 561-793-4607 (see attached form)

Entry Cancellation/Refunds and Event Limitation: Cancellations only in writing either by mail, e-mail or fax prior to or on closing date. **Cancellation prior to or on definite entry date - entire entry minus office fees and charges. No Refunds for any reason after definite entry date.** All fees collected on behalf of USEF to be submitted to the Federation provided all outstanding fees are paid in full; else it will be applied to those fees.

The Event will be limited to approximately 40 rides per day.

Entries received by the closing of the definite entries will be prioritized in the following manner:

- 1) Priority will be given to the entries in the Grand Prix Tour followed by
- 2) Riders within the Small Tour until the approximate number of rides per day is reached. The remaining rides will be placed on the wait list and riders will be notified of their acceptance.

Class Schedule

Date	Class Number and Name *Great American/USDF Qualifying	Class Fee	Prize Money
2/17/2012	#1 FEI Prix St Georges*	\$175	\$900 - \$3,000.00
2/17/2012	#2 FEI Grand Prix*	\$225	\$1,800 - \$6,000.00
2/18/2012	#3 FEI Intermediare I*	\$175	\$1,500 - \$5,000.00
2/18/2012	#4 FEI Grand Prix Freestyle*	\$300	\$6,000 - \$20,000.00
2/19/2012	#5 FEI Intermediare Freestyle*	\$225	\$1,800 - \$6,000.00
2/19/2012	#6 FEI Olympic Grand Prix Special	\$225	\$3,800 - \$10,000.00

Riders in the Grand Prix – Opting for the Freestyle or Grand Prix Special

Grand Prix: Athletes (Riders) must give a 1st and 2nd choice in the order of the following two competitions they wish enter, (i.e. opt for the Grand Prix Freestyle as 1st choice and the Grand Prix Special as 2nd choice. Following the conclusion of the Grand Prix, if based on final scores, the Freestyle is over-subscribed; the Athlete (Rider) may start in the Grand Prix Special instead). Participation is possible in only one (1) of the competitions on the same horse, and the order of their original competition choices cannot be changed. **Grand Prix Special:** If there are fewer than fifteen (15) Athlete/Horse combinations entered and starting in the qualifying Grand Prix, Athletes with two (2) horses may go forward to the Grand Prix Special.

Taxes: U.S. Athletes must report winnings to IRS Form W9. Prize Money Won by Foreign

Competitors: Be advised that the U.S. Internal Revenue Service requires sporting events to withhold 30% of prize money won in the United States. Foreign competitors should apply for a U.S. Social Security number and will be asked to complete form 8283 or complete a W-8 Certificate of Foreign Status form.

Great American/USDF Qualifying Classes: Please indicate that the class is to count for qualifying by placing a **Q** after the class number. Qualifying will not require a separate ride. An exhibitor riding in the Open, AA, or JR/Young rider classes will pay an additional \$10 USDF fee to have this score entered in the Great American/USDF qualifying division at that level.

Schedule:

Stable opens 2/14/2012 at 12 PM

2/15/2012 Schooling available in all arenas

2/16/2012 Warm up classes for CDI available in National Show Prize List

2/16/2012 Horse Inspection at 4:00 PM

Veterinary Services (Also Nearest Surgery Center):

Palm Beach Equine Clinic **Phone: 561-793-1599**

Farrier: Information will be posted at the show office.

Photographer: Susan Stickle at www.dressagephotos.com or susanjstickle.com

Concessions & Vendor Services: Matt Morrissey 941-915-3457

Accommodations: Hampton Inn - West Palm Beach, 561/ 682-9990, Holiday Inn- Turnpike Lake Worth Blvd. 561/ 968-5000; Fairfield Inn by Marriot, Okeechobee Blvd. 561/ 697-3388; The Royal Inn 561/ 793-3000; Homestead Inn - Airport 561/ 640-3335; Days Inn West Palm Turnpike 561/ 687-0415; Radisson Suite 561/ 689-6888; Southern Palm Bed & Breakfast 561/ 790-1413; Best Western Palm Beach Lakes Inn 800/ 528-1234; Boardwalk Realty Robbie Johnson 561/ 790-0500.

Camping/RV Reservations: Camper parking is not available on the show grounds. Lion Country Safari KOA 561-793-1084 (approximately 3-4 miles from the show grounds)

Arenas: Standard size arenas with sand/fiber footing. Warm-up and lunging areas of same footing.

Directions:

From the Florida Turnpike: Take Exit 93 – Lake Worth Road. Make a right onto Lake Worth Road and proceed west until the road ends (about 5 miles). Make a right onto South Shore Boulevard. Make a left at onto Pierson Road. The showgrounds Main Entrance is clearly marked.

From I-95: Take Exit 66: Forest Hill Boulevard. Proceed West on Forest Hill Blvd. for about 11 miles. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked.

From Palm Beach: Go over the Southern Boulevard Bridge and proceed west on Southern Boulevard for about 14 miles. Make a left on to Route 441/SR 7. Make a right onto Forest Hill Boulevard. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked.

GPS Address: 14440 PIERSON ROAD, WELLINGTON, FL 33414

Liability:

- a) Equestrian Sport Productions, LLC, Gold Coast Feed, Grand Prix Village at the Equestrian Club, Wellington Equestrian Partners, LLC., Littlewood Fences, Inc., Palm Beach International Equestrian Center, the Global Dressage Festival, and their officials, sponsors and employees will not be responsible for any accident or loss which may occur to any exhibitor, spectators, guest, rider, groom, attendant or other employee, animal or equipment at any of the competition.
- b) FLORIDA SENATE BILL 1658 EQUINE ZERO LIABILITY STATUTE: Warning-Under Florida Law an equine activity sponsor or equine professional is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risk of equine activities. Also see Florida Equine Activity Statute - Florida Statutes Title XLV TORTS Chapter 773 Equine Activities
- c) "All owners and competitors are personally responsible for damages to third persons caused by themselves, their employees, their agents or their horses. They are therefore strongly advised to take out third-party insurance providing full coverage for participation in equestrian events at home and abroad, and to keep the policy up to date."

Prize money (if offered):

- a) Prize money will be credited to the entry's show account after the results of the class winnings are posted or a check will be mailed to the owner at the address on the entry blank within thirty days after the show, thereby ending the show's responsibility as long as all criteria has been met. **You must provide a social security number or Federal TIN for the Prize Money recipient. If one is not provided then prize money will be withheld until one is provided.** If you do not denote a prize money recipient the prize money will automatically go to the owner. FEI Prize money will be distributed to the Chefs d'Equipe or to the winning Owners, lessees or competitors not later than

immediately after the last Competition of the Event provided they have met all their financial and other obligations to the Horse Show. Any excess prize money will be mailed to the prize money participant.

b) Prize Money Won by Foreign Competitors: Be advised that the U.S. Internal Revenue Service requires sporting events to withhold 30% of prize money won in the United States. Foreign competitors should apply for a U.S. Social Security number and will be asked to complete form 8283 or complete a W-8 Certificate of Foreign Status form.

c) Lost or stolen prize money checks will be reissued only after a 180 day waiting period from the original check date has passed. In the event of unauthorized redeeming of a check, Equestrian Sport Productions, LLC will provide check copies to exhibitors and will be held harmless from the collection process.

Health Certificates: Florida regulations require that all equines be covered by official interstate health certificates, issued by a licensed veterinarian, showing that the animals are free from any symptoms of any infectious or communicable disease. The certificate shall include the name of the owner and address, destination in Florida, number of horses examined, the name, registration number(s), if any, tattoo, if any, sex, age, rectal temperature, color, and markings of each animal listed. Health certificates will become void after 30 days from issue. Health certificates must show animals to be negative to an equine infectious anemia test within the past 12 months. Date of test and approved laboratory must be shown on health certificate.

Animal Welfare Policy: Upholding the welfare of the horses exhibited at the Global Dressage Festival is of primary concern to Equestrian Sport Productions, LLC. We require that all horses be treated with kindness, respect and compassion and never be subject to mistreatment. Owners, trainers, riders and grooms, or their agents, must use reasonable care in the handling and treatment of their horses, whether owned or placed in their care for competition or for any other purpose. At all times for horses competing at the Global Dressage Festival we will provide for the continuous well-being of the horse by vigorously enforcing the rules of the U.S. Equestrian, Inc. and the U.S. Dressage policy which pertain to the welfare of the horse. Exhibitors are cautioned that GR839 (which defines the Federation policy on abuse), and GR803 (which pertains to the Use of Whips), will be strictly enforced. Any handling and veterinary treatment should ensure the health and welfare of the horse. High standards of nutrition, health, sanitation and safety shall be encouraged and maintained at all times. Adequate provision will be made for ventilation, feeding and watering and maintaining a healthy environment. Any method of riding and training should take into account the horse as a living entity, and must not include any technique considered to be abusive. The well-being of the horse must be considered above the demands of the breeders, trainers, riders, owners, dealers, organizers, sponsors or officials. Violators are subject, under the above rules, to elimination from competition and to protest or charge with resulting formal proceedings which may result in severe fines, suspensions or other penalties.

VETERINARY EXAMINATIONS, INSPECTIONS AND PASSPORT CONTROLS

Veterinary Regulations, 10th Edition, effective 1st June 2006

A horse inspection will be scheduled for each week in which FEI competitions are held. Rider's will be notified and notice will be posted in the competition office 24 hours before.

These will be carried out in accordance with the "Veterinary Regulations", Art. 1011 & the discipline rules.

"General Regulations", 22nd Edition, effective 1st June 2007 will apply: Art. 139.1 Every horse entered for any competition at CNs or CIMs (see Appendix D) in a foreign country (see GRs 141.2), and all horses entered for other CIs, CIOs, Championships, Regional and Olympic Games, whether at home or in foreign countries (see GRs 141.2), must have an official, valid FEI Passport, or a National Passport approved by the FEI and accompanied by an FEI Recognition Card and, when applicable, an FEI registration number, as a means of identification and to establish ownership. Art. 139.2 Horses taking part in CNs and CIMs (see Appendix D) in their country of residence are not required to have such a passport as is mentioned in paragraph 1.

All such horses must be properly registered and identifiable and, unless there is no national requirement for equine influenza vaccination in the host country and in the country of origin all horses must have a valid vaccination certificate.

EQUINE INFLUENZA VACCINATION, VET. REGS. ANNEX VII (except events taking place in NZL & AUS)

All horses and ponies for which an FEI Passport, or a National Passport approved by the FEI has been issued, must have the vaccination section endorsed by a veterinarian, stating that it has received two injections for primary vaccination against equine influenza, given between 1 and 3 months apart. In addition, a booster injection must be recorded as having been given within each succeeding 6 months, subsequent to the second injection of the primary vaccination.

None of these injections must have been given within the preceding 7 days including the day of the competition or of entry into the competition stables.

The above are the minimum requirements for influenza vaccination. Both primary and first and subsequent booster injections should be given according to the manufacturer's instructions which will fall within the stipulation of the FEI ruling.

SAMPLING FOR PROHIBITED SUBSTANCES (Vet. Regs. Chapter V & VI and Annex IV)

Regular sampling is carried out in CCI3*/4*, CSIs (3*, 4*, 5*), CIOs, World Cup Qualifiers and Finals, Championships and Games, whereas at other CIs sampling is recommended. When testing takes place, the number of horses tested is at the discretion of the Testing Veterinarian/Veterinary Delegate; however, a minimum of three is recommended (Vet. Regs. Art. 1016)

HEALTH REQUIREMENTS FOR THE ENTRY OF HORSES/PONIES

A) Florida regulations require that all equines be covered by official interstate health certificates, issued by a licensed veterinarian, showing that the animals are free from any symptoms of any infectious or communicable disease. The certificate shall include the name of the owner and address, destination in Florida, number of horses examined, the name, registration number(s), if any, tattoo, if any, sex, age, rectal temperature, color, and markings of each animal listed. Health certificates will become void after 30 days from issue. Health certificates must show animals to be negative to an equine infectious anemia test within the past 12 months. Date of test and approved laboratory must be shown on health certificate. Equine Rhinopneumonitis vaccination is not required; however, if any animal is vaccinated, it is ineligible for entry within 21 days of vaccination. Vehicles transporting animals must have certificates showing that it was cleaned and disinfected under veterinary supervision prior to loading. This information can be written on the health certificate.

B) To reserve space at a USDA-operated quarantine facility the importer or agent should contact the port veterinarian at one of the following locations:

Miami Animal Import Center P.O. Box 660657 Miami Springs, FL 33266 (305) 526-2926 USDA, APHIS, VS, 7022 NW 10th Place, Gainesville, FL 32605-3147 (352) 333-3120, Fax (352) 333-6849

New York Animal Import Center, New York USDA-APHIS-VS, 200 Drury Lane, Rock Tavern, NY 12575 (845) 564-2950 Office & (845) 564-1075 Fax

Los Angeles Animal Import Center, California USDA-APHIS-VS, 11850 S. La Cienega Blvd, Hawthorne, CA 90250 (310) 725-1970 Office & (310) 725-9119 Fax

Importing a Horse into the United States call to find out current rates and whether or not you are required to do a 3-Day, 7-Day or 60 Day Quarantine. Go to <http://www.aphis.usda.gov/vs/ncie>. It may be prudent to check with the State of destination as to any additional State Health requirements that must be met. Some States have health requirements that are in addition to those required by the Federal Government.

c) **CUSTOMS' FORMALITIES**

Contact the USDA (850) 410-0910 or www.usda.gov for current criteria on shipping across US borders.

National Information

Manager/ Entry Secretary: Lloyd Landkamer *phone:* 612-290-8523 *Fax:* 866-832-8610

Assistant Manager/Secretary: John Hoppman

Secretary: Margaret Warren/Angela Goodwin-Volpert

E-mail: DressageFestival@aol.com **Website:** EquestrianSport.com

Tentative class schedule and Times will be posted at EquestrianSport.com

Important: please see the “General Regulations and Entry Specification Section” for additional policies that this show subscribes to and follows.

On-line entries at EquestrianSport.com beginning opening date.

Opening Date: 12/20/2011 – Closing and received by date 1/24/2012

For mailed entries: draw checks in US Funds and mail entries to:

Palm Beach International Equestrian Center

Attn: Global Dressage Festival

14440 Pierson Road

Wellington, FL 33414

Office Charge for Online entries: \$30 per horse/rider combination per show

Additional Charge for Mailed entries: \$5 per horse/rider combination per show

Entry Information Requirement: Competitors are responsible to include a copy of all memberships for horse, owner, rider, and trainer listed on entry form. A current negative coggins or interstate health papers must also be submitted with entry. If in freestyle class - a copy of the qualifying test must also be included in the entry.

Late Entries: \$25 per show if postmarked and received after the received by date (contact secretary first).

Post Entries: Will be taken as scheduling permits - Class fee plus \$10.00 – requests must be made by 3PM the day prior to the requested ride.

Faxed Entries: \$5 per entry fee. Fax Number - 866-832-8610

Rider/Handler/Horse Change: \$25 for either rider or horse change after entries submitted.

Time Change within a class: \$10 per change if possible (request by 3 PM the day prior)

Non-competing horses: \$50 per show. Must fill out entry form for number and pay office fee and per day grounds fee.

Non-Stabled Horses: \$35 per day grounds fee.

Stabling/Tack Stall Fees: \$75 per Stall/Tack per show day or \$250 for show.

Temporary stabling with doors.

Bedding: Ordered from Gold Coast at 561-793-4607 (see attached form)

Thu 2/16 #	Fri 2/17 #	Sat 2/18 #	Sun 2/19 #	Class Name Any class (*) GAIG/USDF regional qualifying if test is eligible.	Divisions Offered	Class Fee	Q Fee
1	101	201	301	USDF Intro A	JR-YR / AA / Open	\$60	
2	102	202	302	USDF Intro B	JR-YR / AA / Open	\$60	
3	103	203	303	USDF Intro C	JR-YR / AA / Open	\$60	
4	104	204	304	USEF Training Level Test One - Open	Open	\$60	
4A	104A	204A	304A	USEF Training Level Test One - AA	AA	\$60	
4J	104J	204J	204J	USEF Training Level Test One – JR/YR	JR/YR	\$60	
5	105	205	305	USEF Training Level Test Two - Open	Open	\$60	
5A	105A	205A	305A	USEF Training Level Test Two - AA	AA	\$60	
5J	105J	205J	305J	USEF Training Level Test Two – JR/YR	JR/YR	\$60	
6	106	206	306	USEF Training Level Test Three* - Open	Open	\$60	\$70
6A	106A	206A	306A	USEF Training Level Test Three* - AA	AA	\$60	\$70
6J	106J	206J	306J	USEF Training Level Test Three* - JR/YR	JR/YR	\$60	\$70
7	107	207	307	USEF First Level Test One - Open	Open	\$60	
7A	107A	207A	307A	USEF First Level Test One - AA	AA	\$60	
7J	107J	207J	207J	USEF First Level Test One – JR/YR	JR/YR	\$60	
8	108	208	308	USEF First Level Test Two - Open	Open	\$60	
8A	108A	208A	308A	USEF First Level Test Two - AA	AA	\$60	
8J	108J	208J	308J	USEF First Level Test Two – JR/YR	JR/YR	\$60	
9	109	209	309	USEF First Level Test Three* - Open	Open	\$60	\$70
9A	109A	209A	309A	USEF First Level Test Three* - AA	AA	\$60	\$70
9J	109J	209J	309J	USEF First Level Test Three* - JR/YR	JR/YR	\$60	\$70
10	110J	210	310	USEF Second Level Test One - Open	Open	\$60	
10A	110A	210A	310A	USEF Second Level Test One - AA	AA	\$60	
10J	110J	210J	310J	USEF Second Level Test One – JR/YR	JR/YR	\$60	
11	111	211	311	USEF Second Level Test Two - Open	Open	\$60	
11A	111A	211A	311A	USEF Second Level Test Two - AA	AA	\$60	
11J	111J	211J	311J	USEF Second Level Test Two – JR/YR	JR/YR	\$60	
12	112	212	312	USEF Second Level Test Three* - Open	Open	\$60	\$70
12A	112A	212A	312A	USEF Second Level Test Three* - AA (Dover Medal Saturday)	AA	\$60	\$70
12J	112J	212J	312J	USEF Second Level Test Three* - JR/YR	JR/YR	\$60	\$70
13	113	213	313	USEF Third Level Test One - Open	Open	\$60	
13A	113A	213A	313A	USEF Third Level Test One - AA	AA	\$60	
13J	113J	213J	313J	USEF Third Level Test One – JR/YR	JR/YR	\$60	
14	114	214	314	USEF Third Level Test Two -Open	Open	\$60	
14A	114A	214A	314A	USEF Third Level Test Two - AA	AA	\$60	
14J	114J	214J	314J	USEF Third Level Test Two – JR/YR	JR/YR	\$60	
15	115	215	315	USEF Third Level Test Three* -Open	Open	\$60	\$70
15A	115A	215A	315A	USEF Third Level Test Three* - AA	AA	\$60	\$70
15J	115J	215J	315J	USEF Third Level Test Three* - JR/YR	JR/YR	\$60	\$70
16	116	216	316	USEF Fourth Level Test One - Open	Open	\$60	
16A	116A	216A	316A	USEF Fourth Level Test One - AA	AA	\$60	
16J	116J	216J	316J	USEF Fourth Level Test One - JR/YR	JR/YR	\$60	
17	117	217	317	USEF Fourth Level Test Two - Open	Open	\$60	

July 12, 2013

17A	117A	217A	317A	USEF Fourth Level Test Two - AA	AA	\$60	
17J	117J	217J	317J	USEF Fourth Level Test Two – JR/YR	JR/YR	\$60	
18	118	218	318	USEF Fourth Level Test Three* - Open	Open	\$60	\$70
18A	118A	218A	318A	USEF Fourth Level Test Three* - AA	AA	\$60	\$70
18J	118J	218J	318J	USEF Fourth Level Test Three* - JR/YR	JR/YR	\$60	\$70
19	119	219	319	FEI Prix St George* - Open	Open	\$75	\$85
19A	119A	219A	319A	FEI Prix St George* - AA	AA	\$75	\$85
19J	119J	219J	319J	FEI Prix St George* - JR/YR	JR/YR	\$75	\$85
20	120	220	320	FEI Intermediare I* - Open	Open	\$75	\$85
20A	120A	220A	320A	FEI Intermediare I* - AA	AA	\$75	\$85
20J	120J	220J	320J	FEI Intermediare I* - JR/YR	JR/YR	\$75	\$85
21	121	221	321	FEI Intermediare II* - Open	Open	\$75	\$85
21A	121A	221A	321A	FEI Intermediare II* - AA	AA	\$75	\$85
21J	121J	221J	321J	FEI Intermediare II* - JR/YR	JR/YR	\$75	\$85
22	122	222	322	FEI Grand Prix* - Open	Open	\$75	\$85
22A	122A	222A	322A	FEI Grand Prix* - AA	AA	\$75	\$85
22J	122J	222J	322J	FEI Grand Prix* - JR/YR	JR/YR	\$75	\$85
		223		USDF Freestyle* (specify test – USDF 1st-4th)	JR-YR / AA / Open	\$60	\$70
		224		FEI Freestyle* (specify test – Intermediare or GP)	JR-YR / AA / Open	\$75	\$85
25	125	225	325	FEI TOC* (state test – no freestyles, Young Horse or Para)	JR-YR / AA / Open	\$75	\$85
26	126	226	326	Equitation		\$35	
27	127	227	327	FEI Para TOC (any grade Team or Individual only)		\$60	
		228		FEI Para Freestyle TOC – state tests		\$60	
USEF and NAJAYRC Qualifying Classes							
		229		Young Horse TOC – State test (Markel/USEF)		\$85	
	130			FEI YR Team* (NAJYRC/USEF Qualifying)		\$85	\$95
		231		FEI YR Individual (NAJYRC/USEF Qualifying)		\$85	
			332	FEI YR Freestyle(NAJYRC/USEF Qualifying)		\$85	
	133			FEI JR Team* (NAJYRC/USEF Qualifying)		\$85	\$95
		234		FEI JR Individual (NAJYRC/USEF Qualifying)		\$85	
			335	FEI JR Freestyle (NAJYRC/USEF Qualifying)		\$85	
		236		FEI Pony Individual – 2012 (USEF Qualifying)		\$85	
			337	USEF Brentina Cup (USEF Qualifying)		\$85	
			338	USEF Developing PSG (USEF Qualifying)		\$85	
			339	USEF Developing Grand Prix (USEF Qualifying)		\$85	
Materiale Division							
	140	240	340	Three Year Old Fillies		\$40	
	141	241	341	Three Year Old Colts/Geldings		\$40	
	142	242	342	Four and Five Year Old Mares		\$40	
	143	243	343	Four/Five Year Old Stallions/Geldings		\$40	
Special Classes							
	150			Prix Caprilli - Preliminary	JR-YR	\$60	
	151			Prix Caprilli - Intermediate	JR-YR	\$60	
	152			Prix Caprilli - Advanced	JR-YR	\$60	

Schedule:

Stable opens 2/15/2012 at 12 PM

2/15/2012 Schooling available in all arenas

2/16/2012 classes begin – Schooling after the last class of each day for 1 Hour after the competition.

Entry Cancellation/Refunds: Cancellations only in writing either by mail, e-mail or fax prior to or on closing date. **Cancellation prior to or on closing/received by date - entire entry minus office fees and charges. No Refunds for any reason after closing/received by date.** All fees collected on behalf of USEF to be submitted to the Federation provided all outstanding fees are paid in full; else it will be applied to those fees.

Great American/USDF Qualifying Classes: Please indicate that the class is to count for qualifying by placing a **Q** after the class number. Qualifying will not require a separate ride. An exhibitor riding in the Open, AA, or JR/Young rider classes will pay an additional \$10 USDF fee to have this score entered in the Great American/USDF qualifying division at that level.

Awards for USEF Classes: Divisions will be pinned separately. Riders must clearly specify division choice. When no designation is made, riders will automatically be entered as open Trophy and ribbons to sixth for each class. No awards for Qualifying classes.

Veterinary Services (Also Nearest Surgery Center):

Palm Beach Equine Clinic **Phone: 561-793-1599**

Farrier: Information will be posted at the show office.

Photographer: Susan Stickle at www.dressagephotos.com or susanjstickle.com

Concessions & Vendor Services: Matt Morrissey 941-915-3457

Accommodations: Hampton Inn - West Palm Beach, 561/ 682-9990, Holiday Inn- Turnpike Lake Worth Blvd. 561/ 968-5000; Fairfield Inn by Marriot, Okeechobee Blvd. 561/ 697-3388; The Royal Inn 561/ 793-3000; Homestead Inn - Airport 561/ 640-3335; Days Inn West Palm Turnpike 561/ 687-0415; Radisson Suite 561/ 689-6888; Southern Palm Bed & Breakfast 561/ 790-1413; Best Western Palm Beach Lakes Inn 800/ 528-1234; Boardwalk Realty Robbie Johnson 561/ 790-0500.

Camping/RV Reservations: Camper parking is not available on the show grounds. Lion Country Safari KOA 561-793-1084 (approximately 3-4 miles from the show grounds)

Arenas: Standard size arenas with sand/fiber footing. Warm-up and lunging areas of same footing.

Directions:

From the Florida Turnpike: Take Exit 93 – Lake Worth Road. Make a right onto Lake Worth Road and proceed west until the road ends (about 5 miles). Make a right onto South Shore Boulevard. Make a left at onto Pierson Road. The show grounds Main Entrance is clearly marked. *From I-95:* Take Exit 66: Forest Hill Boulevard. Proceed West on Forest Hill Blvd. for about 11 miles. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked. *From Palm Beach:* Go over the Southern Boulevard Bridge and proceed west on Southern Boulevard for about 14 miles. Make a left on to Route 441/SR 7. Make a right onto Forest Hill Boulevard. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked. GPS Address: 14440 PIERSON ROAD, WELLINGTON, FL 33414

Liability:

- a) Equestrian Sport Productions, LLC, Gold Coast Feed, Grand Prix Village at the Equestrian Club, Wellington Equestrian Partners, LLC., Littlewood Fences, Inc., Palm Beach International Equestrian Center, the Global Dressage Festival, and their officials, sponsors and employees will not be responsible for any accident or loss which may occur to any exhibitor, spectators, guest, rider, groom, attendant or other employee, animal or equipment at any of the competition.
- b) FLORIDA SENATE BILL 1658 EQUINE ZERO LIABILITY STATUTE: Warning-Under Florida Law an equine activity sponsor or equine professional is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risk of equine activities. Also see Florida Equine Activity Statute - Florida Statutes Title XLV TORTS Chapter 773 Equine Activities
- c) "All owners and competitors are personally responsible for damages to third persons caused by themselves, their employees, their agents or their horses. They are therefore strongly advised to take out third-party insurance providing full coverage for participation in equestrian events at home and abroad, and to keep the policy up to date."

Health Certificates: Florida regulations require that all equines be covered by official interstate health certificates, issued by a licensed veterinarian, showing that the animals are free from any symptoms of any infectious or communicable disease. The certificate shall include the name of the owner and address, destination in Florida, number of horses examined, the name, registration number(s), if any, tattoo, if any, sex, age, rectal temperature, color, and markings of each animal listed. Health certificates will become void after 30 days from issue. Health certificates must show animals to be negative to an equine infectious anemia test within the past 12 months. Date of test and approved laboratory must be shown on health certificate.

Animal Welfare Policy: Upholding the welfare of the horses exhibited at the Global Dressage Festival is of primary concern to Equestrian Sport Productions, LLC. We require that all horses be treated with kindness, respect and compassion and never be subject to mistreatment. Owners, trainers, riders and grooms, or their agents, must use reasonable care in the handling and treatment of their horses, whether owned or placed in their care for competition or for any other purpose. At all times for horses competing at the Global Dressage Festival we will provide for the continuous well-being of the horse by vigorously enforcing the rules of the U.S. Equestrian, Inc. and the U.S. Dressage policy which pertain to the welfare of the horse. Exhibitors are cautioned that GR839 (which defines the Federation policy on abuse), and GR803 (which pertains to the Use of Whips), will be strictly enforced. Any handling and veterinary treatment should ensure the health and welfare of the horse. High standards of nutrition, health, sanitation and safety shall be encouraged and maintained at all times. Adequate provision will be made for ventilation, feeding and watering and maintaining a healthy environment. Any method of riding and training should take into account the horse as a living entity, and must not include any technique considered to be abusive. The well-being of the horse must be considered above the demands of the breeders, trainers, riders, owners, dealers, organizers, sponsors or officials. Violators are subject, under the above rules, to elimination from competition and to protest or charge with resulting formal proceedings which may result in severe fines, suspensions or other penalties.

General regulations, policies and entry specifications

EVERY CLASS OFFERED HEREIN WHICH IS COVERED BY THE RULES AND SPECIFICATIONS OF THE CURRENT FEDERATION RULE BOOK WILL BE CONDUCTED AND JUDGED IN ACCORDANCE THEREWITH."

US EQUESTRIAN FEDERATION rules are in force from the moment show management allows access to the showgrounds. This includes conduct, correct saddlery and equipment, and attire.

Liability – Horses by their inherent nature present a risk. This show, the management, the USEF Licensee, and the facility will not be responsible for any loss or damage or injury to horses exhibited, or for any article of any kind or nature that may be lost or destroyed, or in any way injured. Each exhibitor will be responsible for any injury that may be occasioned to any person, whomsoever, by any horse owned or exhibited by said exhibitor and shall indemnify the show, the management, the show committee and volunteers, the USEF Licensee, the USEF and USDF, or any member thereof, against all claims and demands, of any nature or kind, that may grow out of any injury occasioned by any horses owned or exhibited by them, or arise from the negligence of the person in charge of any such horse. All horses exhibited in this show participate entirely at the owner's risk. **Neither the Organizing Committee, show volunteers and staff, the facility or its owners, any host GMO, USEF or USDF or their members will be responsible for any damage, injury, or loss to persons, horses, or property of exhibitors or spectators. All owners and competitors are personally responsible for damages to third parties caused by themselves, their employees, their agents or their horses. They are therefore strongly advised to take out third-party insurance providing full coverage for participation in equestrian events at home and abroad, and to keep the policy up to date.**

Life, senior active and junior active members shall be eligible to participate in all classes at Regular Competitions, Eventing Competitions at the Preliminary Level or above and Combined Driving Competitions at the Advanced Level, Dressage, Reining and Vaulting Competitions and Endurance Rides. A nonmember may participate as a handler, rider, driver, owner, lessee, agent, coach or trainer at Regular Competitions, Eventing Competitions, Dressage Competitions, Reining Competitions and Combined Driving Competitions upon payment of a \$30 nonmember registration fee. Participants in the following classes are exempted from the Requirements of this rule: 1) leadline; 2) exhibitions; 3) games and races; 4) classes for 4-H members; 5) walk trot and academy classes (academy classes are classes limited to horses used regularly in a lesson program); 6) USDF introductory level tests, pas de deux and quadrille classes; 7) NRHA Endorsed Reining Competitions. 8) Opportunity classes, 9) citizens of other nations who have proof, in English, of current membership in good standing of their own National Federation, 10) USEA beginner novice division; and 11) assistant handlers in Dressage Sport Horse Breeding classes.

Exhibitors should exercise extreme caution before medicating their horses and should be aware of the US EQUESTRIAN FEDERATION rules governing drugs and medications. Any questions about the use of certain medications and regarding Rule IV should be directed to the **USEF drugs and medication program, 3780 Ridge Mill Drive, Hilliard, Ohio 43026-9231 – Phone: (800) 633-2472**

A trainer is defined as any adult who has responsibility for the horse on the competition grounds and must sign the entry form.

Hazardous Weather/Accident/Acts of God, and Emergency Policy: Management reserves the right to cancel any classes due to hazardous weather, Acts of God, accident, or emergency. Every effort will be made to reschedule with priority given to any Championship or qualifying classes being offered. No refunds for cancellations due to hazardous weather, Acts of God, accidents, or emergencies. Please see specific shows if there are any additional conditions to this policy.

Food and concessions will be available on the show grounds during normal show hours. Any changes to this policy will be posted.

Numbers must be worn at all times when a horse is being exercised or ridden.

Warning: Under the Equine Activity Liability Act, each participant who participates in an equine activity expressly assumes the risks of engaging in and legal responsibility for injury, loss, or damage to person or property resulting from the risk of equine activities. Please be aware of the laws specific to the show location.

Show Management reserves the right to vary or add officials and refuse any entry for a cause; to disqualify any exhibitor and/or his or her horse for cause; to cause an exhibitor to forfeit his or her ribbons and winnings for cause; to return any entry and/or stall fee before or during the show for cause; all without being liable for damage or compensation. Show management reserves the right to make any changes deemed necessary for the safe and efficient conduct of this competition.

Important notice to all affected parties: Third parties may come upon the property or enter the facilities where any herein described or listed event will occur; provided, that this is a license to enter the premises, for the purpose of observing or participating in the event, but not otherwise, and such license to any individual is subject to revocation by the owner, lessee or organizer, and entry for any purpose other than granted herein, shall be deemed criminal trespass and subject to appropriate legal proceedings.

Attention Competitors: Each competitor is responsible for supplying the show management with the correct and required association numbers of USDF and/or USEF for the horse, owner, rider, coaches, and trainer, before the day(s) of the competition. The scores of competitors who fail to supply correct numbers may not count towards national awards. The proof of these numbers must be in the form of either their actual membership/registration cards or a facsimile of them. Proof of membership must be included with entry form. Please provide the USEF/USDF Master Verification (www.eqverification.org) although membership cards or photocopies of cards are still acceptable. Failure to provide proof of USEF and/or USDF membership will result in competitor being charged non-member fees. Members that are unable to produce the USDF memberships cards/registrations or a facsimile will be asked to sign an affidavit and pay an affidavit fee. All entries are taken on a first come, first served basis. Some shows return late arriving entries after the show is filled, and some shows place entries on a wait list on a as-received basis. Please check each show for any additional policies. Send in the entries as soon as possible to assure entry to the show. **Only one horse-rider combination per entry form per show.**

In accordance with GR1301.7: Minors who do not have a valid driver's license which allows them to operate a motorized vehicle in the state in which they reside will not be permitted to operate a motorized vehicle of any kind, including, but not limited to, golf carts, motorcycles, scooters, or farm utility vehicles, on the competition grounds of licensed competitions. Minors who have a valid temporary license may operate the above described motorized vehicles as long as they are accompanied by an adult with a valid driver's license. The parent(s), legal guardian(s), or individual who signs the entry blank as a parent or guardian of a minor operating a motorized vehicle in violation of this rule are solely responsible for any damages, claims, losses or actions resulting from that operation. Violations of this rule will be cause for sanctions against the parent(s), guardian(s) and/or trainer(s) who are responsible for the child committing the offense. Penalties may include exclusion of the child, parent(s), guardian(s), and/or trainer(s) from the competition grounds for the remainder of the competition and charges being filed against any of the above individuals in accordance with Chapter 6. Wheelchairs and other mobility assistance devices for individuals with disabilities are exempt from this rule.

Non-U.S. Citizens and Foreign Competitors must provide proof, in English, of current membership in good standing in their respective National Federation, or hold current membership in good standing with the USEF.

No exhibitor may withdraw horses from a licensed show after it has commenced, or remove them from the show grounds without permission of the show secretary.

Health Papers: Riders should be aware that Interstate Health Papers are required to be in your vehicle when attending shows not within their home state. Some states also require health papers when transporting between facilities within the same state. Please contact your state veterinarian office for further information.

No Shows: All "No Shows" that have not contacted the show office will be considered a scratch for the rest of the show and time slots may be filled. Exhibitors enter with this understanding and agreement.

Sharps Disposal: Competition management may fine any individuals including trainers, owners, exhibitors, or their agents up to \$100 for improper disposal of needles or other sharp disposable instruments. Containers are located at the end of each barn aisle and within center aisles when center aisles are present within the barns.

Freestyle Entry: In order to enter a freestyle class at any level, a horse/rider combination must have received a minimum score of 60% in the highest test of the declared freestyle level or any test of a higher level at a USEF Recognized Competition. A photocopy of the test verifying eligibility must be submitted with the entry for a freestyle class. Does not apply to competitors in NAJYRC qualifiers.

DOGS MUST BE ON LEASHES AT ALL TIMES WHILE ON SHOW GROUNDS (including in stable areas). Owner may be fined. All pets must be leashed. Non-compliance may result in USEF penalties.

FEI Ponies: If ponies are entered in FEI Pony Test(s) and in need of a USEF measurement card, an appointment for measuring **MUST** be made with show management prior to the show.

MEMBERSHIP/REGISTRATION REQUIREMENTS FOR GAIG/USDF QUALIFYING CLASSES

Riders must be current USDF Participating members & USEF members (Junior, Senior or Life) in good standing. Horses must be USDF registered and USEF recorded. Horses with only an HID are not eligible. Owners must be current USDF Participating or Business members & USEF members (Junior, Senior or Life) in good standing.

For current Great American/USDF Championship requirements, go to www.usdf.org/competitions/competitions-championships/regionals/index.asp.

USEF and USDF Fees for all shows

USDF Affidavit	\$5.00
USDF Horse ID	\$25.00
USDF Non Member	\$25.00 (for each NM rider & owner)
USEF Non Member	\$30.00 (for each NM rider, owner, trainer, coach)
USEF Fee for National:	\$16.00 (D & M \$8.00, USEF \$8.00) per USEF Horse
USEF Fee for CDI:	\$28.00 (D & M \$20.00, USEF \$8.00) per CDI Horse

GAIG/USDF QUAL - Qualifying class for GAIG/USDF Regional Dressage Championships. Declare qualifying ride on entry form. Class fee plus additional \$10 fee must be paid prior to start of the class.

Markel/USEF QUAL – Qualifying class for Markel/USEF Young Horse Dressage Program

NAJYRC and USEF QUAL - Qualifying class for FEI NAJYRC and USEF National Junior and Young Rider Championships

USEF QUAL – Qualifying class for USEF National Championships

Classes may not necessarily be run in the order listed in the prize lists.

Show Schedule and Ride Time Conflicts: It is the responsibility of the rider to inform the management of any time conflicts as soon as possible after receiving the schedule.

Opportunity Classes: Any Opportunity Classes offered must include "Opportunity" in the class name. These classes must follow all USEF Dressage Division rules and applicable USEF General Rules, including dress and saddlery.

- Opportunity Classes are for entry level riders and these classes must be judged by USEF licensed judges or FEI Dressage judges.
- If entered in opportunity classes restricted to amateurs, riders are required to have an amateur status with USEF or pay the \$30 non-member amateur card fee.
- The prize list must state whether or not horses and/or riders/drivers/handlers entered in Opportunity Classes can cross enter into the rated/recognized classes at the same competition. If cross entry is allowed, all applicable fees and membership requirements will apply.
- Opportunity Classes cannot be used as qualifying classes for the Great American/USDF Regional Championships.
- Freestyles or Test of choice classes may not be offered as Opportunity classes.
- Riders and Owners entered only in these classes are exempt from both USDF and USEF membership requirements and are not required to pay a non-member fee but are required to list the Federation membership number if the participant is a member.
- Horses entered only in these classes:
 - **Are** exempt from the Federation fee, including the Equine Drugs and Medication fee.
 - **Are not** required to have either a USEF or USDF Horse Identification (HID) or Recording Number but are to list the HID or Recording number if the horse has been assigned this number.
- Horses entered only in these classes are still subject to and must comply with the Drugs and Medication rules and are subject to drug testing.

Adult Amateur Classes - Participants must possess a current USEF Amateur Card and qualify under the USEF Amateur rules. Any non-member that wishes to participate in the Adult Amateur designated classes must purchase a USEF non-member amateur card for \$30 from USEF. Open to Adult Amateurs only; riders must compete as adults from the beginning of the calendar year in which they reach the age of 22.

JR/YR - Open to Juniors and Young Riders only; any rider is eligible until the end of the calendar year in which they reach the age of 21. Only riders ages 14-18 may ride FEI JR Tests. Only riders age 16-21 may ride FEI YR Tests. Only riders ages 12-16 may ride FEI Pony Tests. Must include birth date on entry form.

Announcements: Class announcements and ride time announcements are a courtesy to the exhibitor and not all shows provide the capability of public address announcements. Exhibitors are responsible for presenting themselves to the ring at their designated time and accept the full responsibility for doing so. Competitions offering public announcements will make every effort to maintain a working PA system, but it is stressed that it is still the exhibitors responsibility to be on time. No protest will be upheld, nor any ride time changed, on the basis of a PA breakdown or missed announcement. Ring stewards will also make every effort to keep people informed and entering the ring in a timely fashion. Exhibitors are responsible for knowing the correct show time and their scheduled performance time irregardless of PA announcements or ring stewards. No protest will be upheld, nor ride time changed due to failure of the exhibitor to meeting their responsibilities.

Arena Sizes: Standard arena is 20m x 60m. Small arena is 20m x 40m.

U.S. Equestrian Federation, Inc. Entry Agreement

By entering a Federation-licensed Competition and signing this entry blank as the Owner, Lessee, Trainer, Manager, Agent, Coach, Driver, Rider, Handler, Vaultor or Longeur and on behalf of myself and my principals, representatives, employees and agents, I agree that I am subject to the Bylaws and Rules of The United States Equestrian Federation, Inc. (the "Federation") and the local rules of the competition.

I agree to be bound by the Bylaws and Rules of the Federation and of the competition. I will accept as final the decision of the Hearing Committee on any question arising under the Rules, and agree to release and hold harmless the competition, the Federation, their officials, directors and employees for any action taken under the Rules.

I represent that I am eligible to enter and/or participate under the Rules, and every horse I am entering is eligible as entered.

I also agree that as a condition of and in consideration of acceptance of entry, the Federation and/or the Competition may use or assign photographs, videos, audios, cable -casts, broadcasts, internet, film, new media or other likenesses of me and my horse taken during the course of the competition for the promotion, coverage or benefit of the competition, sport, or the Federation. Those likenesses shall not be used to advertise a product and they may not be used in such a way as to jeopardize amateur status. I hereby expressly and irrevocably waive and release any rights in connection with such use, including any claim to compensation, invasion of privacy, right of publicity, or to misappropriation.

The construction and application of Federation rules are governed by the laws of the State of New York, and any action instituted against the Federation must be filed in New York State. See GR908.4.

USDF/Dover Saddlery Adult Amateur Medal Program

The USDF/Dover Saddlery Adult Amateur Medal Program is designed to specifically recognize and encourage adult amateurs riding at Second Level.

Awards

1. USDF/Dover Saddlery Medal Recipient

The eligible rider with the highest score of 60 percent or better in the designated Second Level Test Three class or applicable test of choice USDF/Dover Saddlery Adult Amateur Medal class at a participating competition will receive a handcrafted USDF/Dover Saddlery pewter medal and neck ribbon. Winners will receive a \$20 Dover Saddlery gift certificate for the first three USDF/Dover Saddlery Medals they win during the competition season.

2. USDF/Dover Saddlery National Merit Award

A USDF/Dover Saddlery National Merit Award will be awarded to riders winning three USDF/Dover Saddlery Medals in the same competition year.

3. Year-End Awards

The USDF/Dover Saddlery Medal National Champion and Reserve Champion are determined from the average of the top three winning ride scores during the competition year. The champion receives a \$1000 Dover Saddlery gift certificate and the reserve champion receives a \$500 Dover Saddlery gift certificate.

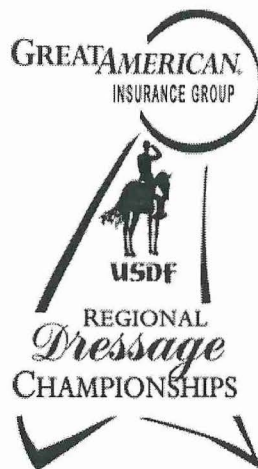
Rider Eligibility

To be eligible, a rider must meet the following criteria:

1. Rider must be a current USDF Participating Member or Group Member at the time of the competition.
2. Rider must be an adult amateur in accordance with Article GR1306 of the USEF rules and be designated with USEF as an adult amateur as of the competition date.

Additional Information

For additional information and an updated list of competitions offering the USDF/Dover Saddlery Adult Amateur Medal Program, please visit
<http://www.usdf.org/awards/performance/adultmedalprogram.asp>.



2012 Great American Insurance Group/ USDF Regional Dressage Championships

A single Regional Dressage Championship program organized by the United States Dressage Federation (USDF), and recognized by the United States Equestrian Federation, Inc. (USEF), will be held in each of the nine USDF regions. In addition, Alaska and Hawaii may each hold state championships if an official request from a Group Member Organization (GMO) is received by April 1 of the prior year.

The Regional Championship Program Rules can be found on the USDF website at www.usdf.org. Please refer to the 2012 USDF Member Guide for the comprehensive list of rules and requirements for this program.

Membership/Registration Requirements for Qualifying and Championships

Rider:

- Must be a USDF Participating* Member (PM) at the time qualifying scores are earned and at the time of the championships.
- Must be a USEF member (Junior Active, Senior Active, or Life) at the time the qualifying scores are earned and at the time of the championships.

Horse:

- Must be USDF Lifetime Registered (LTR) at the time qualifying scores are earned and at the time of the championships.
- Must be USEF (Annual or Lifetime) recorded at the time qualifying scores are earned and at the time of the championships.
- USDF horse registration and USEF horse/recording must be in the name(s) of the current owner(s) or lessee(s) of record.
- A horse is not required to have breed registry papers.

Owner:

- Must be a USDF member (PM* or Business Member (BM)) at the time the qualifying scores are earned and at the time of the championships.
- Must be a USEF member (Junior Active, Senior Active, or Life) at the time qualifying scores are earned and at the time of the championships.

* PMs are USDF members who join USDF directly. USDF Group Members (GM) are ineligible.

Minimum Qualifying Scores

One set of nationally-standardized qualifying scores has been established for all USEF/USDF Regional Championships, for levels through Grand Prix, in three divisions: open, adult amateur and junior/young rider. FEI Junior and FEI Young Rider classes have only one respective division. Freestyles have only open divisions.

The minimum percentages are as follows:

	OPEN	AA	JR/YR
Training Level (Test 3)	68%	63%	63%
First Level (Test 3)	66%	62%	62%
Second Level (Test 3)	64%	61%	61%
Third Level (Test 3)	62%	60%	60%
Fourth Level (Test 3)	62%	60%	60%
FEI Junior (Team Test)	—	—	60%
FEI Young Rider (Team Test)	—	—	60%
Prix St. Georges	60%	60%	60%
Intermediate I	60%	60%	60%
Intermediate II	60%	60%	60%
Grand Prix	60%	60%	60%

FREESTYLE	OPEN	AA	JR/YR
First Level	63%	—	—
Second Level	63%	—	—
Third Level	63%	—	—
Fourth Level	63%	—	—
Intermediate I	63%	—	—
Grand Prix	63%	—	—

USDF Statement on Animal Welfare

The United States Dressage Federation, Inc. (USDF), a federation of over 125 independent organizations throughout the United States with a membership in excess of 33,000 members, supports the concept of ethical treatment of animals.

Dressage is a classical method of training horses, based upon the horse's natural responses, as carried out in a gradual, planned program during which the horse's athletic abilities are improved in a systematic manner. As a result, the horse becomes capable, comfortable, and responsive in partnership with the rider without the use of force. Dressage competition at various levels of achievement is the ultimate test of the training program to determine whether the desired harmony between horse and rider has been achieved.

The rules pertaining to dressage competition prohibit the use of artificial appliances, training aids, and drugs, which would force the horse to submit. Instead, the emphasis is upon training and a cooperative partnership with the rider. Major competitions are carefully monitored to assure that there is no unnecessary force or harshness displayed.

Unlike other horse sports in which horses enter training at a relatively immature state, dressage training is usually not seriously begun until the horse is three or four. The top levels of achievement require five or more years of progressive training and it is not unusual to see horses in international competition in their late teens. This, in itself, places a premium on good care and soundness throughout the horse's life.

While supporting the concept of animal welfare in its broadest form, the United States Dressage Federation, Inc., also recognizes that it is unrealistic to ascribe human emotions and responses to the horse which in its wild state is a creature of flight, living a hard and precarious existence. Under domestication, the horse is assured of ample food, water, and shelter, as well as protection against infectious diseases and damaging parasites, thus leading a longer and healthier life with a high rate of survival.

As an educational organization, USDF has numerous programs, which teach people how to pursue the accepted, humane training methods. A program of certifying instructors also emphasizes protecting the horse's welfare in pursuit of dressage training.

UNITED STATES *Dressage* FEDERATION
4051 IRON WORKS PARKWAY, LEXINGTON, KY 40511
PHONE: 859/971-2277, FAX: 859/971-7722, EMAIL: usdressage@usdf.org, WEBSITE: www.usdf.org

USDF Membership Benefits: USDF is dedicated to education, the recognition of achievement, and promotion of dressage. For details on member benefits, including educational programs, awards, and other opportunities, refer to the *USDF Competitor & Member Guide* or the USDF website at www.usdf.org.



Membership Requirements for USEF-licensed/USDF-recognized Competitions: Owners and riders, including foreign riders and owners who are not residents of the US, wishing to participate in a USEF-licensed/USDF-recognized competition as a rider or owner/lessee, must have either a USDF Group Membership, Participating Membership (PM), or have a USDF Non-Member (NM) identification number and pay the USDF NM fee. (Note: USDF business members can own horses but cannot compete as riders with their USDF BM.) Individuals cannot compete at a USEF-licensed/USDF-recognized competition with a USDF Education Membership.

Horses competing at USEF-licensed/USDF-recognized competitions must have either a USDF Horse Identification (HID) number or a USDF Lifetime Horse Registration (LHR). Proper credentials or verification certificates must be presented to the competition secretary.

Riders and owners wishing to participate in a USEF-licensed/USDF-recognized competition, and not able to present the competition secretary with verification of a USDF membership or NM identification, and USDF LHR or USDF HID, must complete a USDF Competition Affidavit Form and pay the \$5 affidavit filing fee. A copy of a completed affidavit form from another competition may also be used for verification purposes for up to 60 days. (Exception: Affidavits cannot be used at Great American Insurance Group/USDF Regional Dressage Championships.)

Exceptions:

- Horses competing only in Individual Breed Classes (IBCs) at DSHB competitions, sires and dams of horses in DSHB group classes, where those sires or dams are not actually competing in the same competition, horses competing only in breed restricted dressage or DSHB classes at Regular Competitions (e.g. all Arabian, all Friesian, or all Morgan classes), or in USDF Introductory Level tests, Pas de Deux, Quadrille, FEI ParaEquestrian classes, are exempt from this requirement. Also exempt are horses ridden in leadline, exhibitions, games and races, classes for 4-H members, walk-trot, academy and opportunity classes.
- Riders and owners/lessees competing only in classes which are exempt from the USDF HID requirements are also exempt from the USDF NM identification number and NM fee requirements. Also exempt are handlers of horses competing in DSHB In-Hand or Group classes.

Memberships Defined

Participating Membership (PM): A membership issued to an individual directly by USDF. The membership year is December 1 through November 30. PMs are available for 1-year (\$75), 5-years (\$300), or life (\$1,500). A USDF Youth Participating Membership (YPM) is available for individuals who have not reached their 21st birthday by December 1 of the current membership year (\$60). A PM allows the member to compete at USEF-licensed/USDF-recognized competitions and to participate as a rider and/or owner/lessee for all Adequan®/USDF Year-End Awards, Great American Insurance Group/USDF Breeders' Championship Series Finals and the Great American Insurance Group/USDF Regional Dressage Championship program.

Group Membership (GM): A membership issued to an individual by USDF when the member name and dues are submitted to USDF through an affiliate Group Member Organization (GMO). The GM year begins December 1 and ends November 30. A GM allows the member to compete at USEF-licensed/USDF-recognized competitions and participate in the USDF Rider Awards program.

Business Membership (BM): A membership that runs December 1 through November 30 and is issued to a business or organization directly by USDF. The USDF BM (\$200) offers a wider variety of advertising benefits. BMs satisfy requirements of horse ownership only.

Education Membership (EM): A membership issued to an individual directly by USDF. This online education only membership expires 12 months after the date joined. This membership type does NOT allow an individual to compete at a USEF-licensed/USDF-recognized competition.

Non-Member (NM) Identification Number: For each USDF NM owner/lessee and USDF NM rider there will be a USDF NM fee of \$25 and a USDF NM form per competition that must be collected by the show secretary and submitted to USDF along with the USDF Report of Fees document and the \$5 affidavit fee if the person cannot provide a copy of their USDF NM card. Owners/lessees or riders exempt from the NM number requirements are also exempt from paying the USDF NM fee. If there are multiple owners of a horse and all are NMs, only one of the owners must pay the NM fee. If the horse has at least one owner who is a current USDF member there is no NM fee assessed. Competition management will be invoiced for all applicable USDF NM fees not received with the USDF post competition paperwork, along with a report listing all USDF NMs. Competition management is then required to submit the NM fees within 30 days to the USDF. An individual with a USDF NM identification number is not eligible for any USDF membership benefits. Once a USDF NM number has been assigned, a USDF NM card can be obtained from the USDF website.

Horse Identification (HID) Number: A one-time tracking number for horses (\$25). Scores earned by a horse with an HID number will be recorded, but will NOT be counted towards Adequan®/USDF Year-End Awards. A horse with an HID number is not eligible to compete in Great American Insurance Group/USDF Regional qualifying or championship classes or Great American Insurance Group/USDF Breeders' Championship Series Finals. An HID number can be upgraded to a Lifetime Horse Registration (LHR) for a fee of \$70. If a horse has a USDF LHR it does not need an HID number. An HID number is a one-time fee that does not need to be renewed.

Lifetime Horse Registration (LHR): A horse with an LHR (\$95) is eligible for Adequan®/USDF Year-End Awards, and eligible to compete at Great American Insurance Group/USDF Breeders' Championship Series Finals and Great American Insurance Group/USDF Regional qualifying and championship classes, assuming requirements for the owner and rider are met. If a horse has an LHR it does not need an HID number. An LHR does not need to be renewed.

How to Join USDF

Applications for USDF Participating Membership (PM), Business Membership (BM), Horse Identification (HID) number, and Lifetime Horse Registration (LHR) may be found in the following locations:

- On the USDF website: www.usdf.org. You can submit the application online or download the form and fax or mail it to the USDF office.
- In the show office at USEF-licensed/USDF-recognized competitions classified by USEF as Dressage Competitions, and Regular Competitions which are open to all breeds.
- By calling or writing the USDF office at (859) 971-2277, 4051 Iron Works Parkway, Lexington, KY 40511

The effective date of membership is the date the form and correct fees are received in the USDF office or, if applying at a competition, the date accepted by the competition secretary, provided the application is signed and dated by the competition secretary, member, and/or horse owner on that same day.

09/10

USEF Competition Name: Florida Dressage Classic CDI W
Competition Division(s) and Rating(s): Level 5

USEF#: 3846

USEF Member To Do List:

Mow the fields.



JOHN DEERE

Haul the hay.



Auto Buying Program

Paint the barn — and the

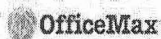
house.



Re-order supplements



and office supplies.



Get new tires and a full service check.



Make sure

we're covered



on the road and in the ring.



Get ready



for the big competition. Win! Rent a

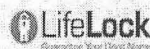


car and drive to

the coast. Take a vacation.



Relax!



You don't

have to bet the farm to check off this season's most important tasks. For details on

how you can save big



with USEF MemberPerks,



visit usef.org

or call one of our Customer Care agents at 859.258.2472.

2012

Official Use Only
BRIDLE #

COMPETITION NAME _____ COMPETITION DATES _____

NAME OF HORSE				PREVIOUS NAME (IF ANY)		USEF#	USDF#	FOR SALE
BREED	SEX	HEIGHT	COLOR	COGGINS DATE (ENCLOSED COPY)		SIRE	DAM	
DAM'S SIRE		COUNTRY OF BIRTH	YEAR OF BIRTH	BREEDER	FEI/PASSPORT #		GROOM	

OWNER _____

USEF# _____ USDF# _____ LOCAL# _____

ADDRESS _____

CITY/ST/ZIP/CTRY _____

PHONE _____ CELL PHONE _____

EMAIL ADDRESS _____

OWNER CITIZENSHIP (IF NOT USA) _____

TIN/SSN (REQUIRED FOR PRIZE MONEY) _____

RIDER/HANDLER _____

USEF# _____ USDF# _____ FEI/LOCAL# _____

ADDRESS _____

CITY/ST/ZIP/CTRY _____

PHONE _____ CELL PHONE _____

EMAIL ADDRESS _____

RIDER CITIZENSHIP (IF NOT USA) _____

JR/YOUNG RIDER BIRTHDAY _____ WILLING TO VOLUNTEER? _____

RIDER STATUS (CIRCLE ONE): JR/YG AA OPEN

TRAINER _____

USEF# _____ USDF# _____ LOCAL# _____

ADDRESS _____

CITY/ST/ZIP/CTRY _____

PHONE _____ CELL PHONE _____

EMAIL ADDRESS _____

COACH _____

USEF# _____ USDF# _____ LOCAL# _____

Please Fill Out Both Sides of This Form. Reverse side MUST be SIGNED.

Stabling Information & Special Requests: Please list only ONE name (either individual or barn) for entire group (so we can get everyone together)

Group/Self	Tue	Wed	Thu	Fri	Sat	Sun	Mon
Stalls							
Tack Stalls							

Stable Group: _____ Contact: _____

CLASS No.	DIVISION	CLASS DESCRIPTION	QUAL Y/N	FEES

SUBTOTAL CLASS FEES AND QUALIFYING FEES	
USEF NON-MEMBER FEES \$30 PER NON-MEMBER	
USDF NON MEMBER FEE \$25 PER NON-MEMBER	
USDF AFFIDAVIT FEE (\$5 IF REQUIRED)	
USEF HORSE FEES \$8 USEF FEE + \$8 DRUG FEE = \$16.00	
CDI HORSE FEES \$8 USEF FEE + \$20 DRUG FEE = \$28.00	
IHP DISCIPLINE FEE (\$35 IF REQUIRED)	
OFFICE FEE AND/OR BRIDLE # FEE	
STABLING FEES ____ STALL @ \$____/STALL	
TACK STALLS ____ STALL @ \$____/STALL	
BEDDING ____ BALES @ \$____/BALE	
LATE/CHANGE/BANK CHARGES FOR CC	
NON COMPETING HORSE FEE	
GROUNDS FEE OR OTHER FEES _____	
OTHER _____	
TOTAL FEES	

July 12, 2012

I hereby agree to release, indemnify and hold harmless USDF, its instructors, officers, directors, agents, and volunteers from and against any and all loss, liability or damage arising from or because of, or in connection with, participation in this competition or related activities. I also hereby agree to release, indemnify and hold harmless the competition licensee, show management, competition staff, show committee and members, officers, directors, agents, and volunteers from and against any and all loss, liability or damage arising from or because of, or in connection with, participation in this competition or related activities.

Federation Entry Agreement Effective

By entering a Federation-licensed Competition and signing this entry blank as the Owner, Lessee, Trainer, Manager, Agent, Coach, Driver, Rider, Handler, Vaultor or Longeur and on behalf of myself and my principals, representatives, employees and agents, I agree that I am subject to the Bylaws and Rules of The United States Equestrian Federation, Inc. (the "Federation") and the local rules of the Competition. I agree to be bound by the Bylaws and Rules of the Federation and of the competition. I will accept as final the decision of the Hearing Committee on any question arising under the Rules, and agree to release and hold harmless the Competition, the Federation, their officials, directors and employees for any action taken under the Rules. I represent that I am eligible to enter and/or participate under the Rules, and every horse I am entering is eligible as entered. I also agree that as a condition of and in consideration of acceptance of entry, the Federation and/or the Competition may use or assign photographs, videos, audios, cable-casts, broadcasts, internet, film, new media or other likenesses of me and my horse taken during the course of the Competition for the promotion, coverage or benefit of the Competition, sport, or the Federation. Those likenesses shall not be used to advertise a product and they may not be used in such a way as to jeopardize amateur status. I hereby expressly and irrevocably waive and release any rights in connection with such use, including any claim to compensation, invasion of privacy, right of publicity, or to misappropriation. The construction and application of Federation rules are governed by the laws of the State of New York, and any action instituted against the Federation must be filed in New York State. See GR908.4.

Federation Release, Assumption of Risk, Waiver, and Indemnification

This document waives important legal rights. Read it carefully before signing.

I AGREE in consideration for my participation in this Competition to the following:

I AGREE that "the Federation" and "Competition" as used herein includes the Licensee and Competition Management, as well as all of their officials, officers, directors, employees, agents, personnel, volunteers and Federation affiliates.

I AGREE that I choose to participate voluntarily in the Competition with my horse, as a rider, driver, handler, vaultor, longeur, lessee, owner, agent, coach, trainer, or as parent or guardian of a junior exhibitor. I am fully aware and acknowledge that horse sports and the Competition involve inherent dangerous risks of accident, loss, and serious bodily injury including broken bones, head injuries, trauma, pain, suffering, or death. ("Harm").

I AGREE to hold harmless and release the Federation and the Competition from all claims for money damages or otherwise for any Harm to me or my horse and for any Harm of any nature caused by me or my horse to others, even if the Harm arises or results resulted, directly or indirectly, from the negligence of the Federation or the Competition.

I AGREE to expressly assume all risks of Harm to me or my horse, including Harm resulting from the negligence of the Federation or the Competition.

I AGREE to indemnify (that is, to pay any losses, damages, or costs incurred by) the Federation and the Competition and to hold them harmless with respect to claims for Harm to me or my horse, and for claims made by others for any Harm caused by me or my horse while at the Competition. I have read the Federation Rules about protective equipment, including GR801 and if applicable, EV114, and I understand that I am entitled to wear protective equipment without penalty, and I acknowledge that the Federation strongly encourages me to do so while WARNING that no protective equipment can guard against all injuries. If I am a parent or guardian of a junior exhibitor, I consent to the child's participation and AGREE to all of the above provisions and AGREE to assume all of the obligations of this Release on the child's behalf. I represent that I have the requisite training, coaching and abilities to safely compete in this competition.

I AGREE that if I am injured at this competition, the medical personnel treating my injuries may provide information on my injury and treatment to the Federation on the official USEF accident/injury report form.

BY SIGNING BELOW, I AGREE to be bound by all applicable Federation Rules and all terms and provisions of this entry blank and all terms and provisions of this Prize List. If I am signing and submitting this Agreement electronically, I acknowledge that my electronic signature shall have the same validity, force and effect as if I affixed my signature by my own hand.

OWNER'S/AGENT'S SIGNATURE (MANDATORY)	RIDER/HANDLER SIGNATURE (MANDATORY)	TRAINER'S SIGNATURE (MANDATORY)	COACH'S SIGNATURE (IF APPLICABLE)
PRINT NAME	PRINT NAME	PRINT NAME	PRINT NAME

PARENT/GUARDIAN SIGNATURE IF RIDER/DRIVER/TRAINER/HANDLER/VAULTOR/LONGEUR IS UNDER 18	PRINT PARENT/GUARDIAN NAME

RIDER EMERGENCY CONTACT INFORMATION	
NAME OF CONTACT/RELATIONSHIP:	PHONE:

FILL OUT ONLY IF THE COMPETITION YOU ENTER ON THIS ENTRY FORM OFFERS CERTAIN USE OF CHARGE CARDS!! (Check in the prize list or individual competition requirements)	
<input type="checkbox"/> VISA	<input type="checkbox"/> AMEX
CARD NO. _____	EXP DATE _____
<input type="checkbox"/> MasterCard	<input type="checkbox"/> Other _____
NAME ON CARD: _____	3 Digit _____
BILLING ADDRESS _____	ZIP CODE _____

Gold Coast Feed & Supply Order Form

Thank you for choosing Gold Coast Feed & Supply to serve all of your shavings, hay and feed needs. In order to set up your account, we will need the following information.

Name: _____

Company Name: _____

Phone Number: _____

Alternate Phone Number: _____

Billing Address: _____

City: _____

State: _____ Zip Code: _____

Email Address: _____

Delivery Location:

Barn(s)/ Tent(s): _____

Stall Number(s): _____

To complete the setup of your account we will also need the following information for our records.

Credit Card Number: _____

Name on Card _____

Expiration Date: _____ Credit Card Provider: _____

Bedding

Elite Large Flake \$5.75 # of bags _____

Elite Med. Flake \$5.75 # of bags _____

Elite Sm. Flake \$5.75 # of bags _____

Hay

Timothy \$17.95 # of bales _____

Canadian T/A \$14.95 # of bales _____

Other Items:

Name Of Item _____ # needed _____

Name Of Item _____ # needed _____

Name Of Item _____ # needed _____

Name Of Item _____ # needed _____

Pricing and Availability subject to change. For a full list of Feed, Bedding and Hay call 561-793-4607

Fax this order form to 561-793-4491 or mail to the address listed below

Gold Coast Feed & Supply 13501 South Shore Blvd. Suite 101 Wellington, Fl 33414

368

July 12, 2012

Updates to prize lists

With the opening of the new facility – the directions have changed from what is published in the prize list.

Here is the updated directions:

From the Florida Turnpike: Take Exit 93 – Lake Worth Road. Make a right onto Lake Worth Road and proceed west until the road ends (about 5 miles). Make a right onto South Shore Boulevard. Make a **right** onto Pierson Road, **Stable entrance is first on left.**

From I-95: Take Exit 66: Forest Hill Boulevard. Proceed West on Forest Hill Blvd. for about 11 miles. Make a left onto South Shore Boulevard. Make a **left** onto Pierson Road, **stable entrance first on left.**

From Palm Beach: Go **west on** Southern Boulevard Bridge and proceed west for about 14 miles. Make a left on to Route 441/SR 7. Make a right onto Forest Hill Boulevard. Make a left onto South Shore Boulevard. Make a **left** onto Pierson Road, **stable entrance first on left.**

GPS Address: 13550 South Shore Blvd., Wellington FL 33414 – then proceed to Pierson (at light) and follow above entrance for competitors.

Stabling Charges:

We were just informed that sales tax of 6% must be charged on all stalls. So please keep this in mind when filling out your entries.

Class additions for Wellington Dressage Classic CDI 3* and National Show #7136.

Add:

- #136 Pony Team (USEF Qualifying) on Friday 3/16/2012
- #336 Pony Freestyle on Sunday 3/18/2012

Global Dressage Festival National 1

Qualifier for the Great American/USDF Regional Championships, USDF Dover Medal AA

February 21 - February 23, 2012

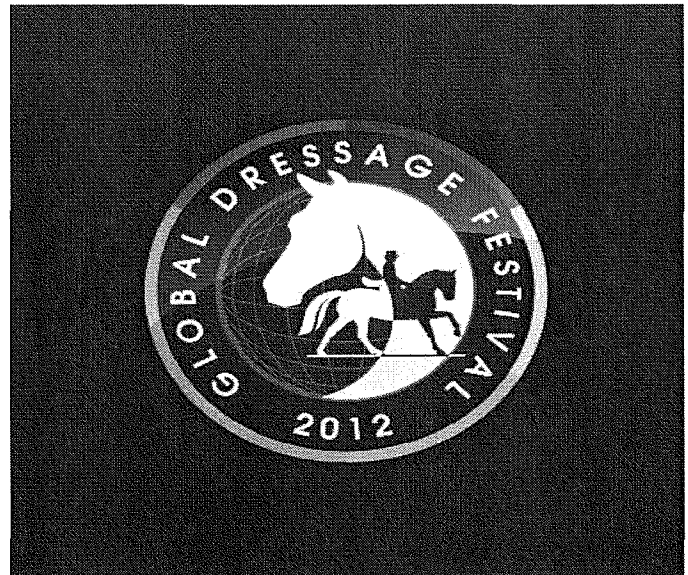
Officials

Marlene Schneider 'S'

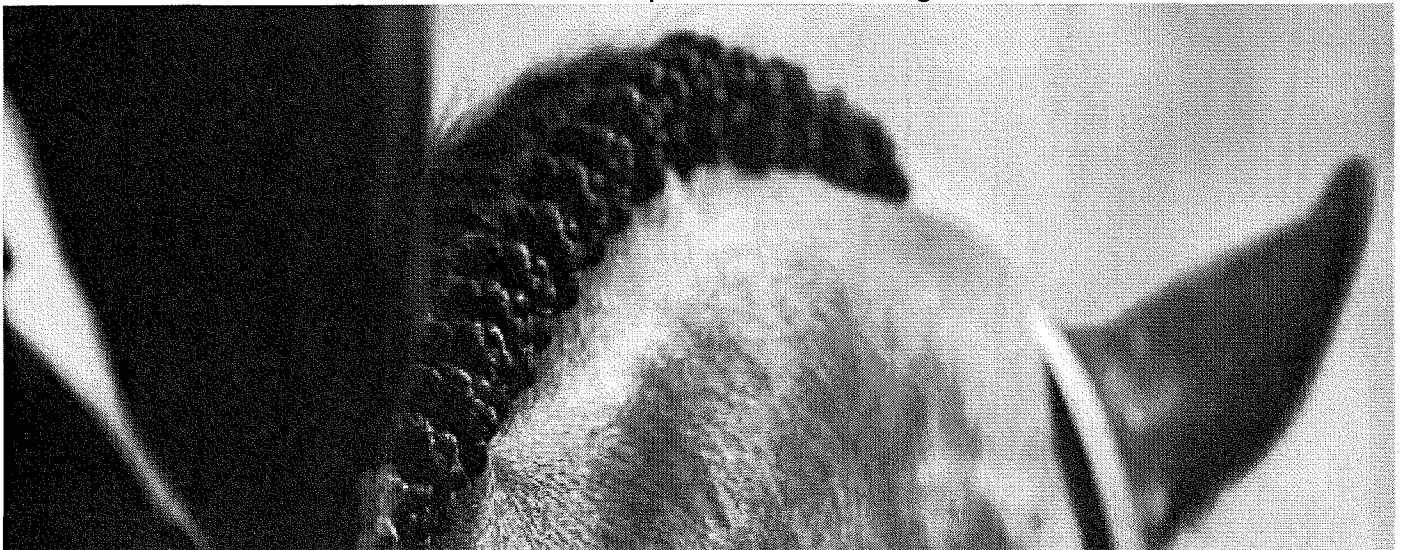
Others will be added as entries warrant

Heather Peterson (TD)

Anne Sushko (TD)



USEF Level Two / USDF/USEF #329533 / Licensee: Equestrian Show Holdings LLC



July 12, 2012 370

National Information

Manager/ Entry Secretary: Lloyd Landkamer *phone:* 612-290-8523 *Fax:* 866-832-8610

Assistant Manager/Secretary: John Hoppman

E-mail: DressageFestival@aol.com **Website:** EquestrianSport.com

Tentative class schedule and Times will be posted at EquestrianSport.com

Important: please see the “General Regulations and Entry Specification Section” for additional policies that this show subscribes to and follows.

On-line entries at EquestrianSport.com beginning opening date.

Opening Date: 12/15/2012 / Closing and Received by Date: 1/31/2012

For mailed entries: draw checks in US Funds and mail entries to:

Palm Beach International Equestrian Center

Attn: Global Dressage Festival

14440 Pierson Road

Wellington, FL 33414

Office Charge for Online entries: \$30 per horse/rider combination per show

Additional Charge for Mailed entries: \$5 per horse/rider combination per show

Entry Information Requirement: Competitors are responsible to include a copy of all memberships for horse, owner, rider, and trainer listed on entry form. A current negative coggins or interstate health papers must also be submitted with entry. If in freestyle class - a copy of the qualifying test must also be included in the entry.

Late Entries: \$25 per show if postmarked and received after the received by date (contact secretary first).

Post Entries: Will be taken as scheduling permits - Class fee plus \$10.00 – requests must be made by 3PM the day prior to the requested ride.

Faxed Entries: \$5 per entry fee. Fax Number - 866-832-8610

Rider/Handler/Horse Change: \$25 for either rider or horse change after entries submitted.

Time Change within a class: \$10 per change if possible (request by 3 PM the day prior)

Non-competing horses: \$50 per show. Must fill out entry form for number and pay office fee and per day grounds fee.

Non-Stabled Horses: \$35 per day grounds fee.

Stabling/Tack Stall Fees: \$75 per Stall per show day. Temporary stabling with doors.

Bedding: Ordered from Gold Coast at 561-793-4607 (see attached form)

Tue 2/21 #	Wed 2/22 #	Thu 2/23 #	Class Name Any class (*) GAIG/USDF regional qualifying if test is eligible.	Divisions Offered	Class Fee	Q Fee
101	201	301	USDF Intro A	JR-YR / AA / Open	\$60	
102	202	302	USDF Intro B	JR-YR / AA / Open	\$60	
103	203	303	USDF Intro C	JR-YR / AA / Open	\$60	
104	204	304	USEF Training Level Test One - Open	Open	\$60	
104A	204A	304A	USEF Training Level Test One - AA	AA	\$60	
104J	204J	204J	USEF Training Level Test One – JR/YR	JR/YR	\$60	
105	205	305	USEF Training Level Test Two - Open	Open	\$60	
105A	205A	305A	USEF Training Level Test Two - AA	AA	\$60	
105J	205J	305J	USEF Training Level Test Two – JR/YR	JR/YR	\$60	
106	206	306	USEF Training Level Test Three* - Open	Open	\$60	\$70
106A	206A	306A	USEF Training Level Test Three* - AA	AA	\$60	\$70
106J	206J	306J	USEF Training Level Test Three* - JR/YR	JR/YR	\$60	\$70
107	207	307	USEF First Level Test One - Open	Open	\$60	
107A	207A	307A	USEF First Level Test One - AA	AA	\$60	
107J	207J	207J	USEF First Level Test One – JR/YR	JR/YR	\$60	
108	208	308	USEF First Level Test Two - Open	Open	\$60	
108A	208A	308A	USEF First Level Test Two - AA	AA	\$60	
108J	208J	308J	USEF First Level Test Two – JR/YR	JR/YR	\$60	
109	209	309	USEF First Level Test Three* - Open	Open	\$60	\$70
109A	209A	309A	USEF First Level Test Three* - AA	AA	\$60	\$70
109J	209J	309J	USEF First Level Test Three* - JR/YR	JR/YR	\$60	\$70
110J	210	310	USEF Second Level Test One - Open	Open	\$60	
110A	210A	310A	USEF Second Level Test One - AA	AA	\$60	
110J	210J	310J	USEF Second Level Test One – JR/YR	JR/YR	\$60	
111	211	311	USEF Second Level Test Two - Open	Open	\$60	
111A	211A	311A	USEF Second Level Test Two - AA	AA	\$60	
111J	211J	311J	USEF Second Level Test Two – JR/YR	JR/YR	\$60	
112	212	312	USEF Second Level Test Three* - Open	Open	\$60	\$70
112A	212A	312A	USEF Second Level Test Three* - AA (Dover Medal Wednesday)	AA	\$60	\$70
112J	212J	312J	USEF Second Level Test Three* - JR/YR	JR/YR	\$60	\$70
113	213	313	USEF Third Level Test One - Open	Open	\$60	
113A	213A	313A	USEF Third Level Test One - AA	AA	\$60	
113J	213J	313J	USEF Third Level Test One – JR/YR	JR/YR	\$60	
114	214	314	USEF Third Level Test Two -Open	Open	\$60	
114A	214A	314A	USEF Third Level Test Two - AA	AA	\$60	
114J	214J	314J	USEF Third Level Test Two – JR/YR	JR/YR	\$60	
115	215	315	USEF Third Level Test Three* -Open	Open	\$60	\$70
115A	215A	315A	USEF Third Level Test Three* - AA	AA	\$60	\$70
115J	215J	315J	USEF Third Level Test Three*- JR/YR	JR/YR	\$60	\$70
116	216	316	USEF Fourth Level Test One - Open	Open	\$60	
116A	216A	316A	USEF Fourth Level Test One - AA	AA	\$60	

116J	216J	316J	USEF Fourth Level Test One- JR/YR	JR/YR	\$60	
117	217	317	USEF Fourth Level Test Two - Open	Open	\$60	
117A	217A	317A	USEF Fourth Level Test Two - AA	AA	\$60	
117J	217J	317J	USEF Fourth Level Test Two – JR/YR	JR/YR	\$60	
118	218	318	USEF Fourth Level Test Three* - Open	Open	\$60	\$70
118A	218A	318A	USEF Fourth Level Test Three*- AA	AA	\$60	\$70
118J	218J	318J	USEF Fourth Level Test Three* - JR/YR	JR/YR	\$60	\$70
119	219	319	FEI Prix St George* - Open	Open	\$75	\$85
119A	219A	319A	FEI Prix St George* - AA	AA	\$75	\$85
119J	219J	319J	FEI Prix St George* - JR/YR	JR/YR	\$75	\$85
120	220	320	FEI Intermediare I* - Open	Open	\$75	\$85
120A	220A	320A	FEI Intermediare I* - AA	AA	\$75	\$85
120J	220J	320J	FEI Intermediare I* - JR/YR	JR/YR	\$75	\$85
121	221	321	FEI Intermediare II* - Open	Open	\$75	\$85
121A	221A	321A	FEI Intermediare II* - AA	AA	\$75	\$85
121J	221J	321J	FEI Intermediare II* - JR/YR	JR/YR	\$75	\$85
122	222	322	FEI Grand Prix* - Open	Open	\$75	\$85
122A	222A	322A	FEI Grand Prix* - AA	AA	\$75	\$85
122J	222J	322J	FEI Grand Prix* - JR/YR	JR/YR	\$75	\$85
	223		USDF Freestyle* (specify test – USDF 1st-4th)	JR-YR / AA / Open	\$60	\$70
	224		FEI Freestyle* (specify test – Intermediare or GP)	JR-YR / AA / Open	\$75	\$85
125	225	325	FEI TOC* (state test – no freestyles, Young Horse or Para)	JR-YR / AA / Open	\$75	\$85
126	226	326	Equitation		\$35	
127	227	327	FEI Para TOC (any grade Team or Individual only)		\$60	
	228		FEI Para Freestyle TOC – state tests		\$60	
			Materiale Division			
140	240	340	Three Year Old Fillies		\$40	
141	241	341	Three Year Old Colts/Geldings		\$40	
142	242	342	Four and Five Year Old Mares		\$40	
143	243	343	Four/Five Year Old Stallions/Geldings		\$40	
			Opportunity Classes			
144	244	344	Training Level Test 1 Opportunity		\$60	
145	245	345	Training Level Test 2 Opportunity		\$60	
146	246	346	First Level Test 1 Opportunity		\$60	
147	247	347	First Level Test 2 Opportunity		\$60	

Schedule:

Stable opens 2/20/2012 at 12 PM

2/20/2012 Schooling available in all arenas

2/21/2012 classes begin – Schooling after the last class of each day for 1 Hour after the competition.

Entry Cancellation/Refunds: Cancellations only in writing either by mail, e-mail or fax prior to or on closing date. **Cancellation prior to or on closing/received by date - entire entry minus office fees and charges. No Refunds for any reason after closing/received by date.** All fees collected on behalf of USEF to be submitted to the Federation provided all outstanding fees are paid in full; else it will be applied to those fees.

Great American/USDF Qualifying Classes: Please indicate that the class is to count for qualifying by placing a **Q** after the class number. Qualifying will not require a separate ride. An exhibitor riding in the Open, AA, or JR/Young rider classes will pay an additional \$10 USDF fee to have this score entered in the Great American/USDF qualifying division at that level.

Awards for USEF Classes: Divisions will be pinned separately. Riders must clearly specify division choice. When no designation is made, riders will automatically be entered as open Trophy and ribbons to sixth for each class. No awards for Qualifying classes.

Veterinary Services (Also Nearest Surgery Center):

Palm Beach Equine Clinic **Phone: 561-793-1599**

Farrier: Information will be posted at the show office.

Photographer: Susan Stickle at www.dressagephotos.com or susanjstickle.com

Concessions & Vendor Services: Matt Morrissey 941-915-3457

Accommodations: Hampton Inn - West Palm Beach, 561/ 682-9990, Holiday Inn- Turnpike Lake Worth Blvd. 561/ 968-5000; Fairfield Inn by Marriot, Okeechobee Blvd. 561/ 697-3388; The Royal Inn 561/ 793-3000; Homestead Inn - Airport 561/ 640-3335; Days Inn West Palm Turnpike 561/ 687-0415; Radisson Suite 561/ 689-6888; Southern Palm Bed & Breakfast 561/ 790-1413; Best Western Palm Beach Lakes Inn 800/ 528-1234; Boardwalk Realty Robbie Johnson 561/ 790-0500.

Camping/RV Reservations: Camper parking is not available on the show grounds. Lion Country Safari KOA 561-793-1084 (approximately 3-4 miles from the show grounds)

Arenas: Standard size arenas with sand/fiber footing. Warm-up and lunging areas of same footing.

Directions:

From the Florida Turnpike: Take Exit 93 – Lake Worth Road. Make a right onto Lake Worth Road and proceed west until the road ends (about 5 miles). Make a right onto South Shore Boulevard. Make a left at onto Pierson Road. The show grounds Main Entrance is clearly marked. *From I-95:* Take Exit 66: Forest Hill Boulevard. Proceed West on Forest Hill Blvd. for about 11 miles. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked. *From Palm Beach:* Go over the Southern Boulevard Bridge and proceed west on Southern Boulevard for about 14 miles. Make a left on to Route 441/SR 7. Make a right onto Forest Hill Boulevard. Make a left onto South Shore Boulevard. Make a right onto Pierson Road. The show grounds Main Entrance is clearly marked. GPS Address: 14440 PIERSON ROAD, WELLINGTON, FL 33414

Liability:

- a) Equestrian Sport Productions, LLC, Gold Coast Feed, Grand Prix Village at the Equestrian Club, Wellington Equestrian Partners, LLC., Littlewood Fences, Inc., Palm Beach International Equestrian Center, the Global Dressage Festival, and their officials, sponsors and employees will not be responsible for any accident or loss which may occur to any exhibitor, spectators, guest, rider, groom, attendant or other employee, animal or equipment at any of the competition.
- b) FLORIDA SENATE BILL 1658 EQUINE ZERO LIABILITY STATUTE: Warning-Under Florida Law an equine activity sponsor or equine professional is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risk of equine activities. Also see Florida Equine Activity Statute - Florida Statutes Title XLV TORTS Chapter 773 Equine Activities
- c) "All owners and competitors are personally responsible for damages to third persons caused by themselves, their employees, their agents or their horses. They are therefore strongly advised to take out third-party insurance providing full coverage for participation in equestrian events at home and abroad, and to keep the policy up to date."

Health Certificates: Florida regulations require that all equines be covered by official interstate health certificates, issued by a licensed veterinarian, showing that the animals are free from any symptoms of any infectious or communicable disease. The certificate shall include the name of the owner and address, destination in Florida, number of horses examined, the name, registration number(s), if any, tattoo, if any, sex, age, rectal temperature, color, and markings of each animal listed. Health certificates will become void after 30 days from issue. Health certificates must show animals to be negative to an equine infectious anemia test within the past 12 months. Date of test and approved laboratory must be shown on health certificate.

Animal Welfare Policy: Upholding the welfare of the horses exhibited at the Global Dressage Festival is of primary concern to Equestrian Sport Productions, LLC. We require that all horses be treated with kindness, respect and compassion and never be subject to mistreatment. Owners, trainers, riders and grooms, or their agents, must use reasonable care in the handling and treatment of their horses, whether owned or placed in their care for competition or for any other purpose. At all times for horses competing at the Global Dressage Festival we will provide for the continuous well-being of the horse by vigorously enforcing the rules of the U.S. Equestrian, Inc. and the U.S. Dressage policy which pertain to the welfare of the horse. Exhibitors are cautioned that GR839 (which defines the Federation policy on abuse), and GR803 (which pertains to the Use of Whips), will be strictly enforced. Any handling and veterinary treatment should ensure the health and welfare of the horse. High standards of nutrition, health, sanitation and safety shall be encouraged and maintained at all times. Adequate provision will be made for ventilation, feeding and watering and maintaining a healthy environment. Any method of riding and training should take into account the horse as a living entity, and must not include any technique considered to be abusive. The well-being of the horse must be considered above the demands of the breeders, trainers, riders, owners, dealers, organizers, sponsors or officials. Violators are subject, under the above rules, to elimination from competition and to protest or charge with resulting formal proceedings which may result in severe fines, suspensions or other penalties.

General regulations, policies and entry specifications

EVERY CLASS OFFERED HEREIN WHICH IS COVERED BY THE RULES AND SPECIFICATIONS OF THE CURRENT FEDERATION RULE BOOK WILL BE CONDUCTED AND JUDGED IN ACCORDANCE THEREWITH."

US EQUESTRIAN FEDERATION rules are in force from the moment show management allows access to the showgrounds. This includes conduct, correct saddlery and equipment, and attire.

Liability – Horses by their inherent nature present a risk. This show, the management, the USEF Licensee, and the facility will not be responsible for any loss or damage or injury to horses exhibited, or for any article of any kind or nature that may be lost or destroyed, or in any way injured. Each exhibitor will be responsible for any injury that may be occasioned to any person, whomsoever, by any horse owned or exhibited by said exhibitor and shall indemnify the show, the management, the show committee and volunteers, the USEF Licensee, the USEF and USDF, or any member thereof, against all claims and demands, of any nature or kind, that may grow out of any injury occasioned by any horses owned or exhibited by them, or arise from the negligence of the person in charge of any such horse. All horses exhibited in this show participate entirely at the owner's risk. **Neither the Organizing Committee, show volunteers and staff, the facility or its owners, any host GMO, USEF or USDF or their members will be responsible for any damage, injury, or loss to persons, horses, or property of exhibitors or spectators. All owners and competitors are personally responsible for damages to third parties caused by themselves, their employees, their agents or their horses. They are therefore strongly advised to take out third-party insurance providing full coverage for participation in equestrian events at home and abroad, and to keep the policy up to date.**

Life, senior active and junior active members shall be eligible to participate in all classes at Regular Competitions, Eventing Competitions at the Preliminary Level or above and Combined Driving Competitions at the Advanced Level, Dressage, Reining and Vaulting Competitions and Endurance Rides. A nonmember may participate as a handler, rider, driver, owner, lessee, agent, coach or trainer at Regular Competitions, Eventing Competitions, Dressage Competitions, Reining Competitions and Combined Driving Competitions upon payment of a \$30 nonmember registration fee. Participants in the following classes are exempted from the Requirements of this rule: 1) leadline; 2) exhibitions; 3) games and races; 4) classes for 4-H members; 5) walk trot and academy classes (academy classes are classes limited to horses used regularly in a lesson program); 6) USDF introductory level tests, pas de deux and quadrille classes; 7) NRHA Endorsed Reining Competitions. 8) Opportunity classes, 9) citizens of other nations who have proof, in English, of current membership in good standing of their own National Federation, 10) USEA beginner novice division; and 11) assistant handlers in Dressage Sport Horse Breeding classes.

Exhibitors should exercise extreme caution before medicating their horses and should be aware of the US EQUESTRIAN FEDERATION rules governing drugs and medications. Any questions about the use of certain medications and regarding Rule IV should be directed to the USEF drugs and medication program, 3780 Ridge Mill Drive, Hilliard, Ohio 43026-9231 – Phone: (800) 633-2472

A trainer is defined as any adult who has responsibility for the horse on the competition grounds and must sign the entry form.

Hazardous Weather/Accident/Acts of God, and Emergency Policy: Management reserves the right to cancel any classes due to hazardous weather, Acts of God, accident, or emergency. Every effort will be made to reschedule with priority given to any Championship or qualifying classes being offered. No refunds for cancellations due to hazardous weather, Acts of God, accidents, or emergencies. Please see specific shows if there are any additional conditions to this policy.

Food and concessions will be available on the show grounds during normal show hours. Any changes to this policy will be posted.

Numbers must be worn at all times when a horse is being exercised or ridden.

Warning: Under the Equine Activity Liability Act, each participant who participates in an equine activity expressly assumes the risks of engaging in and legal responsibility for injury, loss, or damage to person or property resulting from the risk of equine activities. Please be aware of the laws specific to the show location.

Show Management reserves the right to vary or add officials and refuse any entry for a cause; to disqualify any exhibitor and/or his or her horse for cause; to cause an exhibitor to forfeit his or her ribbons and winnings for cause; to return any entry and/or stall fee before or during the show for cause; all without being liable for damage or compensation. Show management reserves the right to make any changes deemed necessary for the safe and efficient conduct of this competition.

Important notice to all affected parties: Third parties may come upon the property or enter the facilities where any herein described or listed event will occur; provided, that this is a license to enter the premises, for the purpose of observing or participating in the event, but not otherwise, and such license to any individual is subject to revocation by the owner, lessee or organizer, and entry for any purpose other than granted herein, shall be deemed criminal trespass and subject to appropriate legal proceedings.

Attention Competitors: Each competitor is responsible for supplying the show management with the correct and required association numbers of USDF and/or USEF for the horse, owner, rider, coaches, and trainer, before the day(s) of the competition. The scores of competitors who fail to supply correct numbers may not count towards national awards. The proof of these numbers must be in the form of either their actual membership/registration cards or a facsimile of them. Proof of membership must be included with entry form. Please provide the USEF/USDF Master Verification (www.eqverification.org) although membership cards or photocopies of cards are still acceptable. Failure to provide proof of USEF and/or USDF membership will result in competitor being charged non-member fees. Members that are unable to produce the USDF memberships cards/registrations or a facsimile will be asked to sign an affidavit and pay an affidavit fee. All entries are taken on a first come, first served basis. Some shows return late arriving entries after the show is filled, and some shows place entries on a wait list on a as-received basis. Please check each show for any additional policies. Send in the entries as soon as possible to assure entry to the show. **Only one horse-rider combination per entry form per show.**

In accordance with GR1301.7: Minors who do not have a valid driver's license which allows them to operate a motorized vehicle in the state in which they reside will not be permitted to operate a motorized vehicle of any kind, including, but not limited to, golf carts, motorcycles, scooters, or farm utility vehicles, on the competition grounds of licensed competitions. Minors who have a valid temporary license may operate the above described motorized vehicles as long as they are accompanied by an adult with a valid driver's license. The parent(s), legal guardian(s), or individual who signs the entry blank as a parent or guardian of a minor operating a motorized vehicle in violation of this rule are solely responsible for any damages, claims, losses or actions resulting from that operation. Violations of this rule will be cause for sanctions against the parent(s), guardian(s) and/or trainer(s) who are responsible for the child committing the offense. Penalties may include exclusion of the child, parent(s), guardian(s), and/or trainer(s) from the competition grounds for the remainder of the competition and charges being filed against any of the above individuals in accordance with Chapter 6. Wheelchairs and other mobility assistance devices for individuals with disabilities are exempt from this rule.

Non-U.S. Citizens and Foreign Competitors must provide proof, in English, of current membership in good standing in their respective National Federation, or hold current membership in good standing with the USEF.

No exhibitor may withdraw horses from a licensed show after it has commenced, or remove them from the show grounds without permission of the show secretary.

Health Papers: Riders should be aware that Interstate Health Papers are required to be in your vehicle when attending shows not within their home state. Some states also require health papers when transporting between facilities within the same state. Please contact your state veterinarian office for further information.

No Shows: All "No Shows" that have not contacted the show office will be considered a scratch for the rest of the show and time slots may be filled. Exhibitors enter with this understanding and agreement.

Sharps Disposal: Competition management may fine any individuals including trainers, owners, exhibitors, or their agents up to \$100 for improper disposal of needles or other sharp disposable instruments. Containers are located at the end of each barn aisle and within center aisles when center aisles are present within the barns.

Freestyle Entry: In order to enter a freestyle class at any level, a horse/rider combination must have received a minimum score of 60% in the highest test of the declared freestyle level or any test of a higher level at a USEF Recognized Competition. A photocopy of the test verifying eligibility must be submitted with the entry for a freestyle class. Does not apply to competitors in NAJYRC qualifiers.

DOGS MUST BE ON LEASHES AT ALL TIMES WHILE ON SHOW GROUNDS (including in stable areas). Owner may be fined. All pets must be leashed. Non-compliance may result in USEF penalties.

FEI Ponies: If ponies are entered in FEI Pony Test(s) and in need of a USEF measurement card, an appointment for measuring MUST be made with show management prior to the show.

MEMBERSHIP/REGISTRATION REQUIREMENTS FOR GAIG/USDF QUALIFYING CLASSES

Riders must be current USDF Participating members & USEF members (Junior, Senior or Life) in good standing. Horses must be USDF registered and USEF recorded. Horses with only an HID are not eligible. Owners must be current USDF Participating or Business members & USEF members (Junior, Senior or Life) in good standing.

For current Great American/USDF Championship requirements, go to www.usdf.org/competitions/competitions-championships/regionals/index.asp.

USEF and USDF Fees for all shows

USDF Affidavit	\$5.00
USDF Horse ID	\$25.00
USDF Non Member	\$25.00 (for each NM rider & owner)
USEF Non Member	\$30.00 (for each NM rider, owner, trainer, coach)
USEF Fee for National:	\$16.00 (D & M \$8.00, USEF \$8.00) per USEF Horse
USEF Fee for CDI:	\$28.00 (D & M \$20.00, USEF \$8.00) per CDI Horse

GAIG/USDF QUAL - Qualifying class for GAIG/USDF Regional Dressage Championships. Declare qualifying ride on entry form. Class fee plus additional \$10 fee must be paid prior to start of the class.

Markel/USEF QUAL – Qualifying class for Markel/USEF Young Horse Dressage Program

NAJYRC and USEF QUAL - Qualifying class for FEI NAJYRC and USEF National Junior and Young Rider Championships

USEF QUAL – Qualifying class for USEF National Championships

Classes may not necessarily be run in the order listed in the prize lists.

Show Schedule and Ride Time Conflicts: It is the responsibility of the rider to inform the management of any time conflicts as soon as possible after receiving the schedule.

Opportunity Classes: Any Opportunity Classes offered must include "Opportunity" in the class name. These classes must follow all USEF Dressage Division rules and applicable USEF General Rules, including dress and saddlery.

- Opportunity Classes are for entry level riders and these classes must be judged by USEF licensed judges or FEI Dressage judges.
- If entered in opportunity classes restricted to amateurs, riders are required to have an amateur status with USEF or pay the \$30 non-member amateur card fee.
- The prize list must state whether or not horses and/or riders/drivers/handlers entered in Opportunity Classes can cross enter into the rated/recognized classes at the same competition. If cross entry is allowed, all applicable fees and membership requirements will apply.
- Opportunity Classes cannot be used as qualifying classes for the Great American/USDF Regional Championships.
- Freestyles or Test of choice classes may not be offered as Opportunity classes.
- Riders and Owners entered only in these classes are exempt from both USDF and USEF membership requirements and are not required to pay a non-member fee but are required to list the Federation membership number if the participant is a member.
- Horses entered only in these classes:
- **Are** exempt from the Federation fee, including the Equine Drugs and Medication fee.
- **Are not** required to have either a USEF or USDF Horse Identification (HID) or Recording Number but are to list the HID or Recording number if the horse has been assigned this number.
- Horses entered only in these classes are still subject to and must comply with the Drugs and Medication rules and are subject to drug testing.

Adult Amateur Classes - Participants must possess a current USEF Amateur Card and qualify under the USEF Amateur rules. Any non-member that wishes to participate in the Adult Amateur designated classes must purchase a USEF non-member amateur card for \$30 from USEF. Open to Adult Amateurs only; riders must compete as adults from the beginning of the calendar year in which they reach the age of 22.

JR/YR - Open to Juniors and Young Riders only; any rider is eligible until the end of the calendar year in which they reach the age of 21. Only riders ages 14-18 may ride FEI JR Tests. Only riders age 16-21 may ride FEI YR Tests. Only riders ages 12-16 may ride FEI Pony Tests. Must include birth date on entry form.

Announcements: Class announcements and ride time announcements are a courtesy to the exhibitor and not all shows provide the capability of public address announcements. Exhibitors are responsible for presenting themselves to the ring at their designated time and accept the full responsibility for doing so. Competitions offering public announcements will make every effort to maintain a working PA system, but it is stressed that it is still the exhibitors responsibility to be on time. No protest will be upheld, nor any ride time changed, on the basis of a PA breakdown or missed announcement. Ring stewards will also make every effort to keep people informed and entering the ring in a timely fashion. Exhibitors are responsible for knowing the correct show time and their scheduled performance time irregardless of PA announcements or ring stewards. No protest will be upheld, nor ride time changed due to failure of the exhibitor to meeting their responsibilities.

Arena Sizes: Standard arena is 20m x 60m. Small arena is 20m x 40m.

U.S. Equestrian Federation, Inc. Entry Agreement

By entering a Federation-licensed Competition and signing this entry blank as the Owner, Lessee, Trainer, Manager, Agent, Coach, Driver, Rider, Handler, Vaultor or Longeur and on behalf of myself and my principals, representatives, employees and agents, I agree that I am subject to the Bylaws and Rules of The United States Equestrian Federation, Inc. (the "Federation") and the local rules of the competition.

I agree to be bound by the Bylaws and Rules of the Federation and of the competition. I will accept as final the decision of the Hearing Committee on any question arising under the Rules, and agree to release and hold harmless the competition, the Federation, their officials, directors and employees for any action taken under the Rules.

I represent that I am eligible to enter and/or participate under the Rules, and every horse I am entering is eligible as entered.

I also agree that as a condition of and in consideration of acceptance of entry, the Federation and/or the Competition may use or assign photographs, videos, audios, cable -casts, broadcasts, internet, film, new media or other likenesses of me and my horse taken during the course of the competition for the promotion, coverage or benefit of the competition, sport, or the Federation. Those likenesses shall not be used to advertise a product and they may not be used in such a way as to jeopardize amateur status. I hereby expressly and irrevocably waive and release any rights in connection with such use, including any claim to compensation, invasion of privacy, right of publicity, or to misappropriation.

The construction and application of Federation rules are governed by the laws of the State of New York, and any action instituted against the Federation must be filed in New York State. See GR908.4.

USDF/Dover Saddlery Adult Amateur Medal Program

The USDF/Dover Saddlery Adult Amateur Medal Program is designed to specifically recognize and encourage adult amateurs riding at Second Level.

Awards

1. USDF/Dover Saddlery Medal Recipient

The eligible rider with the highest score of 60 percent or better in the designated Second Level Test Three class or applicable test of choice USDF/Dover Saddlery Adult Amateur Medal class at a participating competition will receive a handcrafted USDF/Dover Saddlery pewter medal and neck ribbon. Winners will receive a \$20 Dover Saddlery gift certificate for the first three USDF/Dover Saddlery Medals they win during the competition season.

2. USDF/Dover Saddlery National Merit Award

A USDF/Dover Saddlery National Merit Award will be awarded to riders winning three USDF/Dover Saddlery Medals in the same competition year.

3. Year-End Awards

The USDF/Dover Saddlery Medal National Champion and Reserve Champion are determined from the average of the top three winning ride scores during the competition year. The champion receives a \$1000 Dover Saddlery gift certificate and the reserve champion receives a \$500 Dover Saddlery gift certificate.

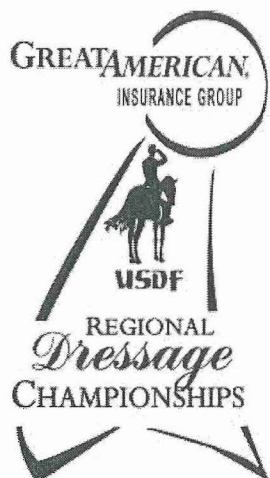
Rider Eligibility

To be eligible, a rider must meet the following criteria:

1. Rider must be a current USDF Participating Member or Group Member at the time of the competition.
2. Rider must be an adult amateur in accordance with Article GR1306 of the USEF rules and be designated with USEF as an adult amateur as of the competition date.

Additional Information

For additional information and an updated list of competitions offering the USDF/Dover Saddlery Adult Amateur Medal Program, please visit <http://www.usdf.org/awards/performance/adultmedalprogram.asp>.



2012 Great American Insurance Group/ USDF Regional Dressage Championships

A single Regional Dressage Championship program organized by the United States Dressage Federation (USDF), and recognized by the United States Equestrian Federation, Inc. (USEF), will be held in each of the nine USDF regions. In addition, Alaska and Hawaii may each hold state championships if an official request from a Group Member Organization (GMO) is received by April 1 of the prior year.

The Regional Championship Program Rules can be found on the USDF website at www.usdf.org. Please refer to the 2012 USDF Member Guide for the comprehensive list of rules and requirements for this program.

Membership/Registration Requirements for Qualifying and Championships

Rider:

- Must be a USDF Participating* Member (PM) at the time qualifying scores are earned and at the time of the championships.
- Must be a USEF member (Junior Active, Senior Active, or Life) at the time the qualifying scores are earned and at the time of the championships.

Horse:

- Must be USDF Lifetime Registered (LTR) at the time qualifying scores are earned and at the time of the championships.
- Must be USEF (Annual or Lifetime) recorded at the time qualifying scores are earned and at the time of the championships.
- USDF horse registration and USEF horse/recording must be in the name(s) of the current owner(s) or lessee(s) of record.
- A horse is not required to have breed registry papers.

Owner:

- Must be a USDF member (PM* or Business Member (BM)) at the time the qualifying scores are earned and at the time of the championships.
- Must be a USEF member (Junior Active, Senior Active, or Life) at the time qualifying scores are earned and at the time of the championships.

* PMs are USDF members who join USDF directly. USDF Group Members (GM) are ineligible.

Minimum Qualifying Scores

One set of nationally-standardized qualifying scores has been established for all USEF/USDF Regional Championships, for levels through Grand Prix, in three divisions: open, adult amateur and junior/young rider. FEI Junior and FEI Young Rider classes have only one respective division. Freestyles have only open divisions.

The minimum percentages are as follows:

	OPEN	AA	JR/YR
Training Level (Test 3)	68%	63%	63%
First Level (Test 3)	66%	62%	62%
Second Level (Test 3)	64%	61%	61%
Third Level (Test 3)	62%	60%	60%
Fourth Level (Test 3)	62%	60%	60%
FEI Junior (Team Test)	—	—	60%
FEI Young Rider (Team Test)	—	—	60%
Prix St. Georges	60%	60%	60%
Intermediate I	60%	60%	60%
Intermediate II	60%	60%	60%
Grand Prix	60%	60%	60%

FREESTYLE	OPEN	AA	JR/YR
First Level	63%	—	—
Second Level	63%	—	—
Third Level	63%	—	—
Fourth Level	63%	—	—
Intermediate I	63%	—	—
Grand Prix	63%	—	—

USDF Statement on Animal Welfare

The United States Dressage Federation, Inc. (USDF), a federation of over 125 independent organizations throughout the United States with a membership in excess of 33,000 members, supports the concept of ethical treatment of animals.

Dressage is a classical method of training horses, based upon the horse's natural responses, as carried out in a gradual, planned program during which the horse's athletic abilities are improved in a systematic manner. As a result, the horse becomes capable, comfortable, and responsive in partnership with the rider without the use of force. Dressage competition at various levels of achievement is the ultimate test of the training program to determine whether the desired harmony between horse and rider has been achieved.

The rules pertaining to dressage competition prohibit the use of artificial appliances, training aids, and drugs, which would force the horse to submit. Instead, the emphasis is upon training and a cooperative partnership with the rider. Major competitions are carefully monitored to assure that there is no unnecessary force or harshness displayed.

Unlike other horse sports in which horses enter training at a relatively immature state, dressage training is usually not seriously begun until the horse is three or four. The top levels of achievement require five or more years of progressive training and it is not unusual to see horses in international competition in their late teens. This, in itself, places a premium on good care and soundness throughout the horse's life.

While supporting the concept of animal welfare in its broadest form, the United States Dressage Federation, Inc., also recognizes that it is unrealistic to ascribe human emotions and responses to the horse which in its wild state is a creature of flight, living a hard and precarious existence. Under domestication, the horse is assured of ample food, water, and shelter, as well as protection against infectious diseases and damaging parasites, thus leading a longer and healthier life with a high rate of survival.

As an educational organization, USDF has numerous programs, which teach people how to pursue the accepted, humane training methods. A program of certifying instructors also emphasizes protecting the horse's welfare in pursuit of dressage training.

UNITED STATES *Dressage* FEDERATION
4051 IRON WORKS PARKWAY, LEXINGTON, KY 40511
PHONE: 859/971-2277, FAX: 859/971-7722, EMAIL: usdressage@usdf.org, WEBSITE: www.usdf.org

USDF Membership Benefits: USDF is dedicated to education, the recognition of achievement, and promotion of dressage. For details on member benefits, including educational programs, awards, and other opportunities, refer to the *USDF Competitor & Member Guide* or the USDF website at www.usdf.org.



Membership Requirements for USEF-licensed/USDF-recognized Competitions: Owners and riders, including foreign riders and owners who are not residents of the US, wishing to participate in a USEF-licensed/USDF-recognized competition as a rider or owner/lessee, must have either a USDF Group Membership, Participating Membership (PM), or have a USDF Non-Member (NM) identification number and pay the USDF NM fee. (Note: USDF business members can own horses but cannot compete as riders with their USDF BM.) Individuals cannot compete at a USEF-licensed/USDF-recognized competition with a USDF Education Membership.

Horses competing at USEF-licensed/USDF-recognized competitions must have either a USDF Horse Identification (HID) number or a USDF Lifetime Horse Registration (LHR). Proper credentials or verification certificates must be presented to the competition secretary.

Riders and owners wishing to participate in a USEF-licensed/USDF-recognized competition, and not able to present the competition secretary with verification of a USDF membership or NM identification, and USDF LHR or USDF HID, must complete a USDF Competition Affidavit Form and pay the \$5 affidavit filing fee. A copy of a completed affidavit form from another competition may also be used for verification purposes for up to 60 days. (Exception: Affidavits cannot be used at Great American Insurance Group/USDF Regional Dressage Championships.)

Exceptions:

- Horses competing only in Individual Breed Classes (IBCs) at DSHB competitions, sires and dams of horses in DSHB group classes, where those sires or dams are not actually competing in the same competition, horses competing only in breed restricted dressage or DSHB classes at Regular Competitions (e.g. all Arabian, all Friesian, or all Morgan classes), or in USDF Introductory Level tests, Pas de Deux, Quadrille, FEI ParaEquestrian classes, are exempt from this requirement. Also exempt are horses ridden in leadline, exhibitions, games and races, classes for 4-H members, walk-trot, academy and opportunity classes.
- Riders and owners/lessees competing only in classes which are exempt from the USDF HID requirements are also exempt from the USDF NM identification number and NM fee requirements. Also exempt are handlers of horses competing in DSHB In-Hand or Group classes.

Memberships Defined

Participating Membership (PM): A membership issued to an individual directly by USDF. The membership year is December 1 through November 30. PMs are available for 1-year (\$75), 5-years (\$300), or life (\$1,500). A USDF Youth Participating Membership (YPM) is available for individuals who have not reached their 21st birthday by December 1 of the current membership year (\$60). A PM allows the member to compete at USEF-licensed/USDF-recognized competitions and to participate as a rider and/or owner/lessee for all Adequan®/USDF Year-End Awards, Great American Insurance Group/USDF Breeders' Championship Series Finals and the Great American Insurance Group/USDF Regional Dressage Championship program.

Group Membership (GM): A membership issued to an individual by USDF when the member name and dues are submitted to USDF through an affiliate Group Member Organization (GMO). The GM year begins December 1 and ends November 30. A GM allows the member to compete at USEF-licensed/USDF-recognized competitions and participate in the USDF Rider Awards program.

Business Membership (BM): A membership that runs December 1 through November 30 and is issued to a business or organization directly by USDF. The USDF BM (\$200) offers a wider variety of advertising benefits. BMs satisfy requirements of horse ownership only.

Education Membership (EM): A membership issued to an individual directly by USDF. This online education only membership expires 12 months after the date joined. This membership type does NOT allow an individual to compete at a USEF-licensed/USDF-recognized competition.

Non-Member (NM) Identification Number: For each USDF NM owner/lessee and USDF NM rider there will be a USDF NM fee of \$25 and a USDF NM form per competition that must be collected by the show secretary and submitted to USDF along with the USDF Report of Fees document and the \$5 affidavit fee if the person cannot provide a copy of their USDF NM card. Owners/lessees or riders exempt from the NM number requirements are also exempt from paying the USDF NM fee. If there are multiple owners of a horse and all are NMs, only one of the owners must pay the NM fee. If the horse has at least one owner who is a current USDF member there is no NM fee assessed. Competition management will be invoiced for all applicable USDF NM fees not received with the USDF post competition paperwork, along with a report listing all USDF NMs. Competition management is then required to submit the NM fees within 30 days to the USDF. An individual with a USDF NM identification number is not eligible for any USDF membership benefits. Once a USDF NM number has been assigned, a USDF NM card can be obtained from the USDF website.

Horse Identification (HID) Number: A one-time tracking number for horses (\$25). Scores earned by a horse with an HID number will be recorded, but will NOT be counted towards Adequan®/USDF Year-End Awards. A horse with an HID number is not eligible to compete in Great American Insurance Group/USDF Regional qualifying or championship classes or Great American Insurance Group/USDF Breeders' Championship Series Finals. An HID number can be upgraded to a Lifetime Horse Registration (LHR) for a fee of \$70. If a horse has a USDF LHR it does not need an HID number. An HID number is a one-time fee that does not need to be renewed.

Lifetime Horse Registration (LHR): A horse with an LHR (\$95) is eligible for Adequan®/USDF Year-End Awards, and eligible to compete at Great American Insurance Group/USDF Breeders' Championship Series Finals and Great American Insurance Group/USDF Regional qualifying and championship classes, assuming requirements for the owner and rider are met. If a horse has an LHR it does not need an HID number. An LHR does not need to be renewed.

How to Join USDF

Applications for USDF Participating Membership (PM), Business Membership (BM), Horse Identification (HID) number, and Lifetime Horse Registration (LHR) may be found in the following locations:

- On the USDF website: www.usdf.org. You can submit the application online or download the form and fax or mail it to the USDF office.
- In the show office at USEF-licensed/USDF-recognized competitions classified by USEF as Dressage Competitions, and Regular Competitions which are open to all breeds.
- By calling or writing the USDF office at (859) 971-2277, 4051 Iron Works Parkway, Lexington, KY 40511

The effective date of membership is the date the form and correct fees are received in the USDF office or, if applying at a competition, the date accepted by the competition secretary, provided the application is signed and dated by the competition secretary, member, and/or horse owner on that same day.

09/10

383



July 12, 2012



Page 195 of 317



USEF Competition Name: GDF National 1
Competition Division(s) and Rating(s): Level 2



USEF#: 329533


USEF Member To Do List:

Mow the fields.  Haul the hay.  Paint the barn — and the

house.  Re-order supplements  and office supplies.



 **OfficeMax** Get new tires and a full service check.  Make sure

we're covered  on the road and in the ring.  Get ready

for  the big competition. Win! Rent a **Hertz** car and drive to

the coast. Take a vacation.  Relax!  You don't

have to bet the farm to check off this season's most important tasks. For details on

how you can save big  with USEF MemberPerks,  visit usef.org

or call one of our Customer Care agents at 859.258.2472.

2012

Official Use Only
BRIDLE #

COMPETITION NAME GDF National 1

COMPETITION DATES 2/21-23/2012

NAME OF HORSE		PREVIOUS NAME (IF ANY)		USEF#	USDF#	FOR SALE
BREED	SEX	HEIGHT	COLOR	COGGINS DATE (ENCLOSED COPY)	SIRE	DAM
DAM'S SIRE		COUNTRY OF BIRTH	YEAR OF BIRTH	BREEDER	FEI/PASSPORT #	GROOM

OWNER _____
 USEF# _____ USDF# _____ LOCAL# _____
 ADDRESS _____
 CITY/ST/ZIP/CTRY _____
 PHONE _____ CELL PHONE _____
 EMAIL ADDRESS _____
 OWNER CITIZENSHIP (IF NOT USA) _____
 TIN/SSN (REQUIRED FOR PRIZE MONEY) _____

RIDER/HANDLER _____
 USEF# _____ USDF# _____ FEI/LOCAL# _____
 ADDRESS _____
 CITY/ST/ZIP/CTRY _____
 PHONE _____ CELL PHONE _____
 EMAIL ADDRESS _____
 RIDER CITIZENSHIP (IF NOT USA) _____
 JR/YOUNG RIDER BIRTHDAY _____ WILLING TO VOLUNTEER? _____
 RIDER STATUS (CIRCLE ONE): JR/YG AA OPEN

TRAINER _____
 USEF# _____ USDF# _____ LOCAL# _____
 ADDRESS _____
 CITY/ST/ZIP/CTRY _____
 PHONE _____ CELL PHONE _____
 EMAIL ADDRESS _____

COACH _____
 USEF# _____ USDF# _____ LOCAL# _____

Please Fill Out Both Sides of This Form. Reverse side MUST be SIGNED.

Stabling Information & Special Requests: Please list only ONE name (either individual or barn) for entire group (so we can get everyone together)

Group/Self	Tue	Wed	Thu	Fri	Sat	Sun	Mon
Stalls							
Tack Stalls							

Stable Group: _____ Contact: _____

July 12, 2012 385

I hereby agree to release, indemnify and hold harmless USDF, its instructors, officers, directors, agents, and volunteers from and against any and all loss, liability or damage arising from or because of, or in connection with, participation in this competition or related activities. I also hereby agree to release, indemnify and hold harmless the competition licensee, show management, competition staff, show committee and members, officers, directors, agents, and volunteers from and against any and all loss, liability or damage arising from or because of, or in connection with, participation in this competition or related activities.

Federation Entry Agreement Effective

By entering a Federation-licensed Competition and signing this entry blank as the Owner, Lessee, Trainer, Manager, Agent, Coach, Driver, Rider, Handler, Vaultor or Longeur and on behalf of myself and my principals, representatives, employees and agents, I agree that I am subject to the Bylaws and Rules of The United States Equestrian Federation, Inc. (the "Federation") and the local rules of the Competition. I agree to be bound by the Bylaws and Rules of the Federation and of the competition. I will accept as final the decision of the Hearing Committee on any question arising under the Rules, and agree to release and hold harmless the Competition, the Federation, their officials, directors and employees for any action taken under the Rules. I represent that I am eligible to enter and/or participate under the Rules, and every horse I am entering is eligible as entered. I also agree that as a condition of and in consideration of acceptance of entry, the Federation and/or the Competition may use or assign photographs, videos, audios, cable-casts, broadcasts, internet, film, new media or other likenesses of me and my horse taken during the course of the Competition for the promotion, coverage or benefit of the Competition, sport, or the Federation. Those likenesses shall not be used to advertise a product and they may not be used in such a way as to jeopardize amateur status. I hereby expressly and irrevocably waive and release any rights in connection with such use, including any claim to compensation, invasion of privacy, right of publicity, or to misappropriation. The construction and application of Federation rules are governed by the laws of the State of New York, and any action instituted against the Federation must be filed in New York State. See GR908.4.

Federation Release, Assumption of Risk, Waiver, and Indemnification

This document waives important legal rights. Read it carefully before signing.

I AGREE in consideration for my participation in this Competition to the following:

I AGREE that "the Federation" and "Competition" as used herein includes the Licensee and Competition Management, as well as all of their officials, officers, directors, employees, agents, personnel, volunteers and Federation affiliates.

I AGREE that I choose to participate voluntarily in the Competition with my horse, as a rider, driver, handler, vaultor, longeur, lessee, owner, agent, coach, trainer, or as parent or guardian of a junior exhibitor. I am fully aware and acknowledge that horse sports and the Competition involve inherent dangerous risks of accident, loss, and serious bodily injury including broken bones, head injuries, trauma, pain, suffering, or death. ("Harm").

I AGREE to hold harmless and release the Federation and the Competition from all claims for money damages or otherwise for any Harm to me or my horse and for any Harm of any nature caused by me or my horse to others, even if the Harm arises or results resulted, directly or indirectly, from the negligence of the Federation or the Competition.

I AGREE to expressly assume all risks of Harm to me or my horse, including Harm resulting from the negligence of the Federation or the Competition.

I AGREE to indemnify (that is, to pay any losses, damages, or costs incurred by) the Federation and the Competition and to hold them harmless with respect to claims for Harm to me or my horse, and for claims made by others for any Harm caused by me or my horse while at the Competition. I have read the Federation Rules about protective equipment, including GR801 and if applicable, EV114, and I understand that I am entitled to wear protective equipment without penalty, and I acknowledge that the Federation strongly encourages me to do so while WARNING that no protective equipment can guard against all injuries. If I am a parent or guardian of a junior exhibitor, I consent to the child's participation and AGREE to all of the above provisions and AGREE to assume all of the obligations of this Release on the child's behalf. I represent that I have the requisite training, coaching and abilities to safely compete in this competition.

I AGREE that if I am injured at this competition, the medical personnel treating my injuries may provide information on my injury and treatment to the Federation on the official USEF accident/injury report form.

BY SIGNING BELOW, I AGREE to be bound by all applicable Federation Rules and all terms and provisions of this entry blank and all terms and provisions of this Prize List. If I am signing and submitting this Agreement electronically, I acknowledge that my electronic signature shall have the same validity, force and effect as if I affixed my signature by my own hand.

OWNER'S/AGENT'S SIGNATURE (MANDATORY)	RIDER/HANDLER SIGNATURE (MANDATORY)	TRAINER'S SIGNATURE (MANDATORY)	COACH'S SIGNATURE (IF APPLICABLE)
PRINT NAME	PRINT NAME	PRINT NAME	PRINT NAME

PARENT/GUARDIAN SIGNATURE IF RIDER/DRIVER/TRAINER/HANDLER/VAULTOR/LONGEUR IS UNDER 18	PRINT PARENT/GUARDIAN NAME

RIDER EMERGENCY CONTACT INFORMATION	
NAME OF CONTACT/RELATIONSHIP:	PHONE:

FILL OUT ONLY IF THE COMPETITION YOU ENTER ON THIS ENTRY FORM OFFERS CERTAIN USE OF CHARGE CARDS!! (Check in the prize list or individual competition requirements)	
<input type="checkbox"/> VISA	<input type="checkbox"/> AMEX
CARD NO. _____	EXP DATE _____
<input type="checkbox"/> MasterCard	<input type="checkbox"/> Other _____
NAME ON CARD: _____	3 Digit _____
BILLING ADDRESS _____	ZIP CODE _____

Gold Coast Feed & Supply Order Form

Thank you for choosing Gold Coast Feed & Supply to serve all of your shavings, hay and feed needs. In order to set up your account, we will need the following information.

Name: _____

Company Name: _____

Phone Number: _____

Alternate Phone Number: _____

Billing Address: _____

City: _____

State: _____ Zip Code: _____

Email Address: _____

Delivery Location:

Barn(s)/ Tent(s): _____

Stall Number(s): _____

To complete the setup of your account we will also need the following information for our records.

Credit Card Number: _____

Name on Card _____

Expiration Date: _____ Credit Card Provider: _____

Bedding

Elite Large Flake \$5.75 # of bags _____

Elite Med. Flake \$5.75 # of bags _____

Elite Sm. Flake \$5.75 # of bags _____

Hay

Timothy \$17.95 # of bales _____

Canadian T/A \$14.95 # of bales _____

Other Items:

Name Of Item _____ # needed _____

Name Of Item _____ # needed _____

Name Of Item _____ # needed _____

Name Of Item _____ # needed _____

Pricing and Availability subject to change. For a full list of Feed, Bedding and Hay call 561-793-4607

Fax this order form to 561-793-4491 or mail to the address listed below

Gold Coast Feed & Supply 13501 South Shore Blvd. Suite 101 Wellington, FL 33414

387

July 12, 2012

PALM BEACH COUNTY COMMISSION ON ETHICS

AMENDED MEMORANDUM OF PROBABLE CAUSE

To: Commission on Ethics
From: Joseph D. Small, COE Pro Bono Advocate
Re: C11-027 – Respondent, Dr. Scott Swerdlin, Village of Wellington Equestrian Preserve Committee

- **Recommendation**

An additional finding of PROBABLE CAUSE should be entered in the above captioned matter as to the allegations made in the Complaint, including facts materially related to the Complaint discovered during the course of the investigation, pursuant to Palm Beach County Commission on Ethics Rule of Procedure 4.12.

Probable Cause exists where there are reasonably trustworthy facts and circumstances for the Commission on Ethics (COE) to conclude that the Respondent, Dr. Scott Swerdlin, violated the Palm Beach County Code of Ethics.

- **Jurisdiction**

The COE has jurisdiction pursuant to Chapter 2, Article V, Division 8, section 2-258(a) of the Palm Beach County Commission on Ethics Ordinance which states in pertinent part:

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

The violations for which probable cause is recommended include the following:

COUNT 1: Article XIII, Section 2-443(a), *Misuse of public office of employment*

COUNT 2: Article XIII, Section 2-443(b), *Corrupt misuse of official position*

COUNT 3: Article XIII, Section 2-443(c), *Disclosure of voting conflicts*

- **Background**

This matter came to the attention of the Commission on Ethics staff via a sworn complaint signed on December 21, 2011 by Ms. Carol Coleman (Complainant), a resident of The Village of Wellington (the Village), a Palm Beach County municipality. Attached to the sworn complaint form was a letter (Complainant's Statement) addressed to the Palm Beach County Commission on Ethics (COE). The Respondent, Dr. Scott Swerdlin, is a veterinarian and managing partner and shareholder of the Palm Beach Equine Medical Centers (PBEMC) and Palm Beach Equine Clinic (PBEC). Respondent was also Chairman of the Equestrian Preserve Committee (the Committee), an advisory board of the Village. All members of this advisory board are appointed by the Village Council, and thus are under the jurisdiction of the Commission on Ethics as of June 1, 2011.

The Complaint alleges that on December 14, 2011, the Committee met to discuss and vote on planning and zoning amendments for the proposed Equestrian Village Project (the Project). Prior to the meeting, the Respondent had contact with Mr. Jeffrey Kurtz, Attorney for the Village, and was advised that he may have a conflict due to his business relationship with the applicant. After the meeting was called to order, Mr. Kurtz advised the members of the Committee that if any member had a conflict of interest in this matter they should abstain from participation in the discussion and from voting on the issue. The Respondent has a known business relationship with Mr. Mark Bellissimo, Chief Executive Officer of Equestrian Sports Productions (ESP), a wholly owned subsidiary of Wellington Equestrian Partners (WEP). Mr. Bellissimo is also Managing Partner of WEP. ESP is the listed applicant for the

Project. The Respondent's business, PBEC, is listed as the official veterinarian of ESP events. Despite the admonishment by Mr. Kurtz to all Committee members the Respondent participated in the discussion regarding the Project in violation of Section 2-443(a) *Misuse of public office or employment* (b) *Corrupt misuse of official position* and (c) *Disclosure of voting conflicts* of the Palm Beach County Code of Ethics (the Code). The Complaint alleges Respondent participated in discussions until the point that a vote was called in the matter, at which time he abstained from voting.

- **Facts establishing probable cause**

Supplemental investigation into this allegation indicated that the Respondent is the Chief Executive Officer of PBEMC and President of PBEC. The initial investigation revealed that ESP is the owner of the Palm Beach International Equestrian Center (the Center), and producer of the Winter Equestrian Festival (the Festival). ESP is a wholly owned subsidiary of WEP. The investigation further revealed that PBEC was considered the official veterinarian of the Festival and has been providing veterinary services, including the use of a horse ambulance, driver and staff veterinarian, which are on site during all competitions for the entire 12 week Festival, for the past several years. PBEC also provided services during other ESP sponsored events. PBEC was given a central show ground vendor booth with banner advertising at all Festival events and additional banner advertising on the show rings. The cumulative value of this advertising was well in excess of \$10,000 based upon published ESP rates for advertising. ESP is a wholly owned subsidiary of WEP. Mark Bellissimo is the Chief Executive Officer of ESP and Managing Partner of WEP.

The Project involves the development of dressage arenas, a hotel/condominium/commercial complex and between 3 and 4 thousand horse stalls.

Subsequent investigation revealed that in 2011 ESP was awarded a number of national dressage events to be held at the same location as the proposed Project. A special use permit application was submitted to hold these events between November and April, 2012, at the partially developed site. The permit application was made by World Dressage Festival, LLC; however, the permit checks were issued by ESP. According to the Florida Department of State, Division of Corporations, Mr. Bellissimo is listed as the Managing Partner of World Dressage Festival, LLC. In addition, Mr. Bellissimo is listed as Managing Partner for all land entities involved in the Project, including Stadium North, LLC, Stadium South, LLC, Far Niente Stables, II, LLC and Polo Field One, LLC.

Both the United States Equestrian Federation (USEF) and United States Dressage Federation Pas de Deux (USDF) require that sanctioned events retain an official veterinarian on site for these events. A dressage facility, including a covered show ring and additional satellite rings, was erected at the Project location and the sanctioned events were held between February and April, 2012. The Respondent's business, PBEC, was advertised as the official veterinarian for all events held at the Project location. Based upon statements of the Respondent in his reapplication for appointment to the Equestrian Preserve Committee (the Committee), PBEC is either the second or third largest employer of personnel in the Village of Wellington with 16 veterinarians and a staff of 40 employees. In addition, the Respondent is President of the Palm Beach Equine Sports Complex, a premier boarding facility with over 400 stalls adjacent to the Project grounds.

Until June, 2012, Respondent was Chairman the Committee. Video of the December 14, 2011 Committee meeting revealed that Respondent failed to remove himself from the discussions concerning the application for the Project. Respondent actively participated in the discussion of the application submitted by ESP until the point that a vote was called in the matter, at which time he abstained from voting. During his participation, the Respondent questioned opponents of the Project and attempted to circumvent the Committee vote by suggesting an informal advisory to the Village Council and was further admonished by Mr. Kurtz that an informal recommendation would still constitute a vote in the matter. Respondent ultimately abstained from the actual vote. Respondent also failed to file the required Form 8B after abstaining from the vote on the Project at the December 14, 2011 Committee meeting as required by State law.

Pursuant to Chapter 2, Article V, Division 8, Section 2-258(a), the jurisdiction of the commission on ethics extends to the countywide code of ethics, county post-employment and lobbyist registration ordinances. Violations of §2-443 of the Code of Ethics (Prohibited Conduct) are within the jurisdiction of the Palm Beach County Commission on Ethics.

Sec. 2-443. Prohibited conduct.

Sec. 2-443(a). *Misuse of public office or employment*, states in relevant part:

- (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 or should know with the exercise of reasonable care will result in a special financial benefit*, not shared with similarly situated members of the general public, for any of the following persons or entities: (Emphasis added)
- (1) Himself or herself;
 - (4) An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who is known to such official or employee to work for such outside employer or business;
 - (5) A customer or client of the official or employee's outside employer or business;

Sec. 2-443(b). *Corrupt misuse of official position*, states as follows:

- (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*. (Emphasis added)

Sec. 2-443(c). *Disclosure of voting conflicts*, states as follows:

- (c) County and municipal officials as applicable shall abstain from voting and not participate in any matter that will result in a special financial benefit as set forth in subsections (a)(1) through (7) above. The official shall publicly disclose the nature of the conflict and when abstaining from the vote, shall complete and file a State of Florida Commission on Ethics Conflict Form 8B pursuant to the requirements of Florida Statutes, §112.3143. Simultaneously with filing Form 8B, the official shall submit a copy of the completed form to the county commission on ethics. Officials who abstain and disclose a voting conflict as set forth herein, shall not be in violation of subsection (a), provided the official does not otherwise use his or her office to take or fail to take any action, or influence others to take or fail to take any action, in any other manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, as set forth in subsections (a)(1) through (7).

• **Conclusion**

Sworn testimony and other competent and substantial evidence provides reasonably trustworthy facts and circumstances for the Commission on Ethics (COE) to conclude that the Respondent, by using his official position as Chairman of the Committee to benefit his customer/client, ESP and/or WEP and/or Mark Bellisimo, or the Respondent himself or his outside businesses, PBEC and/or PBEMC, violated §§2-443(a) and (b) of the Code of Ethics. In addition, by participating in the December 14, 2011 Committee discussion of the application, and not submitting the required State conflict form to the Village Clerk and the COE, the Respondent violated §2-443(c). Therefore, it is my recommendation that probable cause previously found as to counts 1, 2 and 3 of this Complaint be amended to include violations based upon the benefit to Respondent, personally and through his outside businesses, and that this matter be set for final hearing.

By: 

Joseph D. Small, Pro Bono Advocate
Florida Bar No. 0544922


Date

PALM BEACH COUNTY COMMISSION ON ETHICS

In Re: Dr. Scott Swerdlin

C11-027

MEMORANDUM IN OPPOSITION TO
MOTION TO AMEND PUBLIC ORDER FINDING PROBABLE CAUSE

Comes now Respondent, Dr. Scott Swerdlin, by and through the undersigned counsel, hereby files this Opposition to the Motion to Amend Public Order Finding Probable Cause. This matter is set before the Palm Beach County Commission on Ethics at its July 12, 2012 meeting.

BACKGROUND

Respondent, Dr. Scott Swerdlin, is an equine veterinarian practicing in the Village of Wellington, Florida ("Village"). As part of his civic engagement, he serves as chair of the Village's Equestrian Preserve Committee ("EPC"). The EPC is an advisory committee to the Planning Zoning and Adjustment Board for the Village. Where projects are proposed for development within the equestrian preserve area of the Village, the EPC reviews and provides recommendations related to equestrian issues to the Planning Zoning and Adjustment Board.

In this capacity, he presided over a meeting on December 14, 2011 wherein four applications were heard related to changes to the Village Comprehensive Plan, Land Development Regulations, and development of certain properties in the Village. The following four applications were presented to the EPC:

- (1) Petition Number 2011-033 CPTA : Text Amendments to Village Comprehensive Plan;
- (2) Petition Number 2011-033 ZTA: Text Amendments to Village Zoning Code (Land Development Regulations);

GUNSTER, YOAKLEY & STEWART, P.A.
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

July 12, 2012

Page 203 of 317

(3) Petition Number 2011-033 MPA1: Modification to Wellington Planned Unit Development (PUD) Master Plan Tract 30C; and

(4) Petition Number 2011-033 CU1: Conditional Use With Compatibility Determination.

(collectively, the “Applications”). One of the staff reports (for Petition Number 2011-033 CPTA) which was given to the EPC prior to the meeting noted that the ‘request’ was by WEP; the other three staff reports did not identify a separate applicant. (Village Staff Reports, Record P. 61-81; 2011-033 CU1 Conditional Use Staff Report, Exhibit A, attached). WEP, not ESP was, identified as in the public testimony (Minutes of 12/14/11 EPC Meeting, Record P. 25).¹

During the course of the EPC meeting, there was discussion by Counsel for the Village, Jeffrey Kurtz, that any member of the EPC who had a conflict of interest should recuse themselves from discussion and voting; Mr. Kurtz did not advise any member, including Respondent, that they should recuse themselves. At the beginning of the meeting, Mr. Kurtz stated only that conflicts should be declared and that any member with those conflicts recuse himself. (Minutes of 12/14/11 EPC Meeting, Record, P. 22). He provided no guidance on this point. Respondent, not having any relationship with WEP, the only identified applicant, participated in the discussion on the Applications. After the public comment, and just prior to the EPC discussion and vote, Mr. Kurtz further discussed the issue of conflicts. In this discussion, Mr. Kurtz suggested that if any member of the EPC had a business relationship with

¹ Although “Michael Stone, Equestrian Sport Productions” (“ESP”) was named on the Application for Petition 2011-033 CU1, which was initially submitted to Village Staff, neither Mr. Stone nor ESP was identified as an applicant in any of the materials provided to Respondent prior to the public hearing nor during the public hearing itself. In addition, the agent’s cover letter which was submitted with three of the Applications says that the agent is filing “on behalf of Wellington Equestrian Partners.” (Letter to David Flinchum from Michael F. Sexton dated 9/7/11, Exhibit B, attached)

the applicant, that would constitute cause for recusal.² (Minutes of 12/14/11 EPC Meeting, Record, P. 30)(“ Jeff Kurtz stated Dr. Swerdlin recuse himself before do [sic] to some sort of relations with either ESP or another entity that is related to PBIEC.”) After a confusing and heated discussion between Respondent and Mr. Kurtz, Respondent decided to recuse himself from voting on any of the Applications.³ (Minutes of 12/14/11 EPC Meeting, Record, Pp. 30-31).

Subsequent to the EPC hearing, a complaint was filed with the Palm Beach County Commission on Ethics alleging that Respondent violated the Ethics Code by participating in a discussion regarding an entity, ESP, with which Respondent’s outside business had a relationship. After investigation, the Commission found probable cause that certain violations occurred due to the relationship between Respondent’s outside business and ESP. Upon appearing in this matter, the undersigned spoke with the Advocate as to reasons why Respondent did not violate the Ethics Code and that there was not evidence of ESP receiving any special financial benefit related to the Applications.⁴

Now, perhaps realizing that there is not enough evidence to support the initial finding of probable cause, the Advocate seeks to have additional charges levied against Respondent and Respondent’s business based on facts irrelevant to the determination of a violation of the Ethics Code (i.e., that ESP is a wholly owned subsidiary of WEP and that Mark Bellissimo is the CEO

² Mr. Kurtz’s admonition was not in conformance with the Palm Beach County Ethics Code (“Ethics Code”). Business relationships with applicants are not universally prohibited. Recusal is required only if the EPC member or its outside business or employer provided more than \$10,000 in goods or services over a two year period to a person or entity that would receive a “special financial benefit” from the application. The confusion over the actual requirements of the Ethics Code and the implications in this case are discussed more fully in Respondents separately, concurrently filed Motion to Dismiss.

³ Applications (1) and (2) were applicable Village wide and could not have created any “special financial benefit,” which requires a benefit unique to a single person or entity. Yet, Mr. Kurtz did not distinguish these applications for the purposes of the Ethics Code, indicating significant confusion by the person advising Respondent as well as Respondent himself.

⁴ The arguments related to this can be found in a separate, concurrently filed, Motion to Dismiss and Incorporated Memorandum of Law.

of ESP and Managing Member of WEP) and that show that there was no benefit to Respondent or his business (i.e., that horse shows were to take place on the property at issue in 2012) and a reading of the Ethics Code that is inconsistent with the plain reading of that law.

For the reasons set forth below, the Commission should find that the Motion is without merit and deny the requested relief.

ARGUMENT

Probable cause is defined as, “[A] reasonable ground of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person is guilty of the offense charged.” *State v. Abbey*, 28 So.3d 208, 211 (Fla. 4th DCA 2010)(citing *Schmitt v. State*, 590 So.2d 404, 409 (Fla.1991)). That standard cannot be met. First, the proposed finding is not permitted by a plain reading of the Code of Ethics adopted by the policy makers, the Palm Beach County Board of County Commissioners. Second, the evidence presented shows that the Applications would not produce any benefit to Respondent or his outside business, they have no impact at all.

I. The Basis For The Motion Is Inconsistent With The Plain Language of the Palm Beach County Ethics Ordinance and Cannot Be The Basis For a Violation

The underlying basis for the Motion is an allegation that because ESP is a wholly owned subsidiary of WEP and that Mr. Mark Bellissimo is the CEO of ESP and managing partner of WEP,⁵ that “there is factually no difference between” the two entities. The relationship between ESP and WEP, or Mr. Bellissimo’s involvement in either, is irrelevant to the application of the Ethics Code, and the conclusion drawn flies in the face of the laws of corporations in the state of Florida.

⁵ Respondent notes that the corporate records of the state of Florida identify Mr. Bellissimo as the Manager of ESP and the managing member of WEP. However, as noted, his relationships are irrelevant to the inquiry.

The Ethics Code defines a “Customer or client” as, “any person or entity⁶] to which an official or employee’s outside employer or business has supplied goods or services during the previous twenty-four (24) months, having, in the aggregate, a value greater than ten thousand dollars (\$10,000).” To find probable cause that Wellington Equestrian Partners was a customer or client of Respondent or his employer, there would need to be a evidence that the entity itself – WEP - received goods or services during the previous 24 months having, in the aggregate, a value of more than \$10,000. The Motion does not even try to make such a claim. Nor could such a claim be made. Instead, the Advocate attempts to read words and meaning into the law that are not there. The Advocate reads into the Code of Ethics the words “parent company” and “shared management.” This is improper.

The Ethics Code must be strictly construed. “When a statute imposes a penalty, any doubt as to its meaning must be resolved in favor of strict construction so that those covered by the statute have clear notice of what conduct the statute proscribes.” *See City of Miami Beach v. Galbut*, 626 So.2d 192, 194 (Fla. 1993)(citing *State v. Llopis*, 257 So.2d 17, 18 (Fla. 1971)). The Ethics Code does not contain any language putting anyone on clear notice that “Customer or client” would include the parent company of an entity. Nor does the Ethics Code identify that “Customer or client” includes entities where the same person involved in the management of the entity to which goods or services were supplied is also involved in the management of the entity receiving a special financial benefit.

Florida law recognizes the importance of separate corporate entities. “A parent corporation and its wholly-owned subsidiary are separate and distinct legal entities.” *American*

⁶ The Code of Ethics defines “Persons and entities” as including “all natural persons, firms, associations, joint ventures, partnerships, estates, trusts, business entities, syndicates, fiduciaries, corporations, and all other organizations.”

International Group, Inc. v. Cornerstone Businesses, Inc., 872 So.2d 333, 336 (Fla. 2d DCA 2004). The Advocate seeks to ignore this principal of law without any direction from the policy makers, the Palm Beach County Commission, that parent companies or shared management are to be considered in determining whether a relationship exists with that creates a conflict.

If the Palm Beach County Commission desired to include parent companies or shared management within the meaning of “Customer or client,” they could have done so. For example, the Palm Beach County Commission could have added the words “... or parent organization of a corporate entity or other entities under common management” to the definition of “Customer or client” after the word “entity.” The Ethics Code could, therefore read that a “Customer or client” would be “... any person or entity, or the parent organization of a corporate entity or other entities under common management...” Similarly, the Palm Beach County Commission could have added the words “...the parent organization of a customer, or client or other entities under common management with the customer or client” to Section 2-443(a)(5) after “customer or client” in defining the critical relationships for which recusal was required. The Ethics Code could, therefore, read, “customer or client, the parent organization of a customer or client, or other entities under common management with the customer or client.” In either case, Respondent would only then have been on notice that it would be important to ask a question of whether Mr. Bellissimo’s involvement in one entity meant that there was a relationship between the two. That, however, is not the case. The Palm Beach County Commission did not include those words and they cannot now be added to find a violation. *See State v. Byars*, 804 So.2d 336, 338 (Fla. 4th DCA 2001)(“In construing a statute, courts must follow what the legislature has written and neither add, subtract, nor distort the words written.”)

II. The Facts Do Not Support The Advocate's Motion To Amend

In his attempt to add Respondent's business as a party, the Advocate alleges that because horse shows are proposed on the property that was subject of Applications (3) and (4), "[a]s the official veterinarian, the Respondent has a direct financial interest in the project through advertising, on-site services, and referrals for services." Motion, Paragraph 7(e). The advocate identifies no advertising associated with the dressage events proposed for the property. Further, the facts show the opposite of the Advocates position. Regardless of Applications (3) and (4), the events took place and are to take place on the property. As Mr. Stone testified at the EPC meeting, "[T]he USCF has given us the dates and we are the license holder of those dates. It is only a question of the exact location." (Transcript of 12/14/11 EPC Meeting, P. 30, Exhibit C, attached). Further, the Village staff stated at the December 14, 2011 hearing that, "There is currently activity on the site. These uses were approved at staff level at the Development Review Committee (DRC) meeting. These are permitted use by right." (Minutes of 12/14/11 EPC Meeting, Record, P. 24). The Village staff also emphasized this point to the EPC in writing, stating that, "The property has been utilized for various equestrian venues for many years and should continue to support commercial equestrian venues... This approval does not create a change to the long standing generic use of the property." (Memorandum from Robert E. Basehart to EPC Members, Record, Pp. 98-99).

The events identified as taking place in 2012 took place even though the applicant, WEP, withdrew applications, (Withdrawal Letter, Exhibit D, attached), and were permitted to take place without regard to the Applications. Therefore, the impact of the Applications is shown to be wholly irrelevant to whether these shows would take place. As such, the evidence shows that the Applications provided no benefit, financial or otherwise, to Respondent or his outside

company. Respondents participation in the discussion about the Applications could not have violated Sections 2-443(a) & (c) of the Ethics Code because the results of those Applications had no financial impact on Respondent or his business. Whether the Applications were approved or denied, the shows have gone on.

CONCLUSION

For the reasons set forth above, the Commission must deny the Motion to Amend Public Order Finding Probable Cause and find that there is no probable cause for the violations alleged in the Motion.

Respectfully submitted this 2nd day of July, 2012.

GUNSTER, YOAKLEY & STEWART, P.A.
Co-Counsel for Scott J. Swerdlin
777 South Flagler Drive-Suite 500E
West Palm Beach, FL 33401
Telephone: (561) 650-0621
Facsimile (561) 655-5677

By: 

Brian M. Seymour
Fla. Bar No. 120308

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by electronic mail and by U.S. Mail to Alan Johnson and Joseph D. Small, Esq., Palm Beach County Commission on Ethics, 2633 Vista Parkway, West Palm Beach, Florida 33411 this 7th day of July, 2012.

By: _____

Brian M. Seymour

FTL_ACTIVE 4228855.2

GUNSTER, YOAKLEY & STEWART, P.A.
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW



TO: Equestrian Preserve Committee Members

FROM: David Flinchum, ASLA, AICP, Planning & Zoning Manager
Olga M. Prieto, Associate Planner

Petition Number: 2011-033 CU1

Request: To allow a hotel, retail, restaurants and offices as Conditional Uses in Commercial Recreation Pods and to provide a Compatibility Determination for a Commercial Equestrian Arena in the Urban Service Area with recommended conditions to mitigate potential incompatibility issues.

Agent: Michael F. Sexton, P.E.
Sexton Engineering Associates, Inc.
110 Ponce de Leon Street, Suite 100
Royal Palm Beach, Florida 33411

DATE: December 14, 2011

Background:

Staff has received a request to amend the Wellington Land Development Regulations and the Comprehensive Plan Text specifically as noted above in order for the owners of Wellington PUD Tract 30C-2 and Tract 30C-3 to allow development of a 59.3 acre Commercial Equestrian Arena with a hotel, restaurants, retail and offices at the northeast corner of Pierson Road and South Shore Boulevard. The purpose of the companion proposed Comprehensive Plan Text Amendments and Zoning Text Amendments are to allow the development of a 5-story 100 unit 220,000 square feet hotel with below grade parking garage, a separate 75,000 square feet commercial complex consisting of 20,000 square feet of combined restaurants, 25,000 square feet of retail and 30,000 square feet of offices. The owner is currently doing initial site work and construction of permitted uses that will be part of the proposed Commercial Equestrian Arena. The proposed facility will have a total of 3,500 seats for an outdoor Derby Arena and main Equestrian Ring, multiple secondary equestrian rings, a 210' x 360' covered practice ring and four commercial barns.



Hotel, retail, restaurants and offices as Conditional Uses in a Commercial Recreation Pods:

Request - To allow a hotel, retail, restaurants and offices as Conditional Uses in Commercial Recreation Pods (Tract 30C-2 and 30C-3 of the Wellington PUD).

Staff Analysis –Adding hotel, retail restaurants and offices as Conditional uses in a Commercial Recreation Pod would allow a process especially in the Equestrian Preserve Area to regulate a proposed project to ensure compatibility with other uses. It would allow individual review of the Conditional Use location, design, configuration, intensity and density of use, structures, and also allow imposition of conditions to ensure the appropriateness and compatibility of the use at a particular location.

Staff Recommendation - The request to allow hotel, retail, restaurants and office as separate Conditional Uses in the Equestrian Preserve is not currently consistent with Wellington's Comprehensive Plan Land or Equestrian Preservation Element which requires several companion text amendments. The proposed development of a 5-story 100 unit 220,000 square feet hotel with below grade parking garage, a separate 75,000 square feet commercial complex consisting of 20,000 square feet of combined restaurants, 25,000 square feet of retail and 30,000 square feet of office is currently too intense and raises concerns with compatibility and consistency with Land Use Element Objective 1.1 of land uses in the community as reflected on Wellington's Future Land Use Map. The proposed application is not in keeping with the Equestrian Preserve Area development pattern, intensity, building height and uses. Staff will recommend the hotel be considered possibly a residential condominium (59 maximum units) and the ancillary proposed commercial uses redesigned or clearly limited as an equestrian related component of the 59.3 acre Commercial Equestrian Arena Complex.

Commercial Equestrian Arena

Request – To provide Compatibility Determination to allow a Commercial Equestrian Arena on Tract 30C-2 and 30C-3 with recommended conditions of approval to mitigate incompatibility issues.

Staff Analysis - Designating the 59.3 acre Equestrian Village site as a Commercial Equestrian Arena is consistent with Goal 1.0 and will ensure the preservation of the equestrian industry by allowing the property owner to provide a permanent Commercial Equestrian Arena for competitive horseshows, a covered riding ring, commercial stable and other ancillary equestrian uses. Historically, Tract 30C2 and 3 was the original site of the Polo stadium and community events. The Commercial Equestrian Arena designation will expedite future building permits and establish the site as a permanent Equestrian Venue with definitive boundaries and specific hours of operation. The request for a Commercial Equestrian Arena will also continue to promote ancillary commercial

related activities in the equestrian community, the goals of the Equestrian Preserve Element and the economic stability of Wellington.

Staff Recommendation – Staff recommends approval to allow a Commercial Equestrian Arena with conditions of approval. The companion residential hotel or condominium needs to be integrated into the Commercial Equestrian Arena Complex along with the ancillary commercial uses. Staff has also recommended additional standards under Section 6.10.7.B to ensure these uses are supportive of long term stability and economic development in the Equestrian Preserve Area.

Commercial Equestrian Arena Compatibility review:

Article 6, Chapter 6.4.4.41 Equestrian Arena, Commercial – means an establishment engaged in spectator activities involving equestrian events, but excluding any establishment engaged in pari-mutual betting. An Equestrian Area use shall comply with the following:

Staff analysis -

Location: The Commercial Equestrian Arena is located on the northeast corner of South Shore Boulevard (arterial road) and Pierson Road (collector road).

Setbacks: The proposed riding rings and buildings are proposed at a minimum of 100 feet from the property lines.

Operation: Activity at the rings shall not occur prior to 7:00 am or later than 10:00 pm. due to its location in the Equestrian Preserve Area.

Lighting: All lighting shall be confined to the arena and shall not spill over to the neighboring properties as adjacent roadways.

Loudspeaker: Loudspeakers shall not be used after 10:00 pm.

Urban Service Area: Tracts 30C-2 and 30C-3 are within the Urban Service area and greater than 5 acres.

Staff recommendation - Staff determined the Commercial Equestrian Arena with a reduction to the proposed scale, mass height and square footage of the commercial uses could be compatible with the surrounding equestrian and residential land uses. Staff also would recommend the hotel be designated as Condominiums (maximum 59 units) and the ancillary commercial uses be vertically incorporated into the first floor or as a separate ancillary commercial complex located so both the residential and commercial traffic are limited to South Shore Boulevard. Internal connections for pedestrian and golf cart

circulation would also need to be considered as well as incorporating both on site equestrian and pedestrian amenities.

Public Notification/Comments.

Presentation of this application at the Equestrian Preserve Committee does not require public notices but is required to be reviewed at one (1) public hearing before the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency per Florida Statutes, and at one (1) public hearing before Council. The companion Comprehensive Plan Text Amendments and Zoning Text Amendments will require two (2) public hearings before Council with an interim period for transmittal to the new State Department of Economic Opportunity (Division of Community Planning) and possible delay for appeals before final adoption.

Staff recommended approval conditions are as follows:

1. Commercial Equestrian Arena hours of operation shall be limited from 7:00 am to 10:00 pm.
2. Commercial activities shall be operated entirely within enclosed buildings.
3. Outdoor seasonal activities for commercial, equestrian or agricultural in nature shall be subject to a Special Use Permit and limited from 7:00 am to 10:00 pm.
4. All parking lot lighting shall be limited to a maximum of 15 feet in height.
5. The use of amplified sound systems and equipment is prohibited in permanent barns or temporary stabling tents except to advise riders and exhibitors of upcoming competitive events.
6. For monitoring purposes, properly identified Wellington staff including Building Inspectors, Code Compliance Officers and PZB staff shall be allowed unrestricted access to the site.

ENVIRONMENTAL

7. All hoses and hose bibs shall be equipped with an automatic shut off nozzle to restrict water flow.
8. Filter fabric or similar equipment to reduce debris from entering the storm water system shall be installed and maintained or replaced as necessary or as directed by Wellington.
9. All facilities, operations and improvements on the site shall comply with the most recent Best Management Practices (BMPs).
10. Approved horse hair separators shall be used on horse wash facilities, laundry facilities and equestrian support facilities as required prior to discharge into the public sanitary sewer collection system.
11. Manure shall be removed from the premises on a daily basis and disposed in a manner approved by the Palm Beach County Health Department. Manure shall be collected and transported by a registered commercial livestock waste hauler or registered livestock self-hauler. Owner/Operator shall coordinate with Engineering Division to register the name of the manure hauler annually prior to November 1st. Manure shall be removed daily during major events.
12. Livestock waste storage structures shall be elevated in accordance with BMP regulations and shall comply with the design standards of Chapter 30, Article V, of the Wellington's Code of Ordinances.
13. Livestock waste storage structures shall be constructed so that no rainfall is allowed to enter and no liquid is released. Temporary tents may be utilized as

covers for the waste storage structures, as approved by Wellington's BMP Officer and the Building Division.

BUILDING AND FIRE RESCUE.

14. The applicant shall obtain permits for all structures and tents that are subject to regulations by the Florida Building Code, including the Fire Code.
15. All tents shall be inspected by the Palm Beach County Fire Rescue Department (PBCFRD) for compliance with applicable Federal, State, County, or Municipal fire protection standards. Tents shall be inspected and approved prior to occupancy.
16. All food vendor tents and facilities shall be inspected, as applicable by Wellington, PBCFRD and the Palm Beach County Health Department (PBCHD) prior to beginning operations.

VENDORS.

17. Applicant shall submit a list of all proposed vendors two weeks prior to major events. All vendors shall also obtain a Business Tax Receipt (formerly Occupational License) from Wellington prior to selling or offering services for more than a two week period.
18. Vendors selling food shall obtain PBCHD inspection and approval prior to commencing sales.

SANITARY SERVICES.

19. Applicant shall provide handicap accessible sanitation facilities and portable sanitation stations throughout the Commercial Equestrian Arena show grounds for peak events as noted on the site plan. The applicant and Wellington shall continue a cooperative effort in the collection and disposal of recyclable materials.

TRAFFIC

20. In order to comply with the mandatory Traffic Performance Standards, in place at the time of this approval, no building permits for the site shall be issued after December 31, 2016. A time extension for this condition may be approved by the County Engineer based on an approved Traffic Study which complies with the mandatory Traffic Performance Standards in place at the time of the request.

21. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

22. The proposed northern South Shore Boulevard driveway to Parcel 30C-2N shall not be constructed until the driveway to Parcel 30C-1 is closed and shall be constructed to include the following:

- A minimum 50 foot throat distance measured from the right-of-way on South Shore Boulevard.
- Ingress and egress lanes at a minimum of 12 feet.
- Minimum pavement return radii of 35 feet.

Construction shall begin prior to the first building permit and shall be completed prior to the first Certificate of Occupancy.

23. The existing South Shore Boulevard driveway to Parcel 30C-2S and Parcel 30C-2N shall be maintained or improved to include the following:

- A minimum 100 foot throat distance measured from the right-of-way on South Shore Boulevard.
- Egress lane at a minimum of 12 feet.
- Ingress lane at a minimum of 14 feet.
- Minimum pavement return radii of 40 feet.

Construction shall begin prior to the first building permit and shall be completed prior to the first Certificate of Occupancy.

24. The proposed Pierson Road driveway to Parcel 30C-3 shall be constructed to include the following:

- A minimum 50 foot throat distance measured from the edge of pavement on Pierson Road.
- Dual egress lanes at a minimum of 12 feet each with appropriate marking.
- Ingress lane at a minimum of 12 feet.
- Minimum pavement return radii of 35 feet.
- Located no closer than 660 feet from the edge of pavement of South Shore Boulevard.

Construction shall begin prior to the first building permit and shall be completed prior to the first Certificate of Occupancy.

25. Prior to the first building permit, construction shall begin for the following turn lane:

- Eastbound left turn lane at the proposed Pierson Road driveway to Parcel 30C-3 with a minimum of 280 feet of storage and a 50 foot taper.

Construction of the turn lane shall be completed prior to the first Certificate of Occupancy.

26. Prior to the first building permit, construction shall begin on the east and west approaches of the intersection of Pierson Road and South Shore Boulevard. At a minimum, the geometry of the intersection shall include the following:

East Approach	West Approach
Separate left turn lane with 280 feet of storage	Separate left turn lane with 370 feet of storage
Shared through and right turn lane	Shared through and right turn lane

Construction of these improvements shall include any required signal modifications and right-of-way acquisition. Construction shall be completed prior to the first Certificate of Occupancy.

27. Prior to the issuance of building permits for the hotel, retail, office or restaurant uses, applicant shall submit a queuing analysis of the southbound left turn lane on South Shore Boulevard for the driveway to Parcel 30-2N and Parcel 30-2S and the northbound left turn lanes at the intersection of Greenview Shores Boulevard and South Shore Boulevard. The analysis will be based on existing peak season counts and queuing data at the time of building permit request. If deficiencies are found for either turn lane, the turn lane shall be extended. The monitoring shall continue on an annual basis until 24 months after the last Certificate of Occupancy for the project. If the queues ever cannot be accommodated, no additional building permits shall be issued.

TRAFFIC AND PARKING.

28. Traffic and parking control attendants may be employed on-site for non-peak events. PBSO shall be provided on-site during peak events expected to draw more than 1,000 spectators. PBSO shall be provided with anticipated start and stop times for the event along with the estimated number of participants and spectators at least two weeks prior to the peak events.
29. Adequate ingress and egress directly to and from South Shore Boulevard and Pierson Road shall be maintained at all times and shall not disrupt normal traffic circulation patterns.

SIGNS

30. The owner shall submit a Master Sign Plan for review and approval by staff and Wellington's Architectural Review Board (ARB).

PLATTING

31. The owner shall record the plat of the 59.3 acre property for the Commercial Equestrian Arena prior to March 31, 2012 .

INFRASTRUCTURE

32. Any improvements within easements to be dedicated to Wellington or within public canals and/or road right of ways shall require 110% surety prior to commencement of construction. (ENGINEER)
33. The Commercial Equestrian Arena and all permanent structures shall be subject to Section 6.5.19.I Design Standards and Section 6.10.11 Commercial Development Standards in the Equestrian Overlay Zoning District.



SEXTON ENGINEERING ASSOCIATES, INC.

Consulting Engineers and Surveyors

Mr. David Flinchum, A.S.L.A., A.I.C.P.
Planning and Zoning Manager
12300 Forest Hill Boulevard
Wellington, Florida 33414

September 7, 2011

Re: Equestrian Village
Wellington, Florida

Dear Mr. Flinchum:

Sexton Engineering Associates, Inc. on behalf of Wellington Equestrian Partners is pleased to present the following applications for considerations by Wellington for the above referenced property:

Proposed Text Amendment to Comprehensive Plan
Master Plan Amendment Application
Conditional Use Request

Please also find check no. 13636 for \$7,500.00 as initial escrow deposits for fees associated with these applications as follows:

Comp. Plan Text Amendment	\$1,500.00
Master Plan Amendment	\$3,000.00
Conditional Use Request	\$3,000.00

We look forward to working with you and your staff to make this important project into a part of Wellington future.

Sincerely,

Michael F. Sexton, P.E., P.S.M.
Principal

Attachments



WELLINGTON
EQUESTRIAN PRESERVE COMMITTEE MEETING
DECEMBER 14, 2011
CITY HALL
12300 FOREST HILL BOULEVARD

TRANSCRIPTION

Swerdlin: Everyone a Merry Christmas and a Happy Hanukkah and in this season of brotherly love, let's make sure we all treat each other with that kind of respect tonight and make sure that we listen to everyone and we let everyone speak. Alright? If you'd like to speak tonight on any of these issues, please fill out a card. What we'd like to do is hear all the issues and then if you want to speak on all the issues that's fine, or if you want to speak on one issue, that's fine. But we'd like to be able to listen to all the information first on all the issues before we ask for public comment. First of all I'd like to introduce our newest member, Mr. Carlos Arellano. Carlos has been here since when...19...

Arellano: '79

Male: 1979. So he was actually here when the Panthers were here and we had seals. So he's seen Wellington grow. I got here in '83 but '79 beats me. I think he sold us our first houses here but he's a welcome addition to this committee and has a lot of history and perspective on how we can do a better job for this community. If I could ask everybody to turn their cell phones off, please. Unfortunately you have to turn it all the way off because when you come to speak, the microphones pick up the chatter. Alright. Shall we have the roll call, please?

Prieto Carlos Arellano

Arellano: Here.

Prieto: Dr. Kristy Lund

Lund: Here.

Prieto: Dr. Swerdlin

Swerdlin: Here.

Prieto: Myles Tashman

Tashman:



Stone:

Good evening chair and members. I'd just like to read a letter if I may into the record that Dennis Shaughnessy who is the chairman of the board of FTI, our leading sponsor, that he would like read into the record that he wrote today to Paul Schofield, the city manager.

"Dear Paul, I'm writing this letter to enthusiastically support the plans of the Wellington Equestrian Partners to develop a new dressage competition center, including a boutique hotel with limited retail operations. FTI is a global consulting company with 1.6 million in revenues and 4,000 employees located in 22 countries. We are publicly traded on the New York Stock Exchange and have an enterprise value of over 2.5 billion. We are headquartered in West Palm Beach and are the main sponsor of the Winter Equestrian Festival. Our sponsorship, including entertainment and charitable contributions, is approximately 800,000 a year. FTI became interested in sponsoring the WEF after the facility was purchased by the Wellington Equestrian Partners.

The new owners made a commitment to spend significant capital to improve the facilities, attract a higher quality of competition with international participants and significantly expand the reach and impact of the show into the community. The Wellington Equestrian Partners have more than delivered on their commitment to FTI and the other sponsors. They expended more than \$30 million on the facilities, they have dramatically increased the duration, competition and attendance of the events, they have clearly increased the involvement of the [wealth?] within the community, especially through the FTI great charity challenge which contributes \$1 million to local charities last year. FTI and other sponsors that are licensed with the new development plans for the dressage center. We are especially encouraged by the plans for a first class hotel. The lack of a first class hotel facility in Wellington for hosting meetings and housing our guests has frustrated many of the sponsors and probably inhibited the ability of the WEF to track new sponsors. I am a resident of the Palm Beach Polo Club and my wife and daughter have competed in the WEF for 10 years. However, neither I nor FTI has any ownership or investments in any of the existing or proposed projects of the WEP. My interest in this project is purely from the point of view of a sponsor and a resident. This is an exciting project for Wellington and it fits perfectly with Wellington's unique equestrian culture. This is not to say that other input from the community would not be helpful, but opposition for personal selfish reasons is not productive. FTI is presently doing all of the post development planning for the London Olympic Committee for all of the Olympic facilities in the significant surrounding acreage. If it would be helpful, I would offer on a pro bono basis, our experts to review the proposed plan. I apologize for not being able to attend your meeting and stand ready to meet with you as a group or on an individual basis. FTI and I are strong supporters of this project and hope the Village of Wellington with proper deliberation can become a strong supporter of the

Stone: Unfortunately, John is a little bit mixed up. The USCF allocate the dates. The dates are given to the license holder and we are the license holder so we hold the dates. Clearly, they won't give the final approval until they inspect the facility and in fact the head of the International dressage, Eva Solomon, is coming tomorrow afternoon to look at the facility and we are extraordinary confident that she will approve it as it is going to be the best facility, but it is the license holder that holds the date. I think she is actually here to inspect the facility in Loxahatchee to see if they can approve that as a CTI for next year, the World Cup for next year, but we have the dates, the show is going ahead absolutely without question.

Male: On the existing show grounds?

Stone: No, at the new show grounds. Sorry, Mr. Wodline, do you have a problem?

Male: It's not built.

Stone: It will be built.

Male: I don't know if that is in our purview.

Stone: The issue is ...the USCF has given us the dates and we are the license holder of those dates. It is only a question of the exact location. The USCF will grant us the dates when the facility is built because it is going to be the best facility in. Certainly the best facility in North America very close to the best facility in the world.

Male: Thank you very much, Mr. Stone

Flanagan: Since, Mr. Stone said I was mistaken. I didn't even see Mr. Stone in the meeting, but I was actually in the meeting with Eva Solomon and ____? Where they announced the application were submitted for the old facility and the comment was made and it was an open forum to the audience that they would never approve a facility that was not even built. That comment came from George William, who is the president of USCF.

Male: Thankfully that debate on dates isn't something that we are concern

Flanagan: I just want to advise the council because the information is going out there that the show venue will be ready for these shows and that might influence their decision to make other commitments and approvals for the commercial aspects of what they are planning and I would like to go on record and say that we are not opposed to of the new dressage facility, but personally as a Wellington residence, I am against the commercial aspect as to what is being proposed with the hotel and commercial shops in the preserve area.

Male: Thank you John. Terry Kane would you like to speak please, and on deck Robert McKenn.

May 14, 2012

VIA HAND-DELIVERY AND ELECTRONIC MAIL


David Flinchum, AICP
Planning & Zoning Director (Manager)
Village of Wellington
12300 Forest Hill Blvd.
Wellington, FL 33414

Re: **Petition Number: 2011-033 CPTA; Equestrian Village Comprehensive Plan Text Amendment**

Dear Mr. Flinchum:

I am writing to you on behalf of Equestrian Sport Partners, LLC and Wellington Equestrian Partners, LLC (collectively "the Applicant"), pursuant to Section 5.1.6.6 of the Wellington, Florida, Unified Land Development Code, titled "Withdrawal of application". The purpose of this letter is to notify the Village of the Applicant's decision to voluntarily withdraw, without prejudice and as a matter of right, the above-referenced application. While the Applicant believes that the vision reflected in the application is in the best interests of the Village for a variety of reasons, most of which have been articulated at public hearings and through informational literature in conjunction with the application, we understand that there are differences of opinion within the community about the project. It is our desire to work in a collaborative effort with the Village and with the community, to make sure that our vision is reconciled to the best of our ability with the needs and desires of all of those who will be affected by and will benefit from the development. Having come to this decision, we believe the most practical and efficient manner to do this under the Wellington Land Development Regulations is to utilize the provision which permits the withdrawal of the application without prejudice as of right.

Sincerely,


Mark J. Belissimo, Managing Member
Equestrian Sport Partners, LLC
Wellington Equestrian Partners, LLC

cc: Daniel S. Rosenbaum, Esquire (via email and U.S. mail)
Robert Basehart, AICP, Growth Management Director (via email and U.S. mail)
Paul Schofield, AICP, Manager (via email)
Jeff Kurtz, Esquire - Village Attorney (via email and U.S. mail)
Jacek Tomasik, CBO, Building Official (via email and U.S. mail)
Bob Margolis, Mayor (via email and U.S. mail)
Howard K. Coates, Jr., Vice Mayor (via email and U.S. mail)
Matt Willhite, Councilman (via email and U.S. mail)
Anne Gerwig, Councilwoman (via email and U.S. mail)
John Greene, Councilman (via email and U.S. mail)
Michael Sexton, Sexton Engineering (via email and U.S. mail)

2238627



PALM BEACH COUNTY COMMISSION ON ETHICS

In Re: Dr. Scott Swerdlin

C11-027

**MOTION TO DISMISS AND INCORPORATED MEMORANDUM OF LAW IN
SUPPORT THEREOF**

Comes now Respondent, Dr. Scott Swerdlin, by and through the undersigned counsel and pursuant to Commission on Ethics Rule of Procedure 6.12, herby files this Motion to Dismiss and Incorporated Memorandum of Law In Support Thereof, and as grounds therefore states as follows:¹

BACKGROUND

Respondent, Dr. Scott Swerdlin, is an equine veterinarian practicing in the Village of Wellington, Florida ("Village"). As part of his civic engagement, he serves as chair of the Village's Equestrian Preserve Committee ("EPC"). The EPC is an advisory committee to the Planning Zoning and Adjustment Board for the Village. Where projects are proposed for development within the equestrian preserve area of the Village, the EPC reviews and provides recommendations related to equestrian issues to the Planning Zoning and Adjustment Board.

In this capacity, he presided over a meeting on December 14, 2011 wherein four applications were heard related to changes to the Village Comprehensive Plan, Land Development Regulations, and development of certain properties in the Village. The following four applications were presented to the EPC:

¹ Respondent has conferred with the Advocate in accordance with Commission on Ethics Rule of Procedure 6.11(a). The Advocate does not consent to the Motion.

(1) Petition Number 2011-033 CPTA : Text Amendments to Village Comprehensive Plan;

(2) Petition Number 2011-033 ZTA: Text Amendments to Village Zoning Code (Land Development Regulations);

(3) Petition Number 2011-033 MPA1: Modification to Wellington Planned Unit Development (PUD) Master Plan Tract 30C; and

(4) Petition Number 2011-033 CU1: Conditional Use With Compatibility Determination.

(collectively, the “Applications”). One of the staff reports (for Petition Number 2011-033 CPTA) which was given to the EPC prior to the meeting noted that the ‘request’ was by WEP; the other three staff reports did not identify a separate applicant. (Village Staff Reports, Record P. 61-81; 2011-033 CU1 Conditional Use Staff Report, Exhibit A, attached). WEP, not ESP was, identified as in the public testimony (Minutes of 12/14/11 EPC Meeting, Record P. 25).²

During the course of the EPC meeting, there was discussion by Counsel for the Village, Jeffrey Kurtz, that any member of the EPC who had a conflict of interest should recuse themselves from discussion and voting; Mr. Kurtz did not advise any member, including Respondent, that they should recuse themselves. At the beginning of the meeting, Mr. Kurtz stated only that conflicts should be declared and that any member with those conflicts recuse himself. (Minutes of 12/14/11 EPC Meeting, Record, P. 22). He provided no guidance on this point. Respondent, not having any relationship with WEP, the only identified applicant,

² Although “Michael Stone, Equestrian Sport Productions” (“ESP”) was named on the Application for Petition 2011-033 CU1, which was initially submitted to Village Staff, neither Mr. Stone nor ESP was identified as an applicant in any of the materials provided to Respondent prior to the public hearing nor during the public hearing itself. In addition, the agent’s cover letter which was submitted with three of the Applications says that the agent is filing “on behalf of Wellington Equestrian Partners.” (Letter to David Flinchum from Michael F. Sexton dated 9/7/11, Exhibit B attached)

participated in the discussion on the Applications. After the public hearing, and just prior to the EPC discussion and vote, Mr. Kurtz further discussed the issue of conflicts. In this discussion, Mr. Kurtz suggested that if any member of the EPC had a business relationship with the applicant, that would constitute cause for recusal.³ (Minutes of 12/14/11 EPC Meeting, Record, P. 30)(“ Jeff Kurtz stated Dr. Swerdlin recuse himself before do [sic] to some sort of relations with either ESP or another entity that is related to PBIEC.”) After a confusing and heated discussion between Respondent and Mr. Kurtz, Respondent decided to recuse himself from voting on any of the Applications.⁴ (Minutes of 12/14/11 EPC Meeting, Record, Pp. 30-31).

Subsequent to the EPC hearing, a complaint was filed with the Palm Beach County Commission on Ethics alleging that Respondent violated the Ethics Code by participating in a discussion regarding an entity, ESP, with which Respondent’s outside business had a relationship. After investigation, the Commission found probable cause that certain violations occurred due to the relationship between Respondent’s outside business and ESP. Upon appearing in this matter, the undersigned spoke with the Advocate as to reasons why Respondent did not violate the Ethics Code and that there was not evidence of ESP receiving any special financial benefit related to the Applications.⁵

³ Mr. Kurtz’s admonition was not in conformance with the Palm Beach County Ethics Code (“Ethics Code”). Business relationships with applicants are not universally prohibited. Recusal is required only if the EPC member or its outside business or employer provided more than \$10,000 in goods or services over a two year period to a person or entity that would receive a “special financial benefit” from the application. The confusion over the actual requirements of the Ethics Code and the implications in this case are discussed more fully in Respondents separately, concurrently filed Motion to Dismiss.

⁴ Applications (1) and (2) were applicable Village wide and could not have created any “special financial benefit,” which requires a benefit unique to a single person or entity. Yet, Mr. Kurtz did not distinguish these applications for the purposes of the Ethics Code, indicating significant confusion by the person advising Respondent as well as Respondent himself.

⁵ The arguments related to this can be found in a separate, concurrently filed, Motion to Dismiss and Incorporated Memorandum of Law.

Now, perhaps realizing that there is not enough evidence to support the initial finding of probable cause, the Advocate seeks to have additional charges levied against Respondent and Respondent's business based on facts irrelevant to the determination of a violation of the Ethics Code (i.e., that ESP is a wholly owned subsidiary of WEP and that Mark Bellissimo is the CEO of ESP and Managing Member of WEP) and that show that there was no benefit to Respondent or his business (i.e., that horse shows were to take place on the property at issue in 2012) and a reading of the Ethics Code that is inconsistent with the plain reading of that law.

For the reasons set forth below, the Commission should dismiss the pending matter.

ARGUMENT

Commission on Ethics Rule of Procedure 6.12 allows for Motions to be filed, including a Motion to Dismiss. The instant case should be dismissed because there is no evidence that the "Customer or client" of Respondent, ESP, received any special financial benefit from the approval of the Applications.⁶ Even if the Commission finds that there is evidence of a special financial benefit to ESP, this matter should be dismissed in accordance with Commission on Ethics Rule of Procedure 3.7 because the violation was inadvertent, unintentional, or insubstantial and because the public interest would not be served by further proceedings.

I. Equestrian Sport Productions Received No Special Financial Benefit

"Special financial benefit" is defined as a financial benefit that is "not shared with similarly situated members of the general public." Ethics Code, Section 2-443(a). The finding of probable cause determined that Equestrian Sport Productions received a "special financial benefit" from the Applications. The only evidence to support this is the name "Michael Stone,

⁶ Applications (1) and (2) provided no special financial benefit because they applied Village wide. The investigation and probable cause finding made no distinction between the four Applications. For the purposes of this Argument, "Applications" shall hereafter refer to Applications (3) and (4) only.

Equestrian Sport Productions” on one of the Applications. (Conditional Use Application, Record, P. 109). That alone is not evidence that Equestrian Sport Productions received any financial benefit not shared with similarly situated members of the general public.

The putative applicant and beneficiary of the Applications, and the entity that may have received the benefit therefrom, was WEP, not ESP. The cover letter submitted by the project’s agent with three of the four Applications identifies that they were filed “on behalf of Wellington Equestrian Partners.” (Letter from to David Flinchum from Michael F. Sexton, Exhibit B, attached). The staff reports on the Applications that were provided to the members of the EPC, including Respondent, identified either WEP or did not specify an applicant at all. (Village Staff Reports, Record P. 61-81). During the public hearing on the Applications before the EPC, ESP was not mentioned except to note that “Michael Stone president of Equestrian Sport Productions read a letter into the record from Dennis Shaughnesay, Chairman of the FTI a leading sponsor supports the applications.” (Minutes of 12/14/11 EPC Meeting, Record, P. 26). That letter identified the applicable party as WEP. (Transcript of 12/14/11 EPC Meeting, P. 24, Exhibit C, attached). The only beneficial party identified was WEP. This was so much so that the person speaking on behalf of WEP discussed its ownership, identifying the ultimate beneficiaries as 20 families who own property in the Village. (Minutes of 12/14/11 EPC Meeting, Record, P. 25).

ESP is in the business of managing and operating horse shows. Those shows have taken place for years prior to the Applications. (Information on Horse Shows, Record, Pp. 100-107) Those shows continue to take place regardless of the actions on the Applications. (Print out of USDF Calendar, Record, Pp. 319-21). The Applications have been withdrawn or are no longer being pursued. (Withdrawal Letter, Exhibit D, attached). Yet, the shows managed by ESP continue. As Mr. Stone testified at the EPC meeting, “[T]he USCF has given us the dates and

we are the license holder of those dates. It is only a question of the exact location.” (Transcript of 12/14/11 EPC Meeting, P. 30, Exhibit C, attached). This is based on the approval by the Village staff. As staff identified at the December 14, 2011 hearing:

“There is currently activity on the site. These uses were approved at staff level at the Development Review Committee (DRC) meeting. These are permitted use by right.” (Minutes of 12/14/11 EPC Meeting, Record, P. 24).

The Village staff further emphasized this point to the EPC in writing, stating that, “The property has been utilized for various equestrian venues for many years and should continue to support commercial equestrian venues... This approval does not create a change to the long standing generic use of the property.” (Memorandum from Robert E. Basehart to EPC Members, Record, Pp. 98-99). ESP was not impacted by the Applications at all. That ESP continues to manage shows without the sought after approvals proves that any action on the Applications would not have provided any financial benefit, much less a special financial benefit to ESP.

When reviewing the evidence in total, there is no indication that ESP received any special financial benefit. The evidence shows that only WEP may have received any special financial benefit. WEP, however, was not a “customer or client” of Respondent or his outside business as the term is defined in the Ethics Code.⁷ WEP did not receive any services from Respondents business, much less services in excess of \$10,000 over the previous 24 months. As such, there can be no finding that Respondent was required to recuse himself from the discussions and he should not have recused himself from the vote on the Applications.

⁷ As set forth in the concurrently filed Memorandum in Opposition to Motion To Amend Public Order Finding Probable Cause, the Ethics Code does not include WEP as falling within the definition of “Customer or client” or an entity identified in Section 2-443 of the Ethics Code.

II. Even Assuming A Special Financial Benefit to Respondent's Only "Customer or Client," ESP, The Violation Was Inadvertent, Unintentional or Insubstantial

Commission on Ethics Rule of Procedure 3.7(b) provides that a Complaint may be dismissed "when it appears that the alleged violation was inadvertent, unintentional or insubstantial." In such a case, the Commission issues a "letter of instruction" to the Respondent, a letter which may also be relied on by others. The facts and circumstances surrounding the alleged violations show that, even if there was a technical violation, it was inadvertent, unintentional, or insubstantial.

Respondent was unaware of the one time that ESP was identified as the applicant on one of the Applications. The only time that ESP appears in the record relative to the Applications is on the initial application, which was not provided to Respondent. All other information at that time, prior to and during the EPC meeting, ESP was not identified as having any part in the project at issue. The cover letter with three of the Applications which was written by the projects' agent identifies that they were filed "on behalf of Wellington Equestrian Partners." (Letter from to David Flinchum from Michael F. Sexton, Exhibit B, attached). The staff reports on the Applications that were provided to the members of the EPC, including Respondent, only identified WEP as the party requesting the approvals. (Village Staff Reports, Record P. 61-81). Volunteer advisory committees depend on staff reports and staff advice regarding the critical technical aspects of applications; they cannot be expected to review all background documents including initial applications, which are not routinely provided to them. During the public hearing on the Applications before the EPC, ESP was not mentioned except tangentially, as noted above (i.e., a representative reading a letter from a third party into the record). The only

beneficial party identified was WEP. This was so much so that the person speaking on behalf of WEP even noted that WEP was owned by 20 families who owned property in the Village. (Minutes of 12/14/11 EPC Meeting, Record, P. 25).

Without ESP being identified to the knowledge of Respondent, he had no basis to recuse himself at the EPC meeting and was not told that he should do so. The Village attorney, Mr. Kurtz, stated:

“It is always your individual choice as a board member knowing what the total circumstances are of your involvement, in or not in with respect to a project, that you make the determination as to whether or not you have a conflict. That is not something that staff can determine for you.”

(Minutes of 12/14/11 EPC Meeting, Record, P. 30). The information known to Respondent was that WEP was the Applicant and that WEP was not a “customer or client” of his outside business. Though he was aware that Mark Bellissimo was involved in both WEP and his “customer or client,” ESP, Respondent’s counsel, Mr. Kurtz, did not tell him that required recusal.⁸ He could not have known, even if ESP was to receive a special financial benefit, that ESP would receive any benefit from the Applications. Even if the Ethics Code was to be read to include related entities or common management, Respondent, a veterinarian, could not have known that and would have needed the one person adept at reviewing and interpreting legal ordinances, Mr. Kurtz, to specifically advise him.

The record indicates that there was significant confusion regarding the question of Respondent’s recusal and that it was not until after the public hearing, and prior to the vote, that Mr. Kurtz finally told Respondent to recuse himself. (Minutes of 12/14/11 EPC Meeting, Record, P. 30)(“Jeff Kurtz stated Dr. Swerdlin recuse himself before do [sic] to some sort of

⁸ Had Mr. Kurtz made such a statement, it would be in direct contravention of the plain language of the Ethics Code. There is nothing in the Ethics Code regarding related entities or common management.

relations with ESP or another entity related to PBIEC.”). Mr. Kurtz, at that time, referred to Dr. Swerdlin’s “mistaken impression” regarding the applicability of the ethics rules to the situation at hand, and the record also notes that “Dr. Swerdlin stated he has not understood the ethics position.” *Id.* To wit, Respondent suggested that if his being the veterinarian without charge, but having a table at the Winter Equestrian Festival (WEF), caused him to have to recuse himself, other members would likely have to do the same and they could lose a quorum. *Id.* at P. 31. He then tried to determine whether there was a way to proceed appropriately without losing that quorum. *Id.*

The evidence in total shows that Respondent was unaware that his customer or client, ESP, had its name on any application. Therefore, to the extent that created any violation, it was inadvertent, unintentional, or insubstantial. Given all of the information available to him, it would not make sense that he should have had to recuse himself. To the extent the Ethics Commission believes that Respondent, as a member of an advisory board, should ask that staff identify all who would have a “special financial benefit,” or direct staff of the local governments to do so, a letter of instruction would provide that guidance. A dismissal and letter of guidance in accordance with Rule 3.7(b) is appropriate.

III. The Public Interest Would Not Proceed By Further Proceedings

Commission on Ethics Rule of Procedure 3.7(a) provides that a Complaint may be dismissed “upon determining that the public interest would not be served by proceeding further.” Based on the facts as detailed above, Respondent did not know of any involvement of his customer or client, ESP. He knew only that WEP was the identified applicant. He was provided no information from the Village staff that ESP was involved. He was provided no direction from

the Village attorney prior to engaging in, or at any time during, discussion on the Applications that WEP and Mr. Bellissimo's involvement meant that he should recuse himself.

To the extent the Ethics Commission finds that Respondent should have taken action differently than he did, the Rules provide for clear direction in the form of a letter of instruction. The public interest would not be served by further proceedings that would not provide that general direction. The public interest would be better served by a letter of instruction.

CONCLUSION

For the reasons set forth above, Respondent respectfully requests that the Ethics Commission dismiss the Complaint in this matter. To the extent the Ethics Commission finds that further actions on the part of Respondent were warranted, a letter of instruction would be appropriate.

Respectfully submitted this 2nd day of July, 2012.

GUNSTER, YOAKLEY & STEWART, P.A.
Co-Counsel for Scott J. Swerdlin
777 South Flagler Drive-Suite 500E
West Palm Beach, FL 33401
Telephone: (561) 650-0621
Facsimile (561) 655-5677

By: 

Brian M. Seymour
Fla. Bar No. 120308

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by facsimile and by U.S. Mail to Alan Johnson and Joseph D. Small, Esq., Palm Beach County Commission on Ethics, 2633 Vista Parkway, West Palm Beach, Florida 33411 this ^{2nd} day of July, 2012.

By: 

Brian M. Seymour

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GUNSTER, YOAKLEY & STEWART, P.A.
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW



TO: Equestrian Preserve Committee Members

FROM: David Flinchum, ASLA, AICP, Planning & Zoning Manager
Olga M. Prieto, Associate Planner

Petition Number: 2011-033 CU1

Request: To allow a hotel, retail, restaurants and offices as Conditional Uses in Commercial Recreation Pods and to provide a Compatibility Determination for a Commercial Equestrian Arena in the Urban Service Area with recommended conditions to mitigate potential incompatibility issues.

Agent: Michael F. Sexton, P.E.
Sexton Engineering Associates, Inc.
110 Ponce de Leon Street, Suite 100
Royal Palm Beach, Florida 33411

DATE: December 14, 2011

Background:

Staff has received a request to amend the Wellington Land Development Regulations and the Comprehensive Plan Text specifically as noted above in order for the owners of Wellington PUD Tract 30C-2 and Tract 30C-3 to allow development of a 59.3 acre Commercial Equestrian Arena with a hotel, restaurants, retail and offices at the northeast corner of Pierson Road and South Shore Boulevard. The purpose of the companion proposed Comprehensive Plan Text Amendments and Zoning Text Amendments are to allow the development of a 5-story 100 unit 220,000 square feet hotel with below grade parking garage, a separate 75,000 square feet commercial complex consisting of 20,000 square feet of combined restaurants, 25,000 square feet of retail and 30,000 square feet of offices. The owner is currently doing initial site work and construction of permitted uses that will be part of the proposed Commercial Equestrian Arena. The proposed facility will have a total of 3,500 seats for an outdoor Derby Arena and main Equestrian Ring, multiple secondary equestrian rings, a 210' x 360' covered practice ring and four commercial barns.



Hotel, retail, restaurants and offices as Conditional Uses in a Commercial Recreation Pods:

Request - To allow a hotel, retail, restaurants and offices as Conditional Uses in Commercial Recreation Pods (Tract 30C-2 and 30C-3 of the Wellington PUD).

Staff Analysis –Adding hotel, retail restaurants and offices as Conditional uses in a Commercial Recreation Pod would allow a process especially in the Equestrian Preserve Area to regulate a proposed project to ensure compatibility with other uses. It would allow individual review of the Conditional Use location, design, configuration, intensity and density of use, structures, and also allow imposition of conditions to ensure the appropriateness and compatibility of the use at a particular location.

Staff Recommendation - The request to allow hotel, retail, restaurants and office as separate Conditional Uses in the Equestrian Preserve is not currently consistent with Wellington's Comprehensive Plan Land or Equestrian Preservation Element which requires several companion text amendments. The proposed development of a 5-story 100 unit 220,000 square feet hotel with below grade parking garage, a separate 75,000 square feet commercial complex consisting of 20,000 square feet of combined restaurants, 25,000 square feet of retail and 30,000 square feet of office is currently too intense and raises concerns with compatibility and consistency with Land Use Element Objective 1.1 of land uses in the community as reflected on Wellington's Future Land Use Map. The proposed application is not in keeping with the Equestrian Preserve Area development pattern, intensity, building height and uses. Staff will recommend the hotel be considered possibly a residential condominium (59 maximum units) and the ancillary proposed commercial uses redesigned or clearly limited as an equestrian related component of the 59.3 acre Commercial Equestrian Arena Complex.

Commercial Equestrian Arena

Request – To provide Compatibility Determination to allow a Commercial Equestrian Arena on Tract 30C-2 and 30C-3 with recommended conditions of approval to mitigate incompatibility issues.

Staff Analysis - Designating the 59.3 acre Equestrian Village site as a Commercial Equestrian Arena is consistent with Goal 1.0 and will ensure the preservation of the equestrian industry by allowing the property owner to provide a permanent Commercial Equestrian Arena for competitive horseshows, a covered riding ring, commercial stable and other ancillary equestrian uses. Historically, Tract 30C2 and 3 was the original site of the Polo stadium and community events. The Commercial Equestrian Arena designation will expedite future building permits and establish the site as a permanent Equestrian Venue with definitive boundaries and specific hours of operation. The request for a Commercial Equestrian Arena will also continue to promote ancillary commercial

related activities in the equestrian community, the goals of the Equestrian Preserve Element and the economic stability of Wellington.

Staff Recommendation – Staff recommends approval to allow a Commercial Equestrian Arena with conditions of approval. The companion residential hotel or condominium needs to be integrated into the Commercial Equestrian Arena Complex along with the ancillary commercial uses. Staff has also recommended additional standards under Section 6.10.7.B to ensure these uses are supportive of long term stability and economic development in the Equestrian Preserve Area.

Commercial Equestrian Arena Compatibility review:

Article 6, Chapter 6.4.4.41 Equestrian Arena, Commercial – means an establishment engaged in spectator activities involving equestrian events, but excluding any establishment engaged in pari-mutual betting. An Equestrian Area use shall comply with the following:

Staff analysis -

Location: The Commercial Equestrian Arena is located on the northeast corner of South Shore Boulevard (arterial road) and Pierson Road (collector road).

Setbacks: The proposed riding rings and buildings are proposed at a minimum of 100 feet from the property lines.

Operation: Activity at the rings shall not occur prior to 7:00 am or later than 10:00 pm. due to its location in the Equestrian Preserve Area.

Lighting: All lighting shall be confined to the arena and shall not spill over to the neighboring properties as adjacent roadways.

Loudspeaker: Loudspeakers shall not be used after 10:00 pm.

Urban Service Area: Tracts 30C-2 and 30C-3 are within the Urban Service area and greater than 5 acres.

Staff recommendation - Staff determined the Commercial Equestrian Arena with a reduction to the proposed scale, mass height and square footage of the commercial uses could be compatible with the surrounding equestrian and residential land uses. Staff also would recommend the hotel be designated as Condominiums (maximum 59 units) and the ancillary commercial uses be vertically incorporated into the first floor or as a separate ancillary commercial complex located so both the residential and commercial traffic are limited to South Shore Boulevard. Internal connections for pedestrian and golf cart

circulation would also need to be considered as well as incorporating both on site equestrian and pedestrian amenities.

Public Notification/Comments.

Presentation of this application at the Equestrian Preserve Committee does not require public notices but is required to be reviewed at one (1) public hearing before the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency per Florida Statutes, and at one (1) public hearing before Council. The companion Comprehensive Plan Text Amendments and Zoning Text Amendments will require two (2) public hearings before Council with an interim period for transmittal to the new State Department of Economic Opportunity (Division of Community Planning) and possible delay for appeals before final adoption.

Staff recommended approval conditions are as follows:

1. Commercial Equestrian Arena hours of operation shall be limited from 7:00 am to 10:00 pm.
2. Commercial activities shall be operated entirely within enclosed buildings.
3. Outdoor seasonal activities for commercial, equestrian or agricultural in nature shall be subject to a Special Use Permit and limited from 7:00 am to 10:00 pm.
4. All parking lot lighting shall be limited to a maximum of 15 feet in height.
5. The use of amplified sound systems and equipment is prohibited in permanent barns or temporary stabling tents except to advise riders and exhibitors of upcoming competitive events.
6. For monitoring purposes, properly identified Wellington staff including Building Inspectors, Code Compliance Officers and PZB staff shall be allowed unrestricted access to the site.

ENVIRONMENTAL

7. All hoses and hose bibs shall be equipped with an automatic shut off nozzle to restrict water flow.
8. Filter fabric or similar equipment to reduce debris from entering the storm water system shall be installed and maintained or replaced as necessary or as directed by Wellington.
9. All facilities, operations and improvements on the site shall comply with the most recent Best Management Practices (BMPs).
10. Approved horse hair separators shall be used on horse wash facilities, laundry facilities and equestrian support facilities as required prior to discharge into the public sanitary sewer collection system.
11. Manure shall be removed from the premises on a daily basis and disposed in a manner approved by the Palm Beach County Health Department. Manure shall be collected and transported by a registered commercial livestock waste hauler or registered livestock self-hauler. Owner/Operator shall coordinate with Engineering Division to register the name of the manure hauler annually prior to November 1st. Manure shall be removed daily during major events.
12. Livestock waste storage structures shall be elevated in accordance with BMP regulations and shall comply with the design standards of Chapter 30, Article V, of the Wellington's Code of Ordinances.
13. Livestock waste storage structures shall be constructed so that no rainfall is allowed to enter and no liquid is released. Temporary tents may be utilized as

covers for the waste storage structures, as approved by Wellington's BMP Officer and the Building Division.

BUILDING AND FIRE RESCUE.

14. The applicant shall obtain permits for all structures and tents that are subject to regulations by the Florida Building Code, including the Fire Code.
15. All tents shall be inspected by the Palm Beach County Fire Rescue Department (PBCFRD) for compliance with applicable Federal, State, County, or Municipal fire protection standards. Tents shall be inspected and approved prior to occupancy.
16. All food vendor tents and facilities shall be inspected, as applicable by Wellington, PBCFRD and the Palm Beach County Health Department (PBCHD) prior to beginning operations.

VENDORS.

17. Applicant shall submit a list of all proposed vendors two weeks prior to major events. All vendors shall also obtain a Business Tax Receipt (formerly Occupational License) from Wellington prior to selling or offering services for more than a two week period.
18. Vendors selling food shall obtain PBCHD inspection and approval prior to commencing sales.

SANITARY SERVICES.

19. Applicant shall provide handicap accessible sanitation facilities and portable sanitation stations throughout the Commercial Equestrian Arena show grounds for peak events as noted on the site plan. The applicant and Wellington shall continue a cooperative effort in the collection and disposal of recyclable materials.

TRAFFIC

20. In order to comply with the mandatory Traffic Performance Standards, in place at the time of this approval, no building permits for the site shall be issued after December 31, 2016. A time extension for this condition may be approved by the County Engineer based on an approved Traffic Study which complies with the mandatory Traffic Performance Standards in place at the time of the request.

21. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

22. The proposed northern South Shore Boulevard driveway to Parcel 30C-2N shall not be constructed until the driveway to Parcel 30C-1 is closed and shall be constructed to include the following:

- A minimum 50 foot throat distance measured from the right-of-way on South Shore Boulevard.
- Ingress and egress lanes at a minimum of 12 feet.
- Minimum pavement return radii of 35 feet.

Construction shall begin prior to the first building permit and shall be completed prior to the first Certificate of Occupancy.

23. The existing South Shore Boulevard driveway to Parcel 30C-2S and Parcel 30C-2N shall be maintained or improved to include the following:

- A minimum 100 foot throat distance measured from the right-of-way on South Shore Boulevard.
- Egress lane at a minimum of 12 feet.
- Ingress lane at a minimum of 14 feet.
- Minimum pavement return radii of 40 feet.

Construction shall begin prior to the first building permit and shall be completed prior to the first Certificate of Occupancy.

24. The proposed Pierson Road driveway to Parcel 30C-3 shall be constructed to include the following:

- A minimum 50 foot throat distance measured from the edge of pavement on Pierson Road.
- Dual egress lanes at a minimum of 12 feet each with appropriate marking.
- Ingress lane at a minimum of 12 feet.
- Minimum pavement return radii of 35 feet.
- Located no closer than 660 feet from the edge of pavement of South Shore Boulevard.

Construction shall begin prior to the first building permit and shall be completed prior to the first Certificate of Occupancy.

25. Prior to the first building permit, construction shall begin for the following turn lane:

- Eastbound left turn lane at the proposed Pierson Road driveway to Parcel 30C-3 with a minimum of 280 feet of storage and a 50 foot taper.

Construction of the turn lane shall be completed prior to the first Certificate of Occupancy.

26. Prior to the first building permit, construction shall begin on the east and west approaches of the intersection of Pierson Road and South Shore Boulevard. At a minimum, the geometry of the intersection shall include the following:

East Approach	West Approach
Separate left turn lane with 280 feet of storage	Separate left turn lane with 370 feet of storage
Shared through and right turn lane	Shared through and right turn lane

Construction of these improvements shall include any required signal modifications and right-of-way acquisition. Construction shall be completed prior to the first Certificate of Occupancy.

27. Prior to the issuance of building permits for the hotel, retail, office or restaurant uses, applicant shall submit a queuing analysis of the southbound left turn lane on South Shore Boulevard for the driveway to Parcel 30-2N and Parcel 30-2S and the northbound left turn lanes at the intersection of Greenview Shores Boulevard and South Shore Boulevard. The analysis will be based on existing peak season counts and queuing data at the time of building permit request. If deficiencies are found for either turn lane, the turn lane shall be extended. The monitoring shall continue on an annual basis until 24 months after the last Certificate of Occupancy for the project. If the queues ever cannot be accommodated, no additional building permits shall be issued.

TRAFFIC AND PARKING.

28. Traffic and parking control attendants may be employed on-site for non-peak events. PBSO shall be provided on-site during peak events expected to draw more than 1,000 spectators. PBSO shall be provided with anticipated start and stop times for the event along with the estimated number of participants and spectators at least two weeks prior to the peak events.
29. Adequate ingress and egress directly to and from South Shore Boulevard and Pierson Road shall be maintained at all times and shall not disrupt normal traffic circulation patterns.

SIGNS

30. The owner shall submit a Master Sign Plan for review and approval by staff and Wellington's Architectural Review Board (ARB).

PLATTING

31. The owner shall record the plat of the 59.3 acre property for the Commercial Equestrian Arena prior to March 31, 2012.

INFRASTRUCTURE

32. Any improvements within easements to be dedicated to Wellington or within public canals and/or road right of ways shall require 110% surety prior to commencement of construction. (ENGINEER)
33. The Commercial Equestrian Arena and all permanent structures shall be subject to Section 6.5.19.1 Design Standards and Section 6.10.11 Commercial Development Standards in the Equestrian Overlay Zoning District.



SEXTON ENGINEERING ASSOCIATES, INC.

Consulting Engineers and Surveyors

Mr. David Flinchum, A.S.L.A., A.I.C.P.
Planning and Zoning Manager
12300 Forest Hill Boulevard
Wellington, Florida 33414

September 7, 2011

Re: Equestrian Village
Wellington, Florida

Dear Mr. Flinchum:

Sexton Engineering Associates, Inc. on behalf of Wellington Equestrian Partners is pleased to present the following applications for considerations by Wellington for the above referenced property:

Proposed Text Amendment to Comprehensive Plan
Master Plan Amendment Application
Conditional Use Request

Please also find check no. 13636 for \$7,500.00 as initial escrow deposits for fees associated with these applications as follows:

Comp. Plan Text Amendment	\$1,500.00
Master Plan Amendment	\$3,000.00
Conditional Use Request	\$3,000.00

We look forward to working with you and your staff to make this important project into a part of Wellington future.

Sincerely,

Michael F. Sexton, P.E., P.S.M.
Principal

Attachments



**WELLINGTON
EQUESTRIAN PRESERVE COMMITTEE MEETING
DECEMBER 14, 2011
CITY HALL
12300 FOREST HILL BOULEVARD**

TRANSCRIPTION

Swerdlin: Everyone a Merry Christmas and a Happy Hanukkah and in this season of brotherly love, let's make sure we all treat each other with that kind of respect tonight and make sure that we listen to everyone and we let everyone speak. Alright? If you'd like to speak tonight on any of these issues, please fill out a card. What we'd like to do is hear all the issues and then if you want to speak on all the issues that's fine, or if you want to speak on one issue, that's fine. But we'd like to be able to listen to all the information first on all the issues before we ask for public comment. First of all I'd like to introduce our newest member, Mr. Carlos Arellano. Carlos has been here since when...19...

Arellano: '79

Male: 1979. So he was actually here when the Panthers were here and we had seals. So he's seen Wellington grow. I got here in '83 but '79 beats me. I think he sold us our first houses here but he's a welcome addition to this committee and has a lot of history and perspective on how we can do a better job for this community. If I could ask everybody to turn their cell phones off, please. Unfortunately you have to turn it all the way off because when you come to speak, the microphones pick up the chatter. Alright. Shall we have the roll call, please?

Prieto Carlos Arellano

Arellano: Here.

Prieto: Dr. Kristy Lund

Lund: Here.

Prieto: Dr. Swerdlin

Swerdlin: Here.

Prieto: Myles Tashman

Tashman:



Stone:

Good evening chair and members. I'd just like to read a letter if I may into the record that Dennis Shaughnessy who is the chairman of the board of FTI, our leading sponsor, that he would like read into the record that he wrote today to Paul Schofield, the city manager.

"Dear Paul, I'm writing this letter to enthusiastically support the plans of the Wellington Equestrian Partners to develop a new dressage competition center, including a boutique hotel with limited retail operations. FTI is a global consulting company with 1.6 million in revenues and 4,000 employees located in 22 countries. We are publicly traded on the New York Stock Exchange and have an enterprise value of over 2.5 billion. We are headquartered in West Palm Beach and are the main sponsor of the Winter Equestrian Festival. Our sponsorship, including entertainment and charitable contributions, is approximately 800,000 a year. FTI became interested in sponsoring the WEF after the facility was purchased by the Wellington Equestrian Partners.

The new owners made a commitment to spend significant capital to improve the facilities, attract a higher quality of competition with international participants and significantly expand the reach and impact of the show into the community. The Wellington Equestrian Partners have more than delivered on their commitment to FTI and the other sponsors. They expended more than \$30 million on the facilities, they have dramatically increased the duration, competition and attendance of the events, they have clearly increased the involvement of the [wealth?] within the community, especially through the FTI great charity challenge which contributes \$1 million to local charities last year. FTI and other sponsors that are licensed with the new development plans for the dressage center. We are especially encouraged by the plans for a first class hotel. The lack of a first class hotel facility in Wellington for hosting meetings and housing our guests has frustrated many of the sponsors and probably inhibited the ability of the WEF to track new sponsors. I am a resident of the Palm Beach Polo Club and my wife and daughter have competed in the WEF for 10 years. However, neither I nor FTI has any ownership or investments in any of the existing or proposed projects of the WEP. My interest in this project is purely from the point of view of a sponsor and a resident. This is an exciting project for Wellington and it fits perfectly with Wellington's unique equestrian culture. This is not to say that other input from the community would not be helpful, but opposition for personal selfish reasons is not productive. FTI is presently doing all of the post development planning for the London Olympic Committee for all of the Olympic facilities in the significant surrounding acreage. If it would be helpful, I would offer on a pro bono basis, our experts to review the proposed plan. I apologize for not being able to attend your meeting and stand ready to meet with you as a group or on an individual basis. FTI and I are strong supporters of this project and hope the Village of Wellington with proper deliberation can become a strong supporter of the

Stone: Unfortunately, John is a little bit mixed up. The USCF allocate the dates. The dates are given to the license holder and we are the license holder so we hold the dates. Clearly, they won't give the final approval until they inspect the facility and in fact the head of the International dressage, Eva Solomon, is coming tomorrow afternoon to look at the facility and we are extraordinary confident that she will approve it as it is going to be the best facility, but it is the license holder that holds the date. I think she is actually here to inspect the facility in Loxahatchee to see if they can approve that as a CTI for next year, the World Cup for next year, but we have the dates, the show is going ahead absolutely without question.

Male: On the existing show grounds?

Stone: No, at the new show grounds. Sorry, Mr. Wodline, do you have a problem?

Male: It's not built.

Stone: It will be built.

Male: I don't know if that is in our purview.

Stone: The issue is ...the USCF has given us the dates and we are the license holder of those dates. It is only a question of the exact location. The USCF will grant us the dates when the facility is built because it is going to be the best facility in. Certainly the best facility in North America very close to the best facility in the world.

Male: Thank you very much, Mr. Stone

Flanagan: Since, Mr. Stone said I was mistaken. I didn't even see Mr. Stone in the meeting, but I was actually in the meeting with Eva Solomon and ____? Where they announced the application were submitted for the old facility and the comment was made and it was an open forum to the audience that they would never approve a facility that was not even built. That comment came from George William, who is the president of USCF.

Male: Thankfully that debate on dates isn't something that we are concern

Flanagan: I just want to advise the council because the information is going out there that the show venue will be ready for these shows and that might influence their decision to make other commitments and approvals for the commercial aspects of what they are planning and I would like to go on record and say that we are not opposed to of the new dressage facility, but personally as a Wellington residence, I am against the commercial aspect as to what is being proposed with the hotel and commercial shops in the preserve area.

Male: Thank you John. Terry Kane would you like to speak please, and on deck Robert McKenn.

May 14, 2012

VIA HAND-DELIVERY AND ELECTRONIC MAIL

David Flinchum, AICP
Planning & Zoning Director (Manager)
Village of Wellington
12300 Forest Hill Blvd.
Wellington, FL 33414

Re: Petition Number: 2011-033 CPTA; Equestrian Village Comprehensive Plan Text Amendment

Dear Mr. Flinchum:

I am writing to you on behalf of Equestrian Sport Partners, LLC and Wellington Equestrian Partners, LLC (collectively "the Applicant"), pursuant to Section 5.1.6.6 of the Wellington, Florida, Unified Land Development Code, titled "Withdrawal of application". The purpose of this letter is to notify the Village of the Applicant's decision to voluntarily withdraw, without prejudice and as a matter of right, the above-referenced application. While the Applicant believes that the vision reflected in the application is in the best interests of the Village for a variety of reasons, most of which have been articulated at public hearings and through informational literature in conjunction with the application, we understand that there are differences of opinion within the community about the project. It is our desire to work in a collaborative effort with the Village and with the community, to make sure that our vision is reconciled to the best of our ability with the needs and desires of all of those who will be affected by and will benefit from the development. Having come to this decision, we believe the most practical and efficient manner to do this under the Wellington Land Development Regulations is to utilize the provision which permits the withdrawal of the application without prejudice as of right.

Sincerely,

Mark J. Bellissimo, Managing Member
Equestrian Sport Partners, LLC
Wellington Equestrian Partners, LLC

cc: Daniel S. Rosenbaum, Esquire (via email and U.S. mail)
Robert Basehart, AICP, Growth Management Director (via email and U.S. mail)
Paul Schofield, AICP, Manager (via email)
Jeff Kurtz, Esquire - Village Attorney (via email and U.S. mail)
Jacek Tomasik, CBO, Building Official (via email and U.S. mail)
Bob Margolis, Mayor (via email and U.S. mail)
Howard K. Coates, Jr., Vice Mayor (via email and U.S. mail)
Matt Willhite, Councilman (via email and U.S. mail)
Aime Gerwig, Councilwoman (via email and U.S. mail)
John Greene, Councilman (via email and U.S. mail)
Michael Sexton, Sexton Engineering (via email and U.S. mail)

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Blumberg No. 5206

EXHIBIT

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July 12, 2012

PALM BEACH COUNTY COMMISSION ON ETHICS

MEMORANDUM OF INQUIRY

To: Alan S. Johnson, Executive Director

From: Mark E. Bannon, Investigator

Re: C12-005 – Nelson “Woodie” McDuffie, Mayor, City of Delray Beach

- **Background**

This matter came to the attention of the Commission on Ethics (COE) staff through a formal sworn complaint submitted by Richard Van Gemert, 912 Eve St., Delray Beach, FL 33483-4967. The Complaint was dated June 6, 2012, and was properly notarized. Attached to the Complaint was a three (3) page typewritten document detailing the information that forms the basis of the complaint.

The Complaint was based on reported actions taken by Mayor Nelson “Woodie” McDuffie, City of Delray Beach (the City), during two (2) regular meetings of the City Commission on March 20, 2012 and April 3, 2012. Information provided by the Complainant indicated that a portion of these commission meetings involved public hearings concerning a private party application to change the land use designation and zoning for a tract of land within the City, located at 1801 and 1845 South Federal Highway. This property lies on the southeast corner of Linton Boulevard and Federal Highway. The relevant parcel was listed in the City’s Future Land Use Map as “Transitional” (TRN), and the applicant requested that this designation be changed to “General Commercial” (GC). This parcel was zoned “Planned Office Center” (POC), and the applicant requested that this zoning be changed to “Planned Commercial” (PC). The Complainant also notes that the City Planning and Zoning Board had unanimously voted to recommend against this land use change at their meeting on February 27, 2012. The matter was initially discussed at the March 20th hearing, and was completed at the April 3rd hearing.

According to the Complaint, during the public comment portion of the April 3rd hearing, several residents spoke against the changes in land use for this application. After the close of the public comment section of the meeting, Mayor McDuffie and the other City Commissioners engaged in discussions among themselves about the application. The Complainant states that it became clear that the other commissioners were leaning toward denying the application. According to the Complaint, Mayor McDuffie made it know that he was in favor of granting the application “so as to increase the tax base for Delray and other reasons.” A dialogue then ensued between the commission members, City staff, and the agent for the applicant who was appearing before the City Commission. Instead of calling for a vote on the application as submitted, Commissioners, City staff and the applicant’s agent discussed the possibility of withdrawing the application, and re-submitting it at a later time asking for a different zoning change that would still allow the proposed commercial development. When persons attending the meeting stood up to object, Mayor McDuffie stated that the public comment portion of the meeting was closed, and refused to allow any further public comments. However, the dialogue between the Commissioners, City staff, and the Applicant’s agent continued. Eventually, the Application was withdrawn, and the matter was tabled in order for the Applicant to re-submit the application under a different zoning change request.

The Complainant believes that Mayor McDuffie had an absolute duty to call for a vote in this matter, and failed to do so, which is a violation of his ethical responsibility. Further, he believes that the application would have been defeated, and states that under the City rules of procedure, the application could not have been re-submitted for six (6) months. The Complainant does not allege that Mayor McDuffie had any financial stake in this decision, or that it was done for a corrupt reason, only that the rules of procedure for a quasi-judicial hearing have been violated by this action. Complainant also makes clear that his Complaint is regarding only Mayor McDuffie’s actions during this meeting, not those of City staff or any other City Commissioner. Finally, he states that the

Mayor was bound to follow the letter of the law and to act in a manner that “does not leave the public suspecting any form of wrongdoing and collusion between the Applicant, City staff, and elected officials.”

- **Inquiry**

In the initial Inquiry into this Complaint, I reviewed the information provided by Complainant. I then printed a copy of the meeting minutes of the Delray City Commission for the most important date in question, April 3, 2012, from the City website (www.mydelraybeach.com). A review of these minutes showed that the following officials and City staff were present for this meeting: Thomas F. Carney, Jr., Commissioner; Alson Jacquet, Commissioner; Adam Frankel, Commissioner; Angeleta E. Gray, Commissioner; Nelson S. McDuffie, Mayor; David T. Harden, City Manager; Brian Shutt, City Attorney; Chevelle D. Nubin, City Clerk; and Paul Dorling, Director of Planning and Zoning. Based on the minutes, the proposed change in land use and zoning was to be accomplished via City Ordinance No. 05-12.

At the beginning of the public hearing on this issue on April 3rd, City Attorney Brian Shutt read the caption of the proposed ordinance into the record, and advised that the required public hearing into this matter was properly noticed as pursuant to Florida law. He further advised that this hearing was continued from March 20, 2012, and that the Planning Director [Paul Dorling] would be speaking, and that he remained under oath from the previous meeting.

Mr. Dorling spoke at the hearing, advising that the hearing had been postponed from the March 20th date, based on a suggestion that the Applicant consider revising their application to consider “Special Activities District” (SAD)¹ zoning instead of “Planned Commercial” (PC) zoning, which he stated is consistent with all land uses listed in the current application, so the land use portion of this application could be withdrawn as it is no longer necessary. The Applicant’s agent [Michael Covelli] requested six (6) months to obtain the necessary documents for the application for a zoning change to SAD.

After this presentation, the City Attorney recommended to the commission that if they voted to continue this application to consider allowing this change, that they do so for a period not to exceed six (6) months, and that since this matter would have to be re-noticed and re-advertized, that they have the applicant pay the cost of re-noticing the public hearing, unless the Applicant instead choose to withdraw it completely. There was some discussion between Commissioner Carney and the City Attorney as to whether such an application for SAD zoning wouldn’t be a new application, to which the City Attorney replied that it essentially was. Commissioner Carney then asked why not just withdraw the application and re-submit it, to which Mr. Dorling replied that the applicant wanted to show that this is a continuing process, because of negotiations with tenants of the current buildings in that space. There were then further discussions by the commission and staff, with Mayor McDuffie supporting this application being extended for six (6) months as the Applicant requested. Commissioner Jacquet moved to have it continued for a period not to exceed six (6) months, including the added requirement that if not withdrawn, the Applicant pay for the re-notice and re-advertising of the public hearing. This motion was seconded by Commissioner Gray, and passed unanimously (5-0). Mayor McDuffie did vote on this issue at the meeting.

After reviewing these documents, I obtained a copy of the original application from the City via a public records request. The listed Applicant is Delray Place, LLC, with the proposed project listed as “Delray Place.” The agent for this project is listed as Covelli Design Associates, Inc, 2295 NW Corporate Blvd, Suite 213, Boca Raton, FL 33431, telephone number (561) 910-0330. The application lists the present property use as, “2 multi story office buildings with a drive through bank, and 1 single story office building.” The proposed use is listed as, “A multi building shopping center.” The application contains an affidavit of compliance with property owners and property descriptions within 500 feet of the proposed development. This affidavit is signed by Mr. Joe Carosella.

¹ “Special Activities District” (SAD) zoning is listed in Section 4.4.25 of the Delray Beach Land Use Regulations.

A check of the Florida Division of Corporations (FDOC) website (www.sunbiz.org), listed Delray Place, LLC as being an active for-profit corporation, with a principle address of 101 Plaza Real South, Suite 200, Boca Raton FL 33432. Joe Carosella is listed as the registered agent. Delray Place Manager, Inc., at this same address, is listed as the "Manager" of Delray Place, LLC in these records. It is not unusual for a developer to form a limited liability corporation for each specific development project as a way to reduce overall liability to the organization. Delray Place Manager, Inc., is also listed by FDOC as an active for profit corporation which lists Joe Carosella as both registered agent and President. There is no listing of any member of the City Commission or staff as having an ownership share in either of these corporations, including Mayor McDuffie. I next pulled the corporate information for the listed "agent" who submitted the Application, and a representative of which appeared before the City Commission on this matter. FDOC records show that Covelli Design Associates, Inc., is an active Florida for profit corporation, listing an address of 2295 NW Corporate Blvd., Suite 213, Boca Raton, FL 33431. Michael Covelli is the registered agent and President of Covelli Design Associates, Inc., as well as the person who appeared before the City Commission at the April 3rd meeting as agent for the Applicant.

After obtaining this information, I made contact with Mayor McDuffie by telephone. He provided me the following information. Mayor McDuffie does have an outside business as defined in the Code, and is employed as the Chief of Information Technology for the PBC Property Appraiser's Office. Mayor McDuffie advised he has no other outside businesses or employment, although he is currently actively seeking the position of PBC Supervisor of Elections. Mayor McDuffie states that he is not related to, by blood or marriage, either Joe Carosella or his family, or to Michael Covelli or his family. Further, he has no business connection to Joe Carosella, Delray Place, LLC, or Delray Place Manager, Inc., or to Michael Covelli, or Covelli Design Associates, Inc., nor do any of his relatives have any such connection. He has met both individuals before, but has no ongoing association with either.

After speaking with Mayor McDuffie, I checked the Supervisor of Elections website (www.pbcelections.org), specifically to see whether any of these individuals or entities had contributed to Mayor McDuffie's campaign for Supervisor of Elections. As of the last candidate finance report filed on June 11, 2012, there was no contribution listed from these individuals or entities.

I made contact with the Complainant to ascertain whether he had any additional information regarding his Complaint, in particular regarding any improper financial benefit given to Mayor McDuffie for the actions he took at the meeting. Complaint stated that he was not aware of any financial benefit, but that he believes Mayor McDuffie improperly handled the hearing in violation of the rules for such hearings. I advised the Complainant that I could not opine as to whether the act of suggesting an alternative zoning in such circumstances violated any City rule, but that without some improper financial or other benefit, it did not violate the Code of Ethics. The Complainant and I spoke for several minutes concerning the jurisdiction and limitation of the Code, and I directed him to our website (www.palmbeachcountyethics.com) to obtain a better understanding of our role concerning local government.

- **Documents submitted to file**

1. Copy of the initial Complaint. (3 pages)
2. Copy of the relevant pages of the minutes of the Delray Beach City Commission Meeting, held on April 3, 2012. (5 pages)
3. Copy of Public Records Request filed with City of Delray Beach on June 12, 2012. (1 page)
4. Copy of Application for Rezoning from Delray Place, LLC to City of Delray Beach (9 pages)
5. Copy of records from Florida Division of Corporations concerning corporate information for: 1. Delray Place, LLC, Delray Manager, Inc., and Covelli Design Associates, Inc. (6 pages)
6. Copy of Candidate finance report for Nelson S. McDuffie dated June 11, 2012 from the PBC Supervisor of Elections website (www.pbcelections.org). (3 pages)
7. Copy of Section 4.4.25, City of Delray Beach Land Use Regulations (3 pages)

8. Copy of Fax from Mayor McDuffie to Commission on Ethics, dated June 14, 2012, waiving his right to confidentiality for this Complaint. (1 page)

- **Legal Analysis**

The following portions of the PBC Commission on Ethics ordinance are relevant to this inquiry:

Section 2-254. Creation and jurisdiction.

The Palm Beach County Commission on Ethics (hereinafter "commission on ethics") is hereby established. The jurisdiction of the commission on ethics shall extend to *any person required to comply with the countywide code of ethics*, the county lobbyist registration ordinance, and the county post-employment ordinance... (Emphasis added)

Section 2-442. Definitions.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid. (Emphasis added)

As the Mayor of the City of Delray Beach, Nelson "Woodie" McDuffie is subject to the provisions of the PBC Code of Ethics, as of June 1, 2011, when Delray Beach came under the jurisdiction of the PBC Commission on Ethics.

The following section of the Palm Beach County Code of Ethics is relevant to this inquiry.

Section 2-443(a), *Misuse of public office or employment*, states in relevant portion:

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 or should know with the exercise of reasonable care *will result in a special financial benefit*, not shared with similarly situated members of the general public, for any of the following persons or entities: Himself or herself; spouse, domestic partner or household member or dependant; any close family relative; outside employer or business; customer or client of such outside employer or business; any substantial creditor or debtor of his or hers, or of their spouse of domestic partner; or any civic group, union, or charitable or religious organization, of which he or she or their spouse or domestic partner is an officer or director. (Emphasis added)

There is no allegation by Complaint, or information known to either the Complainant or uncovered during this inquiry, to indicate that Mayor McDuffie acted in his official position in violation of this section. Further, there is evidence based on both records obtained during the Inquiry, and the statement of Respondent and the Complainant, that Respondent received no financial benefit, but based his actions on what he believed to be the best interests of the City during this meeting.

Section 2-443(b) *Corrupt misuse of official position*, states:

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*. (Emphasis added)

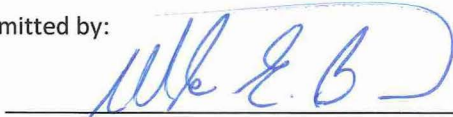
There is no allegation or evidence provided or disclosed during this inquiry to show that Mayor McDuffie violated this section of the Code of Ethics by his actions at the City Commission Meetings on March 20, 2012, and April 3, 2012.

- Conclusion

Based on the fact that the information provided in the Complaint, even if true, did not allege a violation of any provision of the PBC Code of Ethics, and the COE Inquiry did not find any evidence of such a violation, there is no legal sufficiency to open a formal investigation into this matter.

It is the recommendation of staff that this Complaint be dismissed based upon a finding of NO LEGAL SUFFICIENCY.

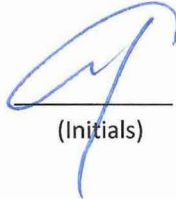
Submitted by:



Mark E. Bannon, Investigator
PB County Commission on Ethics

6/15/2012
Date

Reviewed by:


(Initials)

06/15/2012
Date

PALM BEACH COUNTY COMMISSION ON ETHICS

MEMORANDUM OF NO LEGAL SUFFICIENCY

To: Palm Beach County Commission on Ethics
From: Alan S. Johnson, Executive Director
Re: C12-005 – Nelson “Woodie” McDuffie, Mayor, City of Delray Beach

- **Recommendation**

Regarding the Complaint against Respondent, Nelson “Woodie” McDuffie, Mayor, City of Delray Beach, COE staff recommends a finding of **NO LEGAL SUFFICIENCY** be entered in complaint number C12-005.

Legal sufficiency exists where there is an allegation of a violation of an ordinance within the jurisdiction of the Ethics Commission, purportedly committed by an individual within the authority of the Ethics Commission, based substantially on the personal knowledge of the Complainant, relating to an alleged violation occurring after the effective date of the code, and filed with the Ethics Commission within two years of the alleged violation.

- **Background**

This matter came to the attention of the Commission on Ethics (COE) staff through a formal sworn complaint submitted by Richard Van Gemert, 912 Eve St., Delray Beach, FL 33483-4967. The Complaint was dated June 6, 2012, and was properly notarized. Attached to the Complaint was a three (3) page typewritten document detailing the information that forms the basis of the complaint.

The Complaint was based on reported actions taken by Mayor Nelson “Woodie” McDuffie, City of Delray Beach (the City), during two (2) regular meetings of the City Commission on March 20, 2012 and April 3, 2012. Information provided by the Complainant indicated that a portion of these commission meetings involved public hearings concerning a private party application to change the land use designation and zoning for a tract of land within the City, located at 1801 and 1845 South Federal Highway. This property lies on the southeast corner of Linton Boulevard and Federal Highway. The relevant parcel was listed in the City’s Future Land Use Map as “Transitional” (TRN), and the applicant requested that this designation be changed to “General Commercial” (GC). This parcel was zoned “Planned Office Center” (POC), and the applicant requested that this zoning be changed to “Planned Commercial” (PC). The Complainant also notes that the City Planning and Zoning Board had unanimously voted to recommend against this land use change at their meeting on February 27, 2012. The matter was initially discussed at the March 20th hearing, and was completed at the April 3rd hearing.

According to the Complaint, during the public comment portion of the April 3rd hearing, several residents spoke against the changes in land use for this application. After the close of the public comment section of the meeting, Mayor McDuffie and the other City Commissioners engaged in discussions among themselves about the application. The Complainant states that it became clear that the other commissioners were leaning toward denying the application. According to the Complaint, Mayor McDuffie made it know that he was in favor of granting the application “so as to increase the tax base for Delray and other reasons.” A dialogue then ensued between the commission members, City staff, and the agent for the applicant who was appearing before the City Commission. Instead of calling for a vote on the application as submitted, Commissioners, City staff and the applicant’s agent discussed the possibility of withdrawing the application, and re-submitting it at a later time asking for a different zoning change that would still allow the proposed commercial development. When persons attending the meeting stood up to object, Mayor McDuffie stated that the public comment portion of the meeting was closed, and refused to allow any further public comments. However, the dialogue between the Commissioners, City staff, and the Applicant’s agent continued. Eventually, the Application was withdrawn, and the matter was tabled in order for the Applicant to re-submit the application under a different zoning change request.

The Complainant believes that Mayor McDuffie had an absolute duty to call for a vote in this matter, and failed to do so, which is a violation of his ethical responsibility. Further, he believes that the application would have been

defeated, and states that under the City rules of procedure, the application could not have been re-submitted for six (6) months. The Complainant does not allege that Mayor McDuffie had any financial stake in this decision, or that it was done for a corrupt reason, only that the rules of procedure for a quasi-judicial hearing have been violated by this action. Complainant also makes clear that his Complaint is regarding only Mayor McDuffie's actions during this meeting, not those of City staff or any other City Commissioner. Finally, he states that the Mayor was bound to follow the letter of the law and to act in a manner that "does not leave the public suspecting any form of wrongdoing and collusion between the Applicant, City staff, and elected officials."

- **Analysis**

As the Mayor of the City of Delray Beach, Nelson "Woodie" McDuffie is subject to the provisions of the PBC Code of Ethics, as of June 1, 2011, when Delray Beach came under the jurisdiction of the PBC Commission on Ethics.

The following section of the Palm Beach County Code of Ethics is relevant to this inquiry.

Section 2-443(a), *Misuse of public office or employment*, states in relevant portion:

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 or should know with the exercise of reasonable care *will result in a special financial benefit*, not shared with similarly situated members of the general public, for any of the following persons or entities: Himself or herself; spouse, domestic partner or household member or dependant; any close family relative; outside employer or business; customer or client of such outside employer or business; any substantial creditor or debtor of his or hers, or of their spouse of domestic partner; or any civic group, union, or charitable or religious organization, of which he or she or their spouse or domestic partner is an officer or director. (Emphasis added)

There is no allegation by Complaint, or information known to either the Complainant or uncovered during this inquiry, to indicate that Mayor McDuffie acted in his official position in violation of this section. Further, there is evidence based on both records obtained during the Inquiry, and the statement of Respondent and the Complainant, that Respondent received no financial benefit, but based his actions on what he believed to be the best interests of the City during this meeting.

Section 2-443(b) *Corrupt misuse of official position*, states:

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*. (Emphasis added)

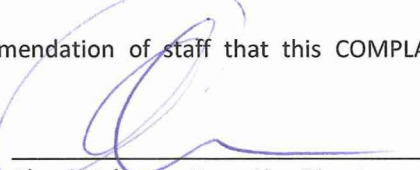
There is no allegation or evidence provided or disclosed during this inquiry to show that Mayor McDuffie violated this section of the Code of Ethics by his actions at the City Commission Meetings on March 20, 2012, and April 3, 2012.

- **Conclusion**

Based on the fact that the information provided in the Complaint, even if true, does not allege a violation of any provision of the PBC Code of Ethics, and the COE Inquiry did not find any evidence of such a violation, there is no LEGAL SUFFICIENCY to open a formal investigation into this matter.

It is the recommendation of staff that this COMPLAINT be DISMISSED based upon a finding of NO LEGAL SUFFICIENCY.

BY:


Alan S. Johnson, Executive Director
Florida bar #223352
Commission on Ethics


Date



PALM BEACH COUNTY COMMISSION ON ETHICS

2633 Vista Parkway, West Palm Beach, Florida 33411

Hotline: 877-766-5920 or 561-233-0724

COMPLAINT FORM

1. Complainant (Person bringing Complaint) Add pages, if necessary.

Name: RICHARD VAN GEMERT

Address: 912 EVE STREET

City: DELRAY BEACH, FL

Zip: 33483-4967

Home #: 561-274-6656

Work #: _____

Cell #: _____

2. Respondent (Person against whom complaint is made) Add pages, if necessary.

Name: WOODIE MCDUFFY

Address: 100 N.W. 1ST AVE.

City: DELRAY BEACH, FL

Zip: 33444

Home #: _____

Work #: 243-7000

Cell #: _____

Title/Office Held or Sought: MAYOR OF DELRAY BEACH

3. IF KNOWN, CHECK THE BOX OR BOXES THAT APPLY

☒ Allegation is against person in
County Government

☐ Allegation is about County:
Whistleblower Retaliation

MUNICIPAL

4. STATEMENT OF FACTS BASED ON YOUR PERSONAL KNOWLEDGE

In a separate attachment, please describe in detail the facts and actions that are the basis of your complaint, including the dates when the actions occurred. Also attach any relevant documents as well as names and contact information of persons who may be witnesses to the actions. If known, indicate the section of the ordinance you believe is being violated. For further instructions, see page 2 of this form.

5. OATH

I, the person bringing this complaint, do depose on oath or affirmation and say that the facts set forth in the foregoing complaint and attachments are true and correct, to the best of my knowledge and belief.

Richard Van Gemert
Signature of Person Making Complaint

STATE OF FLORIDA

COUNTY OF Palm Beach

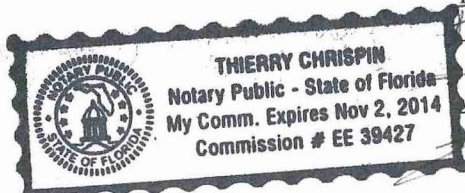
Sworn to (or affirmed) and subscribed before me
this 6th day of June, 2012, by

Richard Charles Van Gemert,

(Name of Person Making Statement)

who is personally known to me _____ or produced
identification ☒. Type of identification
produced:

FL DL # 1525 743 35 2250



Thierry Chrispin
(Signature of Notary Public, State of Florida)

Thierry Chrispin
(Print, Type, or Stamp Commissioned Name of Notary Public)

July 12, 2012

After considerable effort in reviewing this matter, I have come to the conclusion that something is terribly wrong with the way the following "quasi-judicial" hearing was handled by the Mayor of the City of Delray Beach. The questionable circumstances of how this hearing, on a very important zoning application was handled, has led me to decide to file this complaint.

On March 20, 2012, there was a held during the regular meeting of the City of Delray Commission meeting as follows:

PUBLIC HEARINGS:

A. **ORDINANCE NO. 05-12:** Consider a privately-initiated Future Land Use Map change from Transitional (TRN) to General Commercial (GC), rezoning from (POC) Planned Office Center to (PC) Planned Commercial, and a Text Amendment of the Comprehensive Plan modifying the description of the (GC) General Commercial Future Land Use designation to limit the maximum FAR to 0.46 for a 9.95 acre property located on the southeast corner of Linton Boulevard and Federal Highway (1801 and 1845 South Federal Highway) known as Delray Place. **(Quasi-Judicial Hearing)**

(Motion to **POSTPONE** to April 3, 2012; Approved, 4-1; Commissioner Frankel dissenting)

And this rezoning item was continued at the City Commission's regular meeting on April 3, 2012 as follows:

PUBLIC HEARINGS:

A. **ORDINANCE NO. 05-12:** Consider a privately-initiated Future Land Use Map change from Transitional (TRN) to General Commercial (GC), rezoning from (POC) Planned Office Center to (PC) Planned Commercial, and a Text Amendment of the Comprehensive Plan modifying the description of the (GC) General Commercial Future Land Use designation to limit the maximum FAR to 0.46 for a 9.95 acre property located on the southeast corner of Linton Boulevard and Federal Highway (1801 and 1845 South Federal Highway) known as Delray Place. **(Quasi-Judicial Hearing)**

(THIS ITEM IS A CONTINUATION FROM THE MARCH 20, 2012 PUBLIC HEARING; IT IS NOT OPEN FOR PUBLIC COMMENTS)

(Motion to continue for a period not to exceed six (6) months and when the item comes back if not withdrawn by applicant, then the applicant will pay for the re-notice and re-advertisement of Ordinance No. 5-12; Approved, 5-0)

QUASI-JUDICIAL: having a partly judicial character by possession of the right to hold hearings on and conduct investigations into disputed claims and alleged infractions of rules and regulations and to make decisions in the general manner of courts (*quasi-judicial* bodies).

This complaint concerns a quasi-judicial meeting held as item #10-A on the commission agenda and covered ordinance #05-12, to hear arguments for a change from the current zoning of (POC) Planned Office Center, to (PC) Planned Commercial and (GC) General Commercial. Being a quasi-judicial hearing there is a certain protocol which must be followed and I believe this was violated in many ways.

1) The Commission's "printed and approved minutes" of the meeting do not accurately reflect what happened under item 10-A of that meeting and should not be considered when determining whether a

violation of ethics has occurred, as that which has been approved, in no way reflects the reality of that meeting. Viewing the "official video of the meeting" (available at the Delray Beach City web site http://delraybeach.granicus.com/ViewPublisher.php?view_id=2) is the only way the violation(s) can officially be identified and acknowledged. The video speaks for itself and is a copy of what actually happened and shows the alleged violations clearly.

2) The quasi-judicial meeting up to this point was conducted in a normal manner during which the Director of the City's Planning and Zoning Board Paul Dorling made his presentation. He presented that the City staff approved the change in zoning, although at **the February 27, 2012, City Planning and Zoning Board meeting that board had unanimously recommending that the City Commission deny the application for rezoning.** The Applicant, represented by his Agent, Covelli Design Associates, presented their application within their allocated time, after which, the Mayor opened the proceedings to the public for their comments. After a number of public citizens spoke, all of whom were in opposition to the rezoning, the **Mayor, Woodie McDuffie officially announced the public hearing closed and referred the matter to the Commission** for their comments.

3) Mayor, Woodie McDuffie, listened to the comments from the other Commissioners, in which all four of the other Commissioners indicated that they were opposed to the change of zoning and indicated that they would vote "no" on the proposal. The Mayor then stated that his vote was in opposition to their views, in which he wanted to approve the change so as to increase the tax base for Delray and other reasons as indicated on the video of the meeting. He then cited the reasons for wanting to approve the rezoning and began a dialogue with the applicant, other commissioners and City staff.

The Mayor after hearing the comments of the other Commissioners, and after making his own comments known, should have immediately called for a vote of the Commission. Each had discussed their position and it was now time to vote. The vote would have been a simple "one for," and "four against." The rezoning would have been defeated and the applicant would not have been able to re-apply for a period of six months. After a new application the applicant would then have to go through the entire process of hearings, approvals, etc., etc. I feel that the Mayor, by his actions of reopening the hearing (without saying so) has violated the rights of the citizens of Delray under the law.

After hearing the comments from the other commissioners and realizing that the rezoning application facing a DEFINITE defeat the Mayor attempted to revive the matter and this is where I believe the Mayor violated ethics and protocol, by deviating from established Quasi-Judicial hearings by conversing with the Applicant and the applicants Agent, asking them a variety of questions regarding their application and then suggesting to the Applicant and his Agent that they could withdraw the application, and re-apply under a different zoning.

During this open conversation at least two persons in the audience, stood up to object to the proceedings, and were told by the Mayor they were out of order, had no right to be heard, and to sit down, THAT THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

At the same time the Mayor refused to hear comments from the public, he kept an open dialog with the other Commissioners, the Applicant, the Applicants Agent, and the City staff. The Mayor was in complete control of the conversation, and especially the direction he preferred it would go, sitting in the audience I got the distinct impression, as did others that the Mayor was in working with the applicant to get this rezoning approved. This I feel is a clear violation of ethics and the rules set forth for a quasi-judicial hearing.

4) Mayor, Woodie McDuffie, then continued on with his open conversation between himself, the other Commissioners, the Applicant, the Applicants Agents, and the City staff. After this somewhat lengthily discussion, the Applicant was allowed to withdraw his application for rezoning with the intent of re-applying in the near future under another zoning category called (SAD) (which was recommended by another Commissioner and the Mayor.)

5) Then Mayor, Woodie McDuffie, allowed City Staff to converse with the Applicant and the Applicants Agent, on the possible benefits to an alternative application. The questions and discussion did not deal with the rezoning request before them. Rather, the conversation dealt with options which the applicant had, regarding withdrawing his request and filing under different zoning specifications. Then a discussion took place between all parties (with the public excluded) as to the merits of an alternate zoning. The Mayor also suggested this alternate zoning would avoid other problems which would result in a denial of the current application. I believe this was a violation of our rights under the laws of this state, a clear violation of ethics, and the rules of a quasi-judicial hearing.

6) To be clear, I am not filing a complaint against the other commissioners, city employees, or any others, just Mayor Woodie McDuffie, for he was conducting the meeting, was in full control of the direction and content of the meeting, and allowed others to continue the dialogue which he, the Mayor, had opened. It is the Mayor's sole responsibility to conduct and lead the meeting in a way that is ethical and meets the letter of the law and DOES NOT LEAVE THE PUBLIC SUSPECTING ANY FORM OF WRONGDOING AND COLLUSION BETWEEN THE APPLICANT, CITY STAFF, AND ELECTED OFFICIALS.

I ask that you review the video of the meeting (making sure that the copy you view has not been cut or modified in any way) and make your own decisions as to whether this complaint is justified. I think you will concur with me that this meeting was a clear violation of not only ethics, but various laws, and an insult to the people of Florida and Palm Beach County.

As an American citizen and a resident of this county and city, I have the right, and our elected and appointed officials, have the duty to see that not only the code of ethics be adhered to, but that the laws governing this country are upheld to the letter of the law.

Thank you for you kind consideration of this complaint. I look forward to your findings in this matter and should you require more information, I am available as noted below.

Richard Van Gemert
912 Eve Street
Delray Beach, FL 33483
Phone 561-274-6656

APRIL 3, 2012

A Regular Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Nelson S. McDuffie in the Commission Chambers at City Hall at 6:00 p.m., Tuesday, April 3, 2012.

1. Roll call showed:

Present - Commissioner Thomas F. Carney, Jr.
Commissioner Alson Jacquet
Commissioner Adam Frankel
Commissioner Angeleta E. Gray
Mayor Nelson S. McDuffie

Absent - None

Also present were - David T. Harden, City Manager
Brian Shutt, City Attorney
Chevelle D. Nubin, City Clerk

2. The opening prayer was delivered by Reverend Nancy Norman with Unity of Delray Beach.

3. The Pledge of Allegiance to the flag of the United States of America was given.

4. **AGENDA APPROVAL.**

Mr. Frankel requested that **Item 8.E., Service Authorization No. 07-17.2/Mathews Consulting, Inc./Reclaimed Water Expansion – Area 12A** of the Consent Agenda be moved to the **Regular Agenda as Item 9.A.A.**

Mr. Frankel moved to approve the Agenda as amended, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mr. Jacquet – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Carney – Yes. Said motion passed with a 5 to 0 vote.

5. **APPROVAL OF MINUTES:**

Mrs. Gray moved to approve the Minutes of the Regular Meeting of March 20, 2012, seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Carney – Yes; Mr. Jacquet – Yes. Said motion passed with a 5 to 0 vote.

04/03/12

July 12, 2012

Page 262 of 317

like them and not our residences and our bed and breakfasts. He stated he will not support the appeal.

The City Attorney briefly reviewed the Board Order with the Commission who made findings according to their consensus (attached hereto is a copy and made an official part of the minutes).

Mr. Carney moved to adopt the Board Order as presented (denying the appeal), seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Mr. Jacquet – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Carney – Yes. Said motion passed with a 5 to 0 vote.

At this point, the time being 8:50 p.m., the Commission took a short break.

At this point, the time being 8:57 p.m., the Commission moved to **Item 10, Public Hearings.**

10. PUBLIC HEARINGS:

10.A. ORDINANCE NO. 05-12: Consider a privately-initiated Future Land Use Map change from Transitional (TRN) to General Commercial (GC), rezoning from POC (Planned Office Center) to PC (Planned Commercial), and a Text Amendment of the Comprehensive Plan modifying the description of the GC (General Commercial) Future Land Use designation to limit the maximum FAR to 0.46 for a 9.95 acre property located on the southeast corner of Linton Boulevard and Federal Highway (1801 and 1845 South Federal Highway) known as Delray Place. *(Quasi-Judicial Hearing) (THIS ITEM IS A CONTINUATION FROM THE MARCH 20, 2012 PUBLIC HEARING; IT IS NOT OPEN FOR PUBLIC COMMENTS)*

The caption of Ordinance No. 05-12 is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA ADOPTING A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187, INCLUDING A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT FROM TRN (TRANSITIONAL) TO GC (GENERAL COMMERCIAL) FOR LAND LOCATED AT THE SOUTHEAST CORNER OF LINTON BOULEVARD AND SOUTH FEDERAL HIGHWAY, AS MORE PARTICULARLY DESCRIBED HEREIN, AND AN ASSOCIATED TEXT AMENDMENT MODIFYING THE DESCRIPTION OF

THE GC (GENERAL COMMERCIAL) FUTURE LAND USE DESIGNATION PERTAINING TO SAID LAND; AND REZONING AND PLACING SAID LAND PRESENTLY ZONED POC (PLANNED OFFICE CENTER) TO PC (PLANNED COMMERCIAL) DISTRICT; AMENDING "ZONING MAP OF DELRAY BEACH, FLORIDA, JANUARY 2012"; PROVIDING A GENERAL REPEALER CLAUSE, A SAVING CLAUSE, AND AN EFFECTIVE DATE.

(The official copy of Ordinance No. 05-12 is on file in the City Clerk's office.)

The City Attorney read the caption of the ordinance. A public hearing was held having been legally advertised in compliance with the laws of the State of Florida and the Charter of the City of Delray Beach, Florida.

The City Attorney stated this was continued from the last meeting as a public hearing item and that public hearing was closed. The City Attorney stated the Planning Director is going to be speaking and he is still under oath from the prior meeting.

Paul Dorling, AICP, Director of Planning and Zoning, entered the Planning and Zoning project file #2012-058 and #2012-059.

Mr. Dorling stated this was postponed from the public hearing of March 20, 2012 at which time there was a suggestion that the applicant consider the SAD zoning. The applicant has submitted a letter dated March 29, 2012 and they are asking that they be given a period of six months which would give them adequate time to prepare and submit documents that are required for the SAD zoning piece. Mr. Dorling stated the applicant has asked that since SAD is consistent with all land uses that the land use portion of their current application is no longer necessary and that it be withdrawn.

The City Attorney recommends that if the Commission votes to continue this that in the motion to continue that it be for a time period not to exceed six months and prior to this item coming before the Commission again that it will have to be re-noticed and re-advertised and that the applicant would pick up the expense for Ordinance No. 05-12 unless they withdraw it completely.

Mr. Carney asked if the applicant comes in under the SAD availability isn't this a brand new application anyway. The City Attorney stated it is his understanding that it is. Mr. Carney asked what the rationale is for trying to keep this application still alive even in a suspended form. Mr. Dorling stated in his discussions with the applicant is that they would like to show that they are having a continuing process rather than a complete withdrawal and a new application. He stated that goes to their negotiations with tenants and if they show that they are in fact proceeding with a

continuing application that is better than starting anew. Mr. Dorling stated at the final stage the current ordinance could be eliminated and replaced with a new ordinance should it be necessary.

Mrs. Gray thanked the applicant for meeting with the residents from Tropic Bay and asked staff if he has heard anything about how the residents feel about this extended application. Mr. Dorling stated the previous meetings the City has had would appear to give them an opportunity to way in to the degree that they have not to date.

Mr. Frankel stated because this is a quasi-judicial hearing does he need to disclose any communications that have been made since the last hearing. Mr. Frankel stated he received an email from Mr. Carasello requesting to talk about this issue and he responded back to him and copied the Commission and Ms. Freeman that he would not have any more discussions because based on what his communications were with the City Attorney that because the presentation of evidence was closed he was not going to hear more. For the record, Mr. Frankel stated this is former Mayor Alperin's idea and believes this is a great idea because it is the hottest corner in the city that needs to be updated. Therefore, Mr. Frankel stated the ability to attract a first class tenant would help based on the postponement he is all for it in this SAD zoning but feels the Dr. Alperin deserve credit.

Mr. Jacquet disclosed that he received a letter from Mr. Carasello which he forwarded to the City Clerk and he met with Mr. Carasello and Mr. Covelli on the site and numerous times have driven around the site and have walked some portions of the site to take a look. Mr. Jacquet stated he met with Ms. Kelli Freeman a while back and briefly discussed this issue as well. Mr. Jacquet stated with the applicant proceeding in this manner does it require and asked if they have to get a consensus from the community or the Commission as to what is allowed. Mr. Dorling stated what the SAD does is physically ties the site plan to the zoning action and it does not require that they work with anybody.

Mr. Carney disclosed he too received an email from Mr. Carasello and spoke with Kelli Freeman and forwarded this email to the City Clerk.

Mayor McDuffie stated he received a voicemail and email from Mr. Carasello as well but did not respond.

Mrs. Gray disclosed that she too received the same email and spoke to staff. Mrs. Gray stated she received a telephone call from Bill Branning to meet with the applicant but she did not.

Mayor McDuffie echoed comments expressed by Commissioner Frankel and stated this is the most important corner that needs something done to it. Mayor McDuffie stated he supports a 6 month extension with pursuit of the SAD zoning.

Mr. Jacquet moved to continue for a period not to exceed of six (6) months and when this matter comes back if it is not withdrawn that the applicant must pay for the re-notice and re-advertising of this item, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Carney – Yes; Mr. Jacquet – Yes. Said motion passed with a 5 to 0 vote.

10.B. ORDINANCE NO. 09-12: Consider a city-initiated amendment to Land Development Regulations (LDR) Appendix “A”, “Definitions”, to expand the definition of “Restaurant (Bona Fide)”, to clarify required operations and components for restaurant uses.

The caption of Ordinance No. 09-12 is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING APPENDIX "A", "DEFINITIONS", TO EXPAND THE DEFINITION OF "RESTAURANT (BONA FIDE)" TO CLARIFY REQUIRED OPERATIONS AND COMPONENTS FOR RESTAURANT USES, PROVIDING A GENERAL REPEALER CLAUSE, A SAVING CLAUSE, AND AN EFFECTIVE DATE.

(The official copy of Ordinance No. 09-12 is on file in the City Clerk's office.)

The City Attorney read the caption of the ordinance. A public hearing was held having been legally advertised in compliance with the laws of the State of Florida and the Charter of the City of Delray Beach, Florida.

Paul Dorling, AICP, Director of Planning and Zoning, stated this adds three specific sections to the existing definition of restaurant that says all tables, chairs, and counter areas are to remain available for full course meals during all hours of operation and tables and seatings cannot be cleared away to accommodate other activities such as dance floors or other occupancy areas. Mr. Dorling stated this is to really address an issue where restaurants more of a stand-alone bar in the evenings and in the cases when they do that either because they become a stand-alone bar and the City has a distance requirement for stand-alone bars, or they fail to satisfy requirements that are currently in place for operation of restaurant and that language is being proposed. He stated some additional language that facilities that qualify for a stand-alone bar facility serving food category per Florida Statute would not qualify as a bona fide restaurant. Mr. Dorling stated the Statutes say that if you provide more than 10% of the revenue from food then you cannot have that category so that says you are providing 90% liquor at a minimum.

Attachment "A"

CITY OF DELRAY BEACH
REQUEST FOR PUBLIC RECORDS INFORMATION

REQUEST SUBMITTED BY:

NAME: MARK BANNON (C.O.E.)
ADDRESS: 2633 VISTA PARKWAY
W. PALM BEACH, FL 33411
PHONE: (561) 233-0729
FAX: (561) 233-0735

(Above information is optional and not required from requesting person.)

INFORMATION REQUESTED:

ORDINANCE # _____
RESOLUTION# _____
MEETING MINUTES _____
Meeting & Date (entire set) _____
Meeting & Date (excerpt only) _____

OTHER: file # 2012-059 Delray Place Rezoning

NOTICE: You are not required to fill out this form. Office personnel are required to complete this form, if you choose not to.

- A. The Custodian will charge the requesting party \$0.15 per copy for one-sided copies which are not more than 8 1/2 X 14, as well as \$0.20 for double-sided copies, and \$0.25 per microfiche page. This fee shall be paid in advance prior to providing the copies.
- B. For all other copies, the actual cost of duplication of the public record will be charged. Charges not specifically listed in this policy, but referred to by Florida Statutes Chapter 119 shall be followed.
- C. The Custodian will charge the requesting party \$1.00 per copy for a certified copy.
- D. If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the City, or both, the City may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the City or attributable to the City for the clerical and supervisory assistance required, or both. Charges for extensive clerical or supervisory assistance could begin to accrue after the first 15 minutes and such charges shall be at the employee's hourly rate, including benefit costs.

Date of Request: 6/12/2012

Date Completed: 6/12/2012

[Signature]
Signature of Requesting Party
R. Truitt
Signature of Department Employee

Rez No. _____

Date Received _____

**CITY OF DELRAY BEACH PLANNING AND ZONING DEPARTMENT
APPLICATION FOR REZONING**

Project Name: Delray Place

Address or General Location: 1801 S. Federal Highway

PART ONE - APPLICANT INFORMATION:

APPLICANT

Name: Delray Place, LLC

Address: Royal Palm Place, 101 Plaza Real South, Suite 200
Boca Raton, Florida 33432

Telephone Number: 561-961-1732 E-Mail/Fax: 561-961-1744/jcarosella@rpg123.com

AGENT

Name: Covelli Design Associates, Inc.

Address: 2295 N.W. Corporate Boulevard, Suite 213
Boca Raton, Florida 33431

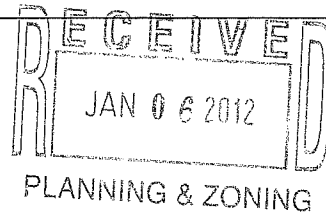
Telephone Number: 561-910-0330 E-Mail/Fax: Mike@covellidesign.com

OWNER (if other than applicant)

Name: same

Address: _____

Telephone Number: _____ E-Mail/Fax: _____



PART TWO - PROPERTY INFORMATION:

Property Control Number: 1243628480010000 1243628490010000

Legal Description (attach separate sheet if necessary): See Attached

Existing Future Land Use Map Designation: Transitional

Proposed Future Land Use Map Designation: General Commercial

Existing Zoning District: POC

Area of Property: 433,422 sq. ft. 9.95 acres

Briefly Describe the Present Use of the Subject Property: _____

2 - Multi story office buildings with a drive through bank and

1 - single story office building

Briefly Describe the Proposed Use of the Subject Property: _____

A multi building shopping center

Legal Description

ALL OF OLD HARBOR OFFICE AND BANK FACILITY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 42, PAGE 61, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

LESS AND EXCEPT THEREFROM THAT PARCEL OF LAND DESCRIBED AS PARCEL 103 IN THAT ORDER OF TAKING ON PALM BEACH COUNTY PETITION FILED IN PALM BEACH COUNTY CIRCUIT COURT UNDER CASE NO. CL99-228AN AND RECORDED MARCH 30, 1999 IN OFFICIAL RECORDS BOOK 11016, PAGE 226, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

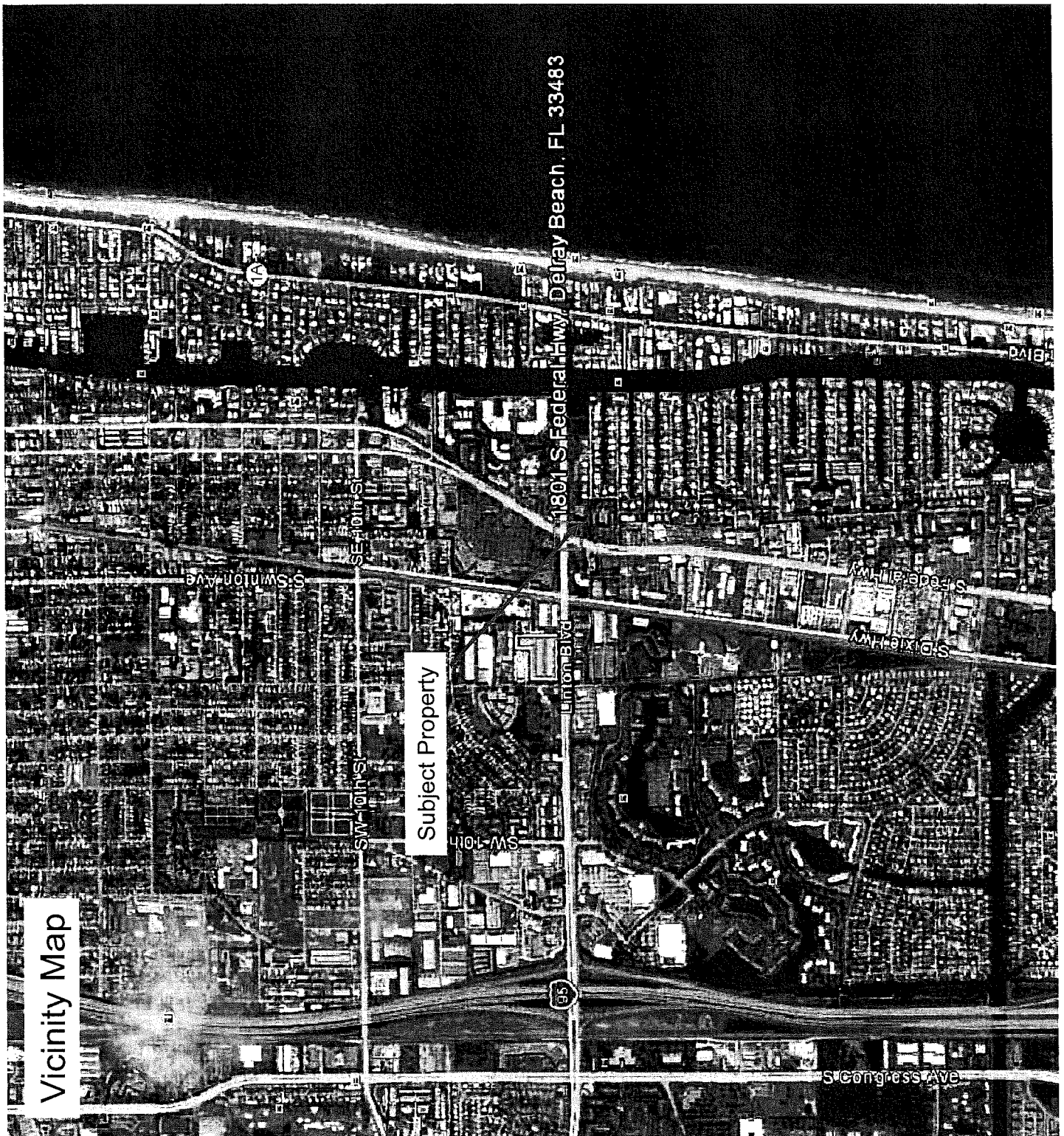
A PARCEL OF LAND LYING IN SECTION 28, TOWNSHIP 48 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE PLAT OF "OLD HARBOR OFFICE AND BANK FACILITY", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 42, PAGE 61, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PLAT; THENCE NORTH $89^{\circ}47'57''$ EAST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID PLAT, A DISTANCE OF 25.00 FEET; THENCE SOUTH $57^{\circ}28'45''$ WEST, A DISTANCE OF 42.24 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF SAID PLAT AND ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHERE THE RADIAL LINE BEARS SOUTH $85^{\circ}17'42''$ EAST; THENCE NORTHEASTERLY ALONG SAID WESTERLY BOUNDARY LINE AND THE ARC OF SAID CURVE, HAVING A RADIUS OF 1850.08 FEET AND A CENTRAL ANGLE OF $00^{\circ}46'27''$, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

AND:

ALL OF OLD HARBOR OFFICE AND BANK FACILITY II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 42, PAGE 62, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.



PART THREE - STATEMENT OF REASONS FOR REZONING

Land Development Regulations (LDR'S) Section 2.4.5(D)(2), requires a statement justifying the rezoning. The valid reasons stated in the code for approving a change in zoning include:

- A. That the zoning had previously been changed, or was originally established, in error;
- B. That there has been a change in circumstances which makes the current zoning inappropriate; and,
- C. That the requested zoning is of similar intensity as allowed under the Future Land Use Map and that it is more appropriate for the property based upon circumstances particular to the site and/or neighborhood.

Identify the reason which applies and state specifically how your request fits within one or more of these reasons (if additional space is needed, please use separate sheet): _____

C. The proposal is to construct a shopping center which is
consistent with the development in the general vicinity.
Existing office buildings will be demolished to make room
for the proposed shopping center. The intensity of the development
is within the scale of the area and will provide support services
to the surrounding neighborhood.

Has any previous application been filed within the last year in connection with the subject property? (Yes) (No). If yes, briefly describe the nature of the application.

no

OWNER'S CONSENT

(This form must be completed by **ALL** property owners)

I Delray Place, LLC, the fee simple owner of the following
(Owner's Name)

described property (give legal description): See attached

hereby petition to the City of Delray Beach to change the zone district From
POC To PC.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. I consent to inspection and photographing of the subject property by the Planning and Zoning Department Staff for purposes of consideration of this application and/or presentation to the approving body. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

Delray Place, LLC, a Florida limited liability company, by its Manager Delray Place Manager, Inc., a Florida corporation

by: Joe Carosella, President Joe Carosella (Owner's Signature)

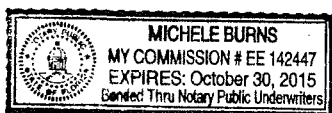
The foregoing instrument was acknowledged before me this 6th, day of
December, 20 11 by Joe Carosella, who is personally
known to me or has produced _____ (type of
identification) as identification and who did (did not) take an oath.

Michele Burns
(Printed Name of Notary Public)

Michele Burns
(Signature of Notary Public)

Commission # EE142447, My Commission Expires 10/30/2015

(NOTARY'S SEAL)



OWNER'S DESIGNATION OF AGENCY

(This form must be completed by **ALL** property owners if designating an Agent)

I Delray Place, LLC, the fee simple owner of the following
(Owner's Name)

described property (give legal description): See attached

hereby affirm that Covelli Design Associates, Inc.
(Applicants/Agent's Name)

is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

Delray Place, LLC, a Florida limited liability company, By it's Manager Delray Place Manager, Inc., a Florida corporation

by: Joe Carosella, President

(Owner's Signature)

The foregoing instrument was acknowledged before me this 6th, day of December, 20 11 by Joe Carosella, who is personally known to me or has produced _____ (type of identification) as identification and who did (did not) take an oath.

Michele Burns
(Printed Name of Notary Public)

(Signature of Notary Public)

Commission # EE142447, My Commission Expires 10/30/2015

(NOTARY'S SEAL)



AFFIDAVIT

Before me, the undersigned authority, personally appeared Delray Place, LLC,
who being by me first duly sworn, deposes and says: (Applicant's Name)

1. That the accompanying property owners list is, to the best of my knowledge, a complete and accurate list of all property owners' names, mailing addresses, and legal descriptions of all property lying within five hundred feet (500') of the subject property as recorded on the latest official County tax rolls.
2. That the subject property is legally described as follows: (give legal description)

See Attached

Delray Place, LLC, a Florida limited liability company, By it's Manager Delray Place Manager, Inc., a Florida corporation

By: Joe Carosella, President *lc*

The foregoing instrument was acknowledged before me this 6th day of
December, 20 11 by Joe Carosella, who is personally
known to me or has produced (type of identification)
as identification and who did take an oath.

Michele Burns

(Printed Name of Notary Public)

Michele Burns
(Signature of Notary Public)

Commission # EE142447, My Commission Expires 10/30/2015

(NOTARY'S SEAL)



CERTIFICATE
(if Corporation)

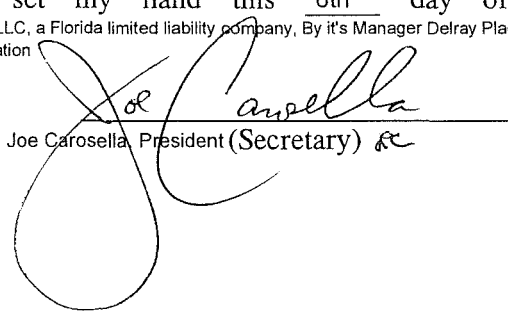
STATE OF FLORIDA)
) SS
COUNTY OF)
_____)

I HEREBY CERTIFY that a meeting of the Board of Directors of Delray Place, LLC, a corporation under the laws of the State of Florida held on December 6th, 2011 the following resolution was duly passed and adopted:

"RESOLVED", that Joe Carosella, as Agent of the Corporation, he is hereby authorized to petition for Delray Place, LLC, to the City of Delray Beach, Florida, and that his execution thereof, attested by the Secretary of the Corporation and corporate seal affixed, shall be the official act and deed of this corporation"

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of December, 2011.
Delray Place, LLC, a Florida limited liability company, By it's Manager Delray Place Manager, Inc., a Florida corporation

By: Joe Carosella, President (Secretary) 



CORPORATE SEAL:

Subscribed and sworn to before me this 6th day of December, 2011, by Joe Carosella who is personally known to me or has produced _____ (type of identification) as identification and who did take an oath.


Notary Public
My Commission Expires: 10/30/2015

NOTARY SEAL:



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No Events No Name History			<input type="button" value="Submit"/>		
Detail by Entity Name					
Florida Limited Liability Company					
DELRAY PLACE, LLC					
Filing Information					
Document Number L11000110972					
FEI/EIN Number 453450184					
Date Filed 09/28/2011					
State FL					
Status ACTIVE					
Effective Date 09/27/2011					
Principal Address					
101 PLAZA REAL SOUTH SUITE 200 BOCA RATON FL 33432					
Mailing Address					
101 PLAZA REAL SOUTH SUITE 200 BOCA RATON FL 33432					
Registered Agent Name & Address					
CAROSELLA, JOE 101 PLAZA REAL SOUTH SUITE 200 BOCA RATON FL 33432 US					
Manager/Member Detail					
Name & Address					
Title MGR					
DELRAY PLACE MANAGER, INC. 101 PLAZA REAL SOUTH, SUITE 200 BOCA RATON FL 33432					
Annual Reports					
Report Year Filed Date					
2012 04/25/2012					
Document Images					
04/25/2012 -- ANNUAL REPORT		<input type="button" value="View image in PDF format"/>			
09/28/2011 -- Florida Limited Liability		<input type="button" value="View image in PDF format"/>			

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<h2>Detail by Entity Name</h2>							
<h3>Florida Profit Corporation</h3>							
DELRAY PLACE MANAGER, INC.							
<h3>Filing Information</h3>							
Document Number P11000085214							
FEI/EIN Number 453450216							
Date Filed 09/27/2011							
State FL							
Status ACTIVE							
Effective Date 09/27/2011							
<h3>Principal Address</h3>							
101 PLAZA REAL SOUTH SUITE 200 BOCA RATON FL 33432							
<h3>Mailing Address</h3>							
101 PLAZA REAL SOUTH SUITE 200 BOCA RATON FL 33432							
<h3>Registered Agent Name & Address</h3>							
CAROSELLA, JOE 101 PLAZA REAL SOUTH SUITE 200 BOCA RATON FL 33432 US							
<h3>Officer/Director Detail</h3>							
Name & Address							
Title P							
CAROSELLA, JOE 101 PLAZA REAL SOUTH, SUITE 200 BOCA RATON FL 33432							
<h3>Annual Reports</h3>							
Report Year Filed Date							
2012 04/25/2012							
<h3>Document Images</h3>							
04/25/2012 -- ANNUAL REPORT			<input type="button" value="View image in PDF format"/>				
09/27/2011 -- Domestic Profit			<input type="button" value="View image in PDF format"/>				

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[Details by Entity Name](#) No Name History

Florida Profit Corporation

COVELLI DESIGN ASSOCIATES, INC.

Filing Information

Document Number P06000046375
FEI/EIN Number 204806120
Date Filed 03/30/2006
State FL
Status ACTIVE
Last Event REINSTATEMENT
Event Date Filed 11/22/2010
Event Effective Date NONE

Principal Address

2295 NW CORPORATE BLVD
SUITE 213
BOCA RATON FL 33431

Changed 07/16/2008

Mailing Address

2295 NW CORPORATE BLVD
SUITE 213
BOCA RATON FL 33431

Changed 07/16/2008

Registered Agent Name & Address

COVELLI, MICHAEL
2295 NW CORPORATE BLVD
SUITE 213
BOCA RATON FL 33431 US

Address Changed: 07/16/2008

Officer/Director Detail

Name & Address

Title P

COVELLI, MICHAEL
2295 NW CORPORATE BLVD, #213
BOCA RATON FL 33431

Title V

TATE, STEVEN
2295 NW CORPORATE BLVD, #213
BOCA RATON FL 33431

Title ST

COVELLI, LIANE
2295 NW CORPORATE BLVD, SUITE 213
BOCA RATON FL 33431

Annual Reports

Report Year Filed Date

2010 11/22/2010

2011 02/17/2011

2012 02/15/2012

Document Images

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[02/17/2011 -- ANNUAL REPORT](#)

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[11/22/2010 -- REINSTATEMENT](#)

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[07/16/2008 -- ANNUAL REPORT](#)

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[04/23/2007 -- ANNUAL REPORT](#)

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[06/12/2006 -- Amendment](#)

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Candidate Finance Reports

Nelson McDuffie

		Select Election		
Date	Election		Office	Reports
11/06/2012	2012 Election Cycle	Supervisor of Elections		1

Contributor	Contributor Address	Contributor City	Contributor State	Contributor Zip	Entity Name	First Name	Middle Name	Last Name	Name Suffix	Address 1	Address 2	City	State	Zip
#####	500					Michael	E.	Maroone		909 Poinciana Drive		Fort Lauderdale	FL	33301
#####	50					Robert		Hiering		2961 San Remo Way		Delray Beach	FL	33445
#####	500					Francis	A.	Marincola		1138 Vista DelMar Drive		Delray Beach	FL	33483
#####	100					William	C.	McDonough		345 SE 7th Avenue		Delray Beach	FL	33483
#####	25					Mel		Sacharow		23287 Blue A-405		Boca Raton	FL	33433
#####	100					Robert	W.	Darr		902 NE 7 Street		Boynton Beach	FL	33435
#####	100					Edwin	A.	Jones		9659 Landings Drive		Port St. Lucie	FL	34986
#####	50					Joseph	Jeffrey	Thistle		303 Grove Way		Delray Beach	FL	33444
#####	25					Jeannine		Gila		610 45th Court SW		Vero Beach	FL	32968
#####	100					Jeffrey		Lynne		18213 103rd Trail South		Boca Raton	FL	33498
#####	25					Bern		Ryan		1041 SW 6th Street		Boca Raton	FL	33486
#####	25					Marjorie		Waldo		4550 Ellwood Drive		Delray Beach	FL	33445
#####	25					Jestena		Boughton		525 E. Atlantic Avenue		Delray Beach	FL	33483
#####	15					William		Branning		1461 SW 15 Street		Boca Raton	FL	33444
#####	50					Dale		Briese		P.O. Box 244047		Boynton Beach	FL	33424
#####	50					Roy	T.	Young		2102 S. Federal Highway		Delray Beach	FL	33483
#####	25					Jennifer		Aracri		1920 Linton Unit G		Delray Beach	FL	33445
#####	250					Linda		Bean		6 Derbyshire Lane		Port Clyde	ME	4055
#####	50					Bob		Rex		10 Country Rd., West		Village of G	FL	33436
#####	500				Floridians for Economic Leadership					120 S. Monroe Street		Tallahassee	FL	32301
#####	100					Sheldon		Weil		925 Greensward Lane		Delray Beach	FL	33445

TypeOfCon	Contributo	Occupatio	InKindDescription
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CHE	I	President	
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CHE	I		
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CHE	I	Retired	
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CHE	I	Maine Lobster Dealer	
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CHE	I		
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CHE	C		
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CHE	I		
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Section 4.4.25 Special Activities District (SAD):

(A) **Purpose and Intent:** The Special Activities District (SAD) is established in order to provide a zone district which is appropriate for projects which are not otherwise classified or categorized in other zone districts; or, which for some other good reason, can not be properly accommodated in the other zone districts. Also, the SAD is to be used for large scale and mixed projects for which conventional zoning is not applicable. While SAD zoning is deemed consistent with any land use designation on the Future Land Use Map, the uses allowed within a specific SAD shall be consistent with the land use category shown on the Future Land Use Map. The uses, activities, and characteristics of a SAD are to be consistent with the Comprehensive Plan, suitable and compatible with surrounding existing development, and with the proposed character of the area.

(B) **Allowed Uses and Structures:**

(1) **General:** All uses which are to be allowed in a particular SAD shall be established at the time of establishment of the SAD zoning designation through inclusion in the rezoning ordinance. Additional uses may be allowed after review and recommendation by the Planning and Zoning Board and approval by ordinance of the City Commission.

(2) **SAD Required:** The SAD zone designation is required for the following:

- (a) Any development which is designated as a Large Scale Mixed Use pursuant to the Comprehensive Plan.
- (b) Any Development of Regional Impact (DRI)
- (c) A full service marina
- (d) Any use which is otherwise not accommodated in any of the other zone districts.

(C) **Review and Approval Process:**

(1) **General:** All SAD's are established by an ordinance which is processed as is a rezoning. Concurrent with processing of the rezoning application, a complete site and development plan with, at least, preliminary engineering plans shall be processed.

(2) **Alternative Processing:** A proposed SAD may proceed to first reading based upon a lesser submission provided that, if approved on first reading, prior to second reading a complete site and development plan including landscaping plans and

SECTION 4.4.25 (C) (2)

architectural elevations must be processed through, and approved by the Site Plan Review and Appearance Board. However, in no event shall the time between first and second readings of the enacting ordinance exceed a period of 180 calendar days. In such an event, the rezoning process shall cease and the application considered denied without prejudice. A subsequent application may be processed thereafter anew. **[Amd. Ord. 20-07 6/19/07]**

(3) **Establishment**: Vesting of a SAD project shall occur in the same manner as set for the establishment of a site plan approval [reference Sections 2.4.4 (D) and (E)], except that when the SAD is for a large Scale Mixed Use Development, the initial approval (validity) period shall be specifically stated in the enacting ordinance, but shall, in no event, be less than six (6) years. In the event that a SAD project does not become established, all uses, waivers, adjustments, and other actions taken pursuant to the SAD shall be void. In order to proceed to establish the same, or another, use it shall be necessary to process a rezoning request. **[Amd. Ord. 47-92 10/13/92, Amd. Ord. 31-91 3/26/91]**

(D) **Development Standards**: The development standards as set forth in Section 4.3.4 shall apply except as modified by the following:

(1) A minimum setback of fifteen feet shall be established around the perimeter of any property developed under the SAD designation. Within the front and any street side setback, the fifteen foot (15') setback area shall be a landscape area and no pavement shall be allowed therein except for pedestrian ways and driveways (or streets) which provide access to the property and which are generally perpendicular to the abutting street.

(2) Setbacks for all interior spaces shall be as set forth on the site and development plan.

(E) **Supplemental District Regulations**: The supplemental district regulations as set forth in Article 4.6 shall apply except as modified by the following:

(1) Parking and loading requirements (number of spaces) shall be as set forth on the site and development plan. **[Amd. Ord. 60-93 10/12/93]**

(F) **Special Regulations**: Any special regulations may be applied through the SAD review and approval process.

(G) **S.A.D.s**: The following S.A.D.s are shown on the Official Zoning Map and are regulated by the provisions of this Section and the referenced Ordinance:

(1) The Extra Closet, Ordinance No. 28-89, which established the Extra Closet S.A.D. is modified by Ordinance No. 6-06, which is now named United Stor-All; **[Amd. Ord. 6-06 4/18/06]**

SECTION 4.4.25 (G) (2)

(2) Laver's North, Ordinance No. 65-80, modified by Ordinance Nos. 21-95, 34-96, and 19-98, established; **[Amd. Ord. 19-98 5/19/98]; [Amd. Ord. 34-96 10/15/96]; [Amd. Ord. 21-95 5/16/95]**

(3) Waterford Place/Delint DRI, Ordinance No. 79-84, as amended by Ordinance Nos. 45-01, 96-87, 68-89, 64-92, 11-96 also governed by DRI Resolution No. 49-85, established; **[Amd. Ord. 45-01 9/19/01]; [Amd. Ord. 11-96 3/5/96]**

(4) Marina Cay, Ordinance No. 51-89, not established, approval expires on August 22, 1995; **[Amd. Ord. 47-92 10/13/92; Amd. Ord. 31-91 3/26/91]**

(5) Marina Delray, Ordinance No. 31-95, modified by Ordinance No. 25-96, established; **[Amd. Ord. 25-96 7/23/96; Amd. Ord. 31-95 6/20/95]**

(6) The HHH Bush Building, Ordinance No. 38-84, modified by Ordinance No. 39-90, modified by Ordinance 01-11. **[Amd. Ord. 01-11 2/1/11]**

(7) Tutor Time Plaza, Ordinance No. 72-89, not established, approval expires on November 8, 1991.

(8) Silver Terrace Subdivision, Ordinance No. 39-96, as amended by Ordinances 54-02, 51-02, and No. 30-00, established. **[Amd. 54-02 1/7/03]; [Amd. Ord. 51-02 10/15/02]; [Amd. Ord. 30-00 11/21/00]**

(9) Robotic Space Savers, Ordinance NO. 4-07. **[Amd. Ord. 4-07 2/6/07]**

(10) Midtown Delray, Ordinance No. 46-07, modified by Ordinance 07-10. **[Amd. 07-10 3/2/10]; [Amd. 46-07 12/11/07]**

NOTE: Number (4), Delray Lakes (FKA Isles of Delray) has been deleted in its entirety. It was rezoned from SAD to PRD-4 on November 7, 1995.

VII Reconsideration of Prior Opinions

Staff Analysis and Recommendation: Employee Travel Programs

Staff recommends that the COE revisit two opinions addressed in the Commission's June meeting. These opinions speak to acceptance of benefits or travel points by employees while traveling or attending conferences in their official capacity.

In RQO 12-034, an employee asked whether she may accept hotel rewards points earned while traveling in her official capacity and where her public employer has reimbursed the cost of her travel. The COE determined that commercial rewards points for official business, where costs are reimbursed by a public employer, may not be personally accepted by a public employee for their private benefit. However, upon further review, staff recommends that the Commission re-examine this matter.

The Code provides that publicly advertised offers for goods or services available to an employee under the same terms and conditions as offered or made available to the general public are not gifts. Hotel rewards points are available to all members of the general public. Furthermore, the calculable value of these programs is *de minimus*; the value and frequency at which points may be provided is so small and sporadic that accounting for value is unreasonable and impracticable. While there is no indication that the Florida COE has addressed this issue, the revised standard proposed by staff would be consistent with the federal regulations overseeing use of promotional materials and travel rewards programs. Notwithstanding, an employee or official may not use their official position to financially benefit themselves by specifically targeting a commercial hotel or carrier, resulting in an increased cost to their public employer, for the purpose of obtaining greater rewards through a particular program. Lastly, an individual government employer, or government department, may impose more stringent regulations than are required by the Palm Beach County Code of Ethics, including a policy ban on acceptance of rewards points.

In RQO 12-036, an employee asked whether family members may accompany her on official government travel. The COE determined that were a family member to accompany a public employee on an official fact-finding trip, the resulting benefit (half the value of the hotel room provided to the public employee) would constitute a misuse of office, unless the employee or family member reimburses the amount of value received by the accompanying family member within 90 days to eliminate the prohibited financial benefit. Staff recommends that the COE clarify the reimbursable value received by the family member, recognizing that there is often little to no additional cost for an additional person, per room. While any additional cost or *value added*, provided by the hotel to accommodate the additional family member, would constitute a special financial benefit, where there is no difference between a hotel single occupancy room rate and double occupancy room rate, there would be no additional cost or value added and thus, no improper financial benefit. However, if the hotel provided an upgrade in order to accommodate additional persons or generally charges an additional fee for a second person, the employee or official would be required to reimburse their public employer or the hotel for the difference.

Synopses of the recommended revised opinions are included below.

RQO 12-034 Debbie Couch

A municipal employee asked whether she was prohibited by the Code of Ethics from making group hotel and conference center reservations in her private capacity for members of a non-governmental professional organization and receiving rewards points through a hotel rewards system for that reservation. Additionally, she asked whether her municipal employer may reimburse her travel expenses for the conference where her attendance is in her official capacity, for a public purpose, and approved by her municipal supervisor. Lastly, she asked whether she was permitted under the Palm Beach County Code of Ethics (the Code), to keep hotel rewards points for her personal hotel stay, notwithstanding the fact that her public employer reimbursed the hotel fees.

Staff submits the following revised opinion for COE approval: a public employee who is an officer or director of a professional organization must take great care not to use their public position to give a special financial benefit to themselves or to their organization.

Public employees are not prohibited from attending conferences and being reimbursed by their public employer in their public capacity, provided that employee attendance is for government purposes and has been approved by the employee's supervisor.

Public employees are not prohibited from accepting hotel rewards points accrued in their personal capacity for arranging conference accommodations for a private organization. With regard to personal reward points received from hotel reservations that are subsequently reimbursed by their government employer, public employees may accept those points and are not required to report the value of the rewards so long as members of the public are eligible to receive the same reward benefits. Notwithstanding, a public employee is not permitted to use his or her official position to incur significantly higher costs of travel in order to obtain greater benefits or rewards. Lastly, local governments or departments may institute policies that are more stringent than required under the Palm Beach County Code of Ethics and can limit or prohibit the acceptance of personal reward points for reimbursed public travel.

RQO 12-036 Dani Bailey

A municipal employee asked, as the program supervisor of a Village-operated travel club, whether she may accept a two night stay at an Orlando resort in her official capacity, and if so, whether members of her family may accompany her on this official fact-finding trip.

Staff submits the following for COE approval: A public employee is not prohibited from accepting a two night stay at a resort hotel so long as it is in performance of her public duties and for a public purpose as program supervisor of the Village Travel Club. Under those circumstances, it is not considered a gift. However, an employee may not use his or her official position to provide a special financial benefit to his or her relatives as specified in §2-443(a)(3) of the Palm Beach County Code of Ethics. Employees are prohibited from accepting a gift of any value in exchange for the performance of an official action or legal duty. Where there is no difference between a hotel single occupancy room rate and double occupancy room rate, there would be no additional benefit or *value added* and thus, no improper financial benefit as contemplated under the Code. However; if the hotel provides an upgrade to accommodate additional persons or generally charges an additional fee for a second person, payment of this amount to GPR or to the Village revenue fund, within 90 days, would eliminate the "financial benefit," and assure that no violation of the code of ethics occurs in this matter.

July 13, 2012

Ms. Debbie Couch
Town of Jupiter
210 Military Trail
Jupiter, FL 33458

Re: RQO 12-034 (Revised)
Gift Law/ Gift Exceptions

Dear Ms. Couch,

The Palm Beach County Commission on Ethics considered your request for an advisory opinion on June 7th, 2012. At the request of COE staff the matter was reconsidered on July 12th, 2012 and the Commission issued the following revised opinion.

YOU ASKED in your email and follow up phone call of May 2, 2012, whether you, as a municipal employee, may make group hotel and conference center reservations in your private capacity for members of a non-governmental professional organization and receive rewards points through a hotel rewards system. If so, are you required to report the value of those points should the value exceed \$100. In addition, you asked whether your municipal employer can reimburse your travel expenses for the conference where your attendance is in your official capacity, for a public purpose, and approved by your municipal supervisor. Lastly, you asked whether you were permitted under the Palm Beach County Code of Ethics (the Code), to keep hotel rewards points for your personal hotel stay, notwithstanding the fact that your public employer reimbursed the hotel fees.

IN SUM, a public employee who is an officer or director of a professional organization must take great care not to use their public position to give a special financial benefit to themselves or to their organization.

Public employees are not prohibited from attending conferences and being reimbursed by their public employer in their public capacity, provided that employee attendance is for government purposes and has been approved by the employee's supervisor.

Public employees are not prohibited from accepting hotel rewards points accrued in their personal capacity for arranging conference accommodations for a private organization. With regard to personal reward points received from hotel reservations that are subsequently reimbursed by their government employer, public employees may accept those points and are not required to report the value of the rewards so long as members of the public are eligible to receive the same reward benefits. Notwithstanding, a public employee is not permitted to use his or her official position to incur higher costs of travel in order to obtain greater benefits or rewards.

THE FACTS as we understand them are as follows:

You are a Town of Jupiter (the Town) employee and also serve as a member and President of the Palm Beach and Treasure Coast Payroll Association (PBTCPA), a local chapter of the American Payroll Association (APA), a private professional organization. In your personal capacity, unrelated to your employment with the Town, you are responsible for all meeting arrangements for the APA Florida Statewide Payroll Conference scheduled for August 15-17 at the Boca Raton Marriott at Boca Center. This hotel offers extra reward points to all meeting planners upon successful completion of an event at their property. You believe the value of these points may exceed \$100. This promotion is available to any event organizer, whether they are a member of a professional organization, non-profit development team or wedding planner. Marriott is not a vendor of the Town.

All conference work is done in your private capacity on personal time. However, the Town plans to send you to the conference and reimburse your attendance fee. Your attendance and the reimbursement have been approved by your supervisor.

July 12, 2012

THE LEGAL BASIS for this opinion may be found in the following sections of the Palm Beach County Code of Ethics:

Section 2-443(a) prohibits you from using your official position to give yourself or the PBTCPA a special financial benefit not shared with similarly situated members of the general public.¹ Hotel rewards points for event planning are available to all event planners and hotel stay points are available to all members of the general public participating in the rewards program. Because you are receiving these points just as another hotel guest or event planner would, there is no prohibited *special* financial benefit.

The COE will not opine as to speculative facts and circumstances, however, were a public employee to use his or her official position to target or otherwise collect personal rewards points by paying significantly more for a hotel or airline reservation in order to garner a personal financial benefit, such action may violate the misuse of office prohibitions.²

Regarding the gift law section of the Code, §2-444(g) defines a gift as anything of economic value, without adequate and lawful consideration. However, the Code provides that a gift does not include registration fees and other related costs associated with educational or governmental conference or seminars and travel expenses either properly waived or inapplicable pursuant to section 2-443(h), provided that attendance is for governmental purposes, and attendance is related to their duties and responsibilities as an official or employee of the county or municipality.

Under the facts and circumstances you have submitted, Marriott rewards points are provided as a promotional offering to all event planners hosting conferences, weddings, or other occasions at Marriott Hotels. Essentially, these points are given in consideration for an organization choosing a Marriott Hotel over another hotel or conference location. Accordingly, rewards points accepted as part of a private contractual agreement in consideration for using the hotel are not considered a gift under the Code of Ethics and are thus not reportable.

Similarly, if you attend a conference in your official capacity, related to your official duties, where attendance is for educational or governmental purposes and approved by your supervisor, reimbursement by the Town is not considered a gift as defined by §2-444(g) of the gift law and therefore does not need to be reported if the value exceeds \$100.³

Lastly, the Code provides that publicly advertised offers for goods or services available to an employee under the same terms and conditions as offered or made available to the general public are not gifts.⁴ Hotel rewards points are available to all members of the general public. Furthermore, the calculable value of these programs is *de minimus*; the value and frequency at which points may be provided is so small and sporadic that accounting for value is unreasonable and impracticable.⁵ Therefore, the Code does not prohibit public employees from accepting generally offered hotel points accrued in conjunction with attending a government function.⁶ Nevertheless, a municipal government may enact more stringent regulations through its own policies and procedures, and may impose more restrictive requirements than those mandated by the Code.

¹ §2-443 (a)(1) and (7).

² COE will not opine as to speculative facts or circumstances, but should such a scenario arise make its determination based upon the specific facts and circumstances presented. Such a prohibition on targeted use of public resources for personal benefit would be consistent with federal regulations overseeing use of promotional materials and frequent traveler programs. See, 41 C.F.R. § 301-53.2 (2002).

³ §2-444(g)(1)h. Registration fees and other related costs associated with educational or governmental conferences or seminars and travel expenses either properly waived or inapplicable pursuant to section 2-443(f), provided that the attendance is for governmental purposes, and attendance is related to their duties and responsibilities as an official or employee of the county or municipality

⁴ §2-444(g)(1)f.

⁵ See, 41 C.F.R. § 301-53.2 (2002) (determination is consistent with similar provision in federal regulations).

⁶ There is no indication that the Florida COE has addressed this issue, however policies and procedures developed by State of Florida Departments, such as the Department of Environmental Protection, are consistent with the Commissions' determination. See, State of Florida Department of Environmental Protection, Administrative Directive: Code of Ethics, (2011), available at: <http://www.dep.state.fl.us/admin/depdirs/pdf/202.pdf>.

You must keep in mind that while attending educational conferences or seminars, you may not otherwise accept gifts in excess of \$100, in the aggregate, from a vendor, lobbyist, principal or employer or a lobbyist who lobbies, sells or leases to the Town.⁷ Additionally, you are prohibited from accepting a gift of any value in exchange for a past, present or future *official action taken or legal duty performed*.⁸

IN SUMMARY, based on the facts and circumstances you submitted, you are not prohibited from accepting hotel rewards points received in exchange for selecting a hotel as a meeting site in your personal capacity for your non-government professional organization's annual conference. As a bargained for benefit of hosting a conference at a Marriott Hotel, the rewards points are not considered a gift under the Code of Ethics and are not reportable.

You are not prohibited from attending professional development conferences, and receiving travel reimbursement from your public employer so long as your attendance is for governmental purposes, related to your duties and responsibilities as a municipal employee, and attendance has been approved by your supervisor.

You are not prohibited from accepting personal hotel reward points related to attending a conference in your official capacity, notwithstanding the fact that your travel expenses are reimbursed by your public employer.

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at 561-233-0724 if I can be of any further assistance in this matter.

Sincerely,

Alan S. Johnson
Executive Director

ASJ/mcr/gal

⁷ RQO 11-047, 2-444(a)(1).

⁸ §2-444(e).

July 13, 2012

Dani Bailey, Program Supervisor
Village of Palm Springs
226 Cypress Lane
Palm Springs, FL 33461

Re: RQO 12-036 (Revised)
Gift Law/Gift Exceptions

Dear Ms. Bailey,

The Palm Beach County Commission on Ethics considered your request for an advisory opinion on June 7th, 2012. Following the meeting, staff received additional information and recommended that the Commission review this matter further. On July 12th, 2012, the Commission issued the following revised opinion.

YOU ASKED in your email dated April 26th, 2012, whether you may accept a two night stay at the Gaylord Palms Resort in Orlando, Florida, in your official capacity as the program supervisor of the Village of Palm Springs Travel Club, a division of the Village Leisure Department, and whether you may also accept complimentary accommodations for family members accompanying you on this official fact-finding trip.

IN SUM, based upon the information you submitted, your stay at the Gaylord Palm Resort (GPR) is in the performance of your public duties and for a public purpose as program supervisor of the Village of Palm Springs Travel Club. As such, it is not considered a gift. However, you may not use your official position to provide a special financial benefit to your relatives or accept a gift of any value in exchange for the performance of a public action or legal duty. Therefore, if a family member accompanies you on the official fact-finding trip and you obtain *an additional benefit* for that family member to accompany you, you will need to reimburse GPR or the Village general fund within 90 days to eliminate the financial benefit.

THE FACTS as we understand them are as follows:

You are an employee of the Village of Palm Springs Leisure Department (PSLD) and the program supervisor of the Village's Travel Club (TC). Residents of the Village must join the TC in order to take advantage of the club's trip planning and group travel arrangement services. As Village Staff you plan all TC trips. TC members pay the Village trip fees plus a 5% surcharge as set by the Village Council and the Village makes final arrangements and provides payment to the resort, bus companies, airlines, etc.

Recently, you were invited by the Gaylord Palm's Resort in Orlando, Florida (GPR) to participate in a familiarization trip or "FAM Trip." FAM Trips are common within the travel agent field. Village staff contacted GPR staff and requested additional information about these trips. Attending FAM trips is part of your official duty as program supervisor. GPR invited you and a guest to attend the weekend experience. Your Village supervisor has approved your attendance on behalf of the Village in performance of your official duties.

According to GPR staff these trips are offered to all travel professionals nationwide and are not intended as a substitute for an agent's personal vacation every year, but as an opportunity to learn about the resort and its many offerings. You are not planning on taking a family member or any guest with you on this official FAM trip.

July 12, 2012

THE LEGAL BASIS for this opinion may be found the following sections of the Palm Beach County Code of Ethics (the Code):

Section 2-443(a) prohibits you from using your official position to give yourself or your relatives a special financial benefit not shared with similarly situated members of the general public. Part of your official position with the Village as program supervisor of the Travel Club is to seek out and plan interesting travel opportunities for club members, and attending FAM trips is part of your official duties as program supervisor.

Many FAM trips, including the GPR trip, are designed to accommodate the travel agent and a companion. A family member is not prohibited from accompanying you on these trips. However, should you chose to take a family member with you on a FAM trip, please keep in mind that you may not use your official position to give your family member a special financial benefit, not shared with similarly situated members of the general public. Any additional cost or value added and provided by the hotel to accommodate the additional family member would constitute a special financial benefit. Where there is no difference between a hotel single occupancy room rate and double occupancy room rate, there would be no additional cost or value added and thus, no improper financial benefit. However; if the hotel provides an upgrade to accommodate additional persons or generally charges an additional fee for a second person, payment of this amount to GPR or to the Village revenue fund would eliminate the "financial benefit," and assure that no violation of the code of ethics occurs in this matter.¹

Section 2-444(g) states as follows:

For the purposes of this section, "gift" shall refer to the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise, or in any other form, without adequate and lawful consideration.

(1) Exceptions. The provisions of subsection (g) shall not apply to:

- e. Gifts solicited or accepted by county or municipal officials or employees as applicable on behalf of the county or municipality in performance of their official duties for use solely by the county or municipality for a public purpose;

Since, the trip itself is designed to provide an overview of the accommodations and activities available to travelers at the GPR, and as program supervisor you are responsible for searching out and providing TC members with an overview of accommodations at potential vacation sites, your stay at the resort falls under §2-444(g)(1)(e) of the code of ethics as being accepted on behalf of a municipality in one's official capacity for use solely by the municipality for a public purpose. The public purpose aspect of this trip has been approved by your supervisor. Therefore, your attendance is not considered a gift and accordingly the value of your trip is not reportable on an annual gift reporting form.

However, §2-444(e) prohibits a public employee from accepting a gift of any value because of an official public action taken or to be taken, or which could be taken. In addition to the misuse of office section of the Code, you are prohibited under the gift law from accepting a benefit of any value from GPR in exchange for the performance of your public duties. This would include the value of accommodations only if there was an *additional benefit* received for an accompanying family member.² Therefore, in addition to a prohibited special financial benefit, any added value of the trip received by a family member based on the performance of your job would also violate the gift law, if not reimbursed within 90 days.

IN SUMMARY, based on the facts and circumstances submitted, you are not prohibited from accepting a FAM trip from a hotel in performance of your public duties as travel club program supervisor. The Code of Ethics provides

¹ §2-444(g), §112.3148(7)(b), Florida Statutes, §34-13.500(3), Florida Administrative Code.(compensation provided by the donee to the donor, if provided within 90 days after receipt of a gift, shall be deducted from the value of the gift in determining the value of the gift.)

² Hotel rooms are typically designed and equipped for two travelers. Should you incur a surcharge for additional occupancy only the amount of that fee is reimbursable to the Village or to GPR.

an exception to the gift law for gifts provided to a municipal employee in performance of his or her official duties on behalf of their municipality. The public purpose of your trip has been approved by your supervisor. Accordingly, your trip is not considered a gift and is neither prohibited nor reportable.

While the benefit received for your participation is not considered a gift, you may not use your official position to secure an additional special financial benefit, not shared with similarly situated members of the general public, for your family members or relatives, or accept a gift of any value in exchange for the performance of an official act or public duty. Where there is no additional benefit received from GPR, if a family member accompanies you, there is no gift or special financial benefit as contemplated by the Code. However, if there is an additional cost/benefit for the accommodations provided, reimbursement of this added value to GPR or Village general fund would cancel out the "special financial benefit" or prohibited gift/value received.³

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at 561-233-0724 if I can be of any further assistance in this matter.

Sincerely,

Alan S. Johnson
Executive Director

ASJ/mcr/gal

³ RQO 11-006 (County Commissioner attending a boat tour in her official capacity **and** paying the equivalent amount to cover the commercial cost of her nieces' attendance eliminates any financial benefit and avoids a potential violation of the misuse of office section of the Code).

IX. Processed Advisory Opinions

RQO 12-048 Leo Abdella

A Pastor asked whether his church may invite the Palm Beach County Commission, City of Palm Beach Gardens Council, City of West Palm Beach Commission, Village of Royal Palm Beach Council, and City of Boynton Beach Commission to attend a 2 day leadership summit.

Staff submits the following for COE approval: Christ Fellowship Church (CFC) is not prohibited from inviting elected officials to attend a 2 day leadership summit. Gifts given to officials in excess of \$100, computed annually and in the aggregate, are only prohibited if accepted from a vendor, lobbyist, principal or employer of a lobbyist who lobbies the government that the elected official serves. CFC does not sell, lease or lobby the County or municipalities listed above. Notwithstanding this limitation, a gift of any value may not be accepted in exchange for the past, present or future performance of an official public action or legal duty.

Otherwise, gifts are regulated to the extent that elected officials must comply with state reporting requirements and file a copy of each report submitted with the COE.

RQO 12-049 Anna Stewart

A county department manager asked whether her department may enter into a profit-sharing transaction with a local company, ResQMe, to sell its products in order to raise funds for a county water safety swim program.

Staff submits the following for COE approval: the Palm Beach County Code of Ethics does not prohibit the Drowning Prevention Coalition (DPC) from entering into a contract or transaction with a vendor of the County for the purpose of raising revenue for a County program provided no public employee or official uses their official position to obtain a financial benefit, not shared with similarly situated members of the general public, for themselves, their relatives, household members, outside businesses or employers, customers or clients, debtor or creditor, or organization in which they serve as an officer or director.



Palm Beach County Commission on Ethics

Commissioners

Manuel Farach, *Chair*
Robin N. Fiore, *Vice Chair*
Edward Rodgers
Ronald E. Harbison
Daniel T. Galo

Executive Director

Alan S. Johnson

June 21, 2012

Pastor Leo Abdella, Community Relations Director
Christ Fellowship Church
5343 Northlake Boulevard
Palm Beach Gardens, FL 33418

Re: RQO 12-048
Gift Law

Dear Pastor Abdella,

The Palm Beach County Commission on Ethics (COE) considered your request for an advisory opinion. The opinion rendered is as follows.

YOU ASKED in your email dated May 30, 2012, whether your church may invite the Palm Beach County Commission, City of Palm Beach Gardens Council, City of West Palm Beach Commission, Village of Royal Palm Beach Council, and City of Boynton Beach Commission to attend a 2 day leadership summit.

IN SUM, based on the facts presented, CFC is not prohibited from inviting elected officials to attend the 2 day leadership summit. Gifts given to officials in excess of \$100, computed annually and in the aggregate, are only prohibited if accepted from a vendor, lobbyist, principal or employer of a lobbyist who lobbies the government that the elected official serves. CFC does not sell, lease or lobby the County or municipalities listed above. Notwithstanding this limitation, a gift of any value may not be accepted in exchange for the past, present or future performance of an official public action or legal duty.

Otherwise, gifts are regulated to the extent that elected officials must comply with state reporting requirements and file a copy of each report submitted with the COE.

THE FACTS as we understand them are as follows:

You are the Community Relations Director of Christ Fellowship Church (CFC). Christ Fellowship is a member of the Willow Creek Association (WCA), a national association of churches that share operational and experiential knowledge. CFC would like to invite the Palm Beach County Commission and elected officials from Palm Beach Gardens, West Palm Beach, Royal Palm Beach and Boynton Beach, where CFC has campuses, to attend the WCA's 2012 Global Leadership Summit. According to the WCA's website, "The Global Leadership Summit exists to transform Christian leaders around the world with an injection of vision, skill development, and inspiration for the sake of the local church." The Summit will be telecast live from the Willow Creek Community Church to Palm Beach Community Church on August 9 and 10, 2012. As a member of the WCA, members of the CFC and their guests may attend for \$99 as compared to the \$249 individual rate or \$149 group rate advertised on the WCA website. CFC is not a principal or employer of a lobbyist, nor does CFC provide goods or services to the County or any of the municipalities listed above.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Code of Ethics:

A gift is considered a transfer of anything of value without adequate and lawful consideration.¹ No person or entity may give an official a gift, nor may an official accept a gift of any value, for the past, present, or future performance of a legal duty or official act taken.² In addition, no gift valued in excess of \$100, annually in the aggregate, may be accepted by an elected official from a vendor or lobbyist who sells, leases or lobbies the official's government. CFC does not sell, lease or lobby the County, Palm Beach Gardens, West Palm Beach, Royal Palm Beach or Boynton Beach.

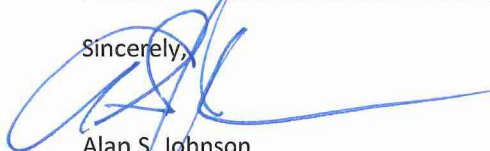
Under the facts you have submitted, all invitees are elected officials and therefore, state reporting individuals. CFC is not prohibited from providing conference admission to County Commissioners or to elected officials from the municipalities mentioned above. Section 2-444(f)(1) requires that state reporting individuals report gifts in the manner provided by state law and to file a copy of each report with the COE. Therefore, ticket valuation must be determined in compliance with state law.

IN SUMMARY, based on the facts presented, the Palm Beach County Code of Ethics does not prohibit CFC from inviting local elected officials to attend the WCA's 2012 Global Leadership Summit. Gift valuation and reporting requirements for elected officials are determined "in the manner provided by Florida Statutes, §112.3148, as may be amended."

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at 561-233-0724 if I can be of any further assistance in this matter.

Sincerely,



Alan S. Johnson
Executive Director

ASJ/mcr/gal

¹ §2-444(g)

² §2-444(e)



Palm Beach County Commission on Ethics

Commissioners

Manuel Farach, *Chair*
Robin N. Fiore, *Vice Chair*
Edward Rodgers
Ronald E. Harbison
Daniel T. Galo

Executive Director

Alan S. Johnson

July 2, 2012

Anna Stewart, Manager
Drowning Prevention Coalition of Palm Beach County
405 Pike Road
West Palm Beach, FL 33411

Re: RQO 12-049
Misuse of Office

Dear Ms. Stewart,

Your request for advisory opinion to the Palm Beach County Commission on Ethics (COE) has been received and reviewed. The opinion rendered is as follows:

YOU ASKED in your submission dated June 21, 2012 whether the Drowning Prevention Coalition of Palm Beach County (DPC) may enter into a profit-sharing transaction with a private company, ResQMe, to sell its products in order to raise funds for a county water safety swim program.

IN SUM, based on the facts you have submitted, the Palm Beach County Code of Ethics does not prohibit DPC from entering into a contract or transaction with a vendor of the County for the purpose of raising revenue for a County program provided no public employee or official uses their official position to obtain a financial benefit, not shared with similarly situated members of the general public, for themselves, their relatives, household members, outside businesses or employers, customers or clients, debtor or creditor, or organization in which they serve as an officer or director.

THE FACTS as we understand them are as follows: You are the manager of the Drowning Prevention Coalition of Palm Beach County (DPC). The DPC has been offered an opportunity by a private company to raise additional funds for its water safety swim program and for informational materials and supplies not covered by the DPC's existing department budget.

ResQMe, a private company that manufactures and distributes mobile keychain escape tools for vehicle extrication, offered to provide these tools to the DPC on consignment for sale at a reduced rate. The DPC expects to sell the tools for \$10 each, reimbursing the company \$5 and putting the \$5 profit towards programming and materials. The production cost per tool is \$5 and ResQMe is therefore offering these items at cost.

The tools would be made available to the public, along with an informational brochure on how to escape a sinking vehicle, when the Coalition provides informational displays at health and safety fairs as well as during Coalition adult water safety/drowning prevention presentations.

No DPC employee, or family member, has a financial or fiduciary relationship with ResQMe. Nor will any employee receive a personal financial benefit from this transaction.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Commission on Ethics Ordinance and Code of Ethics, which took effect on June 1, 2011:

Section 2-443(a) prohibits public employees from using their official position to give themselves, their family members, and a number of other persons or entities with which they have a financial or fiduciary relationship, a special financial benefit not shared with similarly situated members of the general public.¹ No DPC employee has an ownership interest or is employed by ResQMe, personally or through his or her household or family members.

Just as Palm Tran sells advertising space on county owned busses, the DPC is not prohibited from entering into a contractual relationship to sell goods or services in order to raise additional money to benefit the county.

In other words, the County is entering into a consignment contract with ResQMe. ResQMe will provide the County with product and after the county sells the goods, ResQMe will collect the remaining goods and require payment only for goods sold. In consideration, ResQMe will obtain promotion for their product through informational displays at health and safety fairs as well as Coalition adult water safety/drowning prevention presentations. The \$5 profit collected by the county is part of this transaction and is not a gift. Even if it were considered a donation from ResQMe to the county it would not be a prohibited gift to DPC staff because it is accepted by county employees, on behalf of the county for use solely by the county, solicited in the performance of their official duties.²

IN SUMMARY, the DPC is not prohibited by the Palm Beach County Code of Ethics from selling products provided by ResQMe, reimbursing the company the cost for the products upon sale, and collaterally promoting the product through informational displays and water safety presentations, provided there is no special financial benefit to any DPC employee or related person or entity as listed in the misuse of office section of the Code.

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at 561-233-0724 if I can be of any further assistance in this matter.

Sincerely,



Alan S. Johnson
Executive Director

ASJ/mcr/gal

¹ §2-443 (a)(1)-(7).

² §2-444(g)(1)e., RQO 10-040

XI. Proposed Advisory Opinions

RQO 12-029 Sharon Merchant

A member of the Palm Beach County Convention and Visitors Bureau (CVB) appointed by a Palm Beach County Commissioner asked whether her outside business may participate in the development of an event where her company plans to lobby for, and may receive funds from, various private entities funded in whole or in part with public funds, such as the CVB, the Sports Commission, and Cultural Council and public entities, such as the Tourist Development Council (TDC) and the City of West Palm Beach. The CVB, Sports Commission and Cultural Council are non-profit corporations funded in part by bed tax dollars and are independent from Palm Beach County. The Tourist Development Council is a County advisory board.

Staff submits the following to the COE for approval: A member of the CVB appointed by the Board of County Commissioners (BCC) is an official, as defined by the Code of Ethics. An appointed official is prohibited from using his or her official position as a CVB board member to obtain a special financial benefit, not shared with similarly situated members of the general public, for themselves, their outside business, or a customer or client of their outside business. If such a conflict exists the official may not vote or participate in the matter before the CVB. The prohibition extends to the official, or someone using their official position on their behalf.

Similarly, using one's *official position* as a CVB member to influence other public or private entities would also constitute a misuse of office. In this context, an Official is prohibited from lending his or her name and *official title* in order to solicit public funds for any event sponsored by their company. Any solicitation of public funds must be in the official's personal capacity without reference to their public title. Again, this applies directly to the official, as well as anyone indirectly soliciting on their behalf.

Finally, officials (who are not advisory board members) are prohibited from contracting or transacting business with the governmental entity that appointed them to serve in a public position. Here, the official is prohibited from contracting with or seeking funding from the County itself or any county board or department such as the TDC. This contractual prohibition does not extend to private non-profit entities funded in part by County tax dollars such as the Palm Beach County Sports Commission, CVB or Cultural Council.

ROQ 12-037 Carla Crow (tabled)

A county employee asked whether she may benefit from gifts given to her husband unrelated to her status as a Palm Beach County employee and if so, whether the value of these gifts must be reported pursuant to the Palm Beach County Code of Ethics (the Code).

Staff submits the following for COE approval: The prohibitions and transparency requirements of the Code apply to gifts given to an employee by their spouse only where the gift is provided by the original donor with the intent to benefit the employee in their public capacity. Where there is no nexus between the gift and the employee's public position, the gift may be viewed as given to the employee's spouse and is neither prohibited nor otherwise regulated under the Code, notwithstanding the fact that the employee may share in its benefit.

The specific facts and circumstances surrounding a particular gift will determine whether or not the gift is considered an indirect gift, given with the intent to benefit the employee in their public capacity.

RQO 12-050 Leo Abdella

A Pastor asked whether his church, an organization that previously retained a lobbyist for land planning matters, and may again retain a lobbyist in the future, but does not presently retain a lobbyist, is a principal or employer of a lobbyist as defined by the Palm Beach County Code of Ethics (the Code).

Staff submits the following for COE approval: Christ Fellowship Church (CFC) is not currently a principal or employer of a lobbyist as defined by the Code. While CFC has employed a lobbyist in the past and may do so at some time in the future, CFC does not have an existing or pending contract with any individual or entity for lobbying services. Under most circumstances, for an organization to be considered a principal or employer of a lobbyist, it must have an existing or pending contract for lobbying services.

July 13, 2012

Sharon Merchant
The Merchant Strategy
P.O. Box 6115
West Palm Beach, Florida 33405

Re: RQO 12-029
Misuse of Office

Dear Ms. Merchant,

The Palm Beach County Commission on Ethics (COE) considered your request for an advisory opinion and rendered its opinion at a public meeting held on July 12, 2012.

YOU ASKED whether, as a Palm Beach County Board of County Commissioners (BCC) appointee to the Convention and Visitor's Bureau Board of Directors (CVB), you or your business, The Merchant Strategy (TMS), may participate in the development of an event where your company will lobby for, and may receive funds from, various private entities funded in whole or in part with public funds, such as the CVB, the Sports Commission, and Cultural Council and public entities, such as the Tourist Development Council (TDC) and the City of West Palm Beach.

IN SUM, as a member of the CVB appointed by the Board of County Commissioners (BCC) you are an official, as defined by the Code of Ethics. As an appointed official you are prohibited from using your official position as a CVB board member to obtain a special financial benefit, not shared with similarly situated members of the general public, for yourself, your outside business, or a customer or client of your outside business. If such a conflict exists you may not vote or participate in the matter before the CVB. The prohibition extends to you, or someone using your official position on your behalf.

Similarly, using your *official position* as a CVB member to influence other public or private entities would also constitute a misuse of office. Lending your name and *official title* to an event sponsored by your company or while lobbying on behalf of the Dragon Boat Race Festival (the Event) would constitute a violation of the Palm Beach County Code of Ethics (the Code). Any solicitation of public funds must be in your name without reference to your public title. Again, this applies directly to you, as well as anyone indirectly soliciting on your behalf.

Finally, the code prohibits you or your outside business from contracting or transacting business with Palm Beach County, the governmental entity that appointed you to the CVB. Accordingly, you may not seek funding for the Event from the County itself or any county board or department. This contractual prohibition does not extend to private non-profit entities funded in part by County tax dollars such as the Palm Beach County Sports Commission, CVB or Cultural Council.

THE FACTS as we understand them are as follows:

You are a member of the Board of Directors of the Palm Beach County Convention and Visitors Bureau (CVB). You were appointed to the CVB by Palm Beach County Commissioner Karen Marcus. The CVB is a private, non-profit entity originally formed in 1983 as "Discover Palm Beach County". The CVB operates under a contract with Palm Beach County to provide tourism marketing services under the County's Tourist Development Plan and receives funding from a portion of the "bed tax" collected in the County. The CVB Board of Directors provides supervision over CVB affairs.

The CVB is one of several non-profit tourism development organizations providing services to the County under the umbrella of the County's Tourism Development Council (TDC). These organizations include the Palm Beach County Cultural Council (Cultural Council), the Palm Beach County Film & Television Commission, and the Palm Beach County Sports Commission (Sports Commission). Like the CVB, they are funded through a combination of

“bed tax” dollars, fees and donations. All the above organizations are private corporations with the exception of the TDC, a Palm Beach County advisory board.

You are the owner of The Merchant Strategy, Inc. (TMS). According to your website, TMS has a team of professionals that offer extensive expertise in social license/public involvement, government relations, event production, project management, crisis management, and media outreach. Your team’s technical skills include creative graphic and website design, event promotions and full-scale marketing activities.

You have been approached by community members about planning and hosting a Dragon Boat Race Festival (the Event) in Palm Beach County. Dragon boating requires 20 paddlers, a drummer, and a steers person paddling to cross the finish line faster than their competition. Beginning in Southern China, dragon boating is the fastest growing international team water sports.¹ Orlando, Jacksonville, San Francisco, Philadelphia, Portland, and Boston host similar events. The Event consists of the race itself along with lectures and demonstrations by professionals and a festival celebrating Chinese culture.

Currently, your firm is in the information gathering stage and no firm dates have been set for the Event. However; you expect that such an event would attract several hundred visitors to Palm Beach County. Were you to move forward with this event, your firm would arrange for dockage space and sell sponsorships. The TDC, Sports Commission and the Cultural Council offer public funding to companies for similar events and would likely be involved in the initial funding of the Event. Similarly, the City of West Palm Beach may be interested in sponsoring the Event. In order to secure this funding, you or members of your firm would appear before these organizations and solicit public grant funding and sponsorship dollars.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Code of Ethics:

As defined by the Code of Ethics an *Official* includes members of any advisory, quasi-judicial, or any other board of the county, state or any regional, local, municipal or corporate entity appointed by the board of county commissioners or members of local municipal governing bodies.² The CVB is a private, non-profit corporation funded in part by County Bed-Tax dollars. You were appointed to serve on the board of the CVB by Palm Beach County Commissioner Karen Marcus. Accordingly, as a BCC appointee serving on a corporate board, you are an “Official” as defined by the Code of Ethics. Because the CVB is not a board that was created by the County, it is not an advisory board and consequently, while you are an official, you are not an advisory board member as defined by the Palm Beach County Code of Ethics (the Code).³

The Code prohibits you from using your official position to give yourself, your outside business or a customer or client of your outside business, a financial benefit, in a manner which you *know or should know with the exercise of reasonable care will result in a special financial benefit not shared with similarly situated members of the general public.*⁴ You intend to solicit public funding for the Event from the Sports Commission, Cultural Council, and potentially, the City of West Palm Beach. While you are not prohibited from soliciting or accepting these funds, you must do so in your professional capacity alone, not in your official capacity as a member of the CVB.⁵ In regards to the TDC, as explained below, entering into a contractual relationship with a County board may be prohibited.

Section 2-443(c) similarly prohibits you from voting on an issue or participating in a manner that comes before the CVB that would result in a special financial benefit for yourself, your outside business or a customer or client of your outside business. Should you seek funding for the Event or promotional assistance from the CVB, you may

¹ San Francisco International Dragon Boat Festival, *available at*: www.sfdragonboat.com

² Palm Beach County Code of Ethics, Art. XIII, §2-442 Definitions. *Official or employee*

³ Palm Beach County Code of Ethics, Art. XIII, §2-442 Definitions. *Advisory board*, RQO 11-107, RQO 11-105

⁴ Palm Beach County Code of Ethics, Art. XIII, §2-443(a)(1),(4) and (5)

⁵ RQO 11-029

not vote or participate in a presentation before your board.⁶ This section addresses the scenario whereby in voting you would violate the misuse of office prohibitions of the code. In such a scenario you are required to 1) disclose the nature of your conflict before your board discusses the issue; 2) abstain from any discussion or vote or otherwise participate in the matter; and 3) File a state voting conflict form (8B), submitting a copy to the CAB clerk and the Palm Beach County COE.

In this context, “participate” means that you may not present the Event to the CVB or take part in any presentation or discussion regarding the project with your fellow CVB board members.⁷ Again, you are not prohibited from meeting with and presenting to other governmental entities or non-profit boards. However, it is imperative that should you submit and discuss the Event with CVB staff, Sport Commission or Cultural Council staff or County staff prior to the matter coming before your board, you may not use your official position to influence the process. The misuse of office and voting conflict prohibitions apply to you personally, or someone using your official title or position at your direction.⁸ Therefore, you are not prohibited from working with staff in your personal capacity on your client’s project up and until it goes before your board. Additionally, this provision does not prohibit other owners or employees of your outside business from representing your client’s interest in these matters.⁹

Finally, Section 2-443(d) prohibits employees, officials and advisory board members from contracting with their government agency. As an official appointed by the BCC, you are prohibited from entering into contracts or transactions with Palm Beach County. This prohibition extends to all county boards or departments, including the TDC.¹⁰ While your status is that of an *official*, you are not an *advisory board member* as the CVB is not an advisory board. Were the CVB a board created by the BCC, and its board members advisory board members, entering into a contractual relationship with the CVB would violate this section, since the CVB is a decision-making board and *provides regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction*.¹¹ However; since the CVB is a private entity, even though it uses public dollars, it is not within the jurisdiction of the Code and its members are not prohibited by the Code from entering into contracts or transactions with the CVB. Similarly, no such prohibition extends to any contracts entered into with other non-profit organizations, the City of West Palm Beach, or other interested municipalities in Palm Beach County.

IN SUMMARY, based upon the facts and circumstances you have submitted, you are not prohibited from soliciting funds for an Event from public and private entities, other than the TDC, provided that you do not use your official position as a director of the CVB to obtain a special financial benefit for yourself, your outside business or a customer or client of your outside business.

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at (561) 233-0724 should you have any further questions in this matter.

Sincerely,

Alan S. Johnson,
Executive Director

ASJ/mcr/gal

⁶ RQO 11-067

⁷ *Id.*

⁸ RQO 11-076

⁹ RQO 11-117

¹⁰ CEO 91-26 (In determining an official’s “agency” for purposes of the Code of Ethics, an advisory board to a governing body is part of the governmental entity).

¹¹ Palm Beach County Code of Ethics, Art. XIII, §2-443(e)

July 13, 2012

Carla Crow, Budget Analyst I
Office of Financial Management and Budget
301 N. Olive Avenue, 7th Floor
West Palm Beach, FL 33401

Re: RQO 12-037
Gifts to spouse

Dear Ms. Crow,

The Palm Beach County Commission on Ethics (COE) considered your request for an advisory opinion on June 7, 2012 and tabled the issue. Subsequently, the COE rendered its opinion at a public meeting held on July 12, 2012.

YOU ASKED in your submission dated April 30, 2012, whether you may benefit from gifts given to your husband unrelated to your status as a Palm Beach County employee and if so, whether the value of these gifts must be reported pursuant to the Palm Beach County Code of Ethics (the Code).

IN SUM, the prohibitions and transparency requirements of the Code apply to gifts given to your spouse only where the gift is provided with the intent to benefit you as a public employee. Where there is no nexus between the gift and your status as a public employee, the gift may be viewed as given to your spouse and is neither prohibited nor otherwise regulated under the Code, notwithstanding the fact that you may share in its benefit.

The specific facts and circumstances surrounding a particular gift will determine whether or not the gift is considered an indirect gift to a public employee because the gift is provided with the intent to benefit the employee.

THE FACTS as we understand them are as follows:

You are a Budget Analyst in the Palm Beach County Office of Financial Management and Budget. Your husband is an ordained minister and often receives gifts from his parishioners. These gifts are given to him based on the work that he performs; however, you often receive a benefit from the gifts as well. Examples include gift certificates to restaurants and free use of a vacation home. There is a potential that a donor may be a vendor of the County. You maintain that the gifts are given to your husband and none of the gifts are based upon your status as a Palm Beach County employee.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Commission on Ethics Ordinance and Code of Ethics, which took effect on June 1, 2011:

Section 2-443(a) and (b) of the Code prohibit you from accepting any benefit, directly or indirectly, as a quid pro quo in exchange for an official action, whether corruptly, or as a special financial benefit to you or your husband. In addition, §2-444(e) prohibits you from accepting a gift in exchange for the past, present or future performance of your official duties. Based on the facts and circumstances you have submitted, the gifts received by your husband are related solely to his position as an ordained minister and have no connection to your public employment.

Section 2-444(a)(1) states as follows:

No county commissioner, member of a local governing body, mayor or chief executive when not a member of the governing body, *or employee*, or any other person or business entity on his or her behalf, shall knowingly solicit or accept *directly or indirectly*, any gift with a value of greater than one hundred dollars (\$100) in the aggregate for the calendar year from any person or business entity that the recipient

July 12, 2012

knows, or should know with the exercise of reasonable care, is a vendor, lobbyist or any principal or employer of a lobbyist who lobbies, sells or leases to the county or municipality as applicable.

You indicated that there is a potential that a donor may be a vendor of the County. As such, if a portion of the gift is attributed to you, albeit indirectly, it may be prohibited if the value exceeds \$100, annually in the aggregate. While you are not directly receiving any of the gifts, you are receiving a benefit from those gifts that are shared with your husband. Ordinarily, a gift from your husband is excluded from the definition of gift, unless the circumstances were to demonstrate that the gift was provided to your husband by the donor with the intent to benefit you in relationship to your position as a public employee.¹

The Commission on Ethics (COE) has issued several opinions regarding the application of the Code to these indirect gifts to family members. In the case of scholarships to children of public employees, the COE has opined that *where scholarship eligibility is contingent upon a parent's public employment, scholarship funds provided to a child are considered an indirect gift to the parent.*² In that case the gift is considered an indirect gift to the employee because the gift is provided with the intent to benefit the employee. On the other hand, where a scholarship is offered to all town residents and the children of any person employed by a business within the town and a town employee's child receives one of the scholarships, it is not an indirect reportable gift.³ The basis for this exemption can be found in the Code exception for offers available to the general public.⁴

The COE has previously opined that the value of gifts that flow through a spouse to a public employee, and not otherwise exempt under the Code, are reportable if the value of your share in the gift exceeds \$100.⁵ After reviewing the Florida Administrative Code and hearing public comment on this matter, we recede from our prior decision in RQO 11-022. The Florida Administrative Code exempts gifts given to a spouse in their personal capacity and independently of their spouse's status as a public employee.⁶ Adopting the factors suggested in the Florida Administrative Code, the Commission will, among others, consider the following factors in determining whether an indirect gift has been made:

1. The existence or nonexistence of communications by the donor indicating the donor's intent to make or convey the gift to the public employee or official rather than to the intervening third person;
2. The existence or nonexistence of any relationship between the donor and the third person, independent of the relationship between the donor and the public employee or official, that would motivate a gift to the third person;
3. The existence or nonexistence of any relationship between the third person and the public employee or official that would motivate the gift.
4. Whether the same or similar gifts have been or are being provided to other persons having the same relationship to the donor as the third person;
5. Whether, under the circumstances, the third person had full and independent decision-making authority to determine whether the public employee or official, or another, would receive the gift;
6. Whether the third person was acting with the knowledge or consent of, or under the direction of, the donor;
7. Whether there were or were intended any payments or bookkeeping transactions between the third person and the donor, reimbursing the third person for the gift; and

¹ Section 2-444(g) defines a gift as *the transfer of anything of value* and §2-444(f) requires employees to complete an annual gift disclosure report, reporting any single gift in excess of \$100, unless one of several exceptions apply. One such exception, §2-444(g)(1)b includes gifts from relatives, domestic partners or household members.

² RQO 11-081, also see, RQO 12-017 ("For purposes of gift law reporting, tuition discounts or scholarships received by public employees or their family members for degree programs, when based on their public employment status, are reportable gifts under the Code of Ethics.")

³ RQO 11-057

⁴ §2-444(g)(1)f. "Publicly advertised offers for goods or services from a vendor under the same terms and conditions as are offered or made available to the general public."

⁵ RQO 11-022

⁶ While the Commission may consult, among other sources, section 112.3148, Florida Statutes and the Florida Administrative Code, to determine the value of a gift; however, we are not mandated to do so. As permitted under state law, local ordinances may impose additional or more stringent standards of conduct and disclosure requirements. See, RQO 12-024.

8. The degree of ownership or control the donor has over the third person.⁷

Although not suggested in the Florida Administrative Code, the nexus between the gift donor and the public employee's department, official duties and responsibilities are additional factors to be considered.

IN SUMMARY, based upon the facts you have submitted, provided there is no nexus between the parishioner donors of gifts, given to your husband in his capacity as Pastor, and your duties and responsibilities as a County employee, and the gift is not otherwise given to you with the intent to benefit you in your public capacity as a County employee, these gifts are neither prohibited nor reportable, even if the shared value of such a gift exceeds \$100.

The COE cannot opine regarding speculative facts and circumstances. Ultimately, the status of an individual gift to your husband, the value of which is shared by you, will depend upon the facts and circumstances surrounding the individual gift.

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at 561-233-0724 if I can be of any further assistance in this matter.

Sincerely,

Alan S. Johnson
Executive Director

ASJ/gal

⁷ Fla. Admin. Code R. 34-13.310(6)(c)

July 13, 2012

Pastor Leo Abdella, Community Relations Director
Christ Fellowship Church
5343 Northlake Boulevard
Palm Beach Gardens, FL 33418

Re: RQO 12-050
Lobbyist

Dear Pastor Abdella,

The Commission on Ethics (COE) considered your request for an advisory opinion and rendered its opinion at a public meeting held on July 12, 2012.

YOU ASKED in your email dated June 25, 2012, whether an organization that previously retained a lobbyist for land planning matters, and may again retain a lobbyist in the future, but does not presently retain a lobbyist, is a principal or employer of a lobbyist as defined by the Palm Beach County Code of Ethics (the Code).¹

IN SUM, based on the facts and circumstances you provided, Christ Fellowship Church (CFC) is not currently a principal or employer of a lobbyist as defined by the Code. While CFC has employed a lobbyist in the past and may do so at some time in the future, CFC does not have an existing or pending contract with any individual or entity for lobbying services.

The FACTS as we understand them are as follows:

You are a pastor at Christ Fellowship Church (CFC). CFC has several campuses in Palm Beach County. When CFC purchased and developed those properties, the church hired a land planner and registered lobbyist to assist in the site plan review process. Should CFC expand in the future, you anticipate that the church will again hire a land planner to assist in the process. Because CFC retained a lobbyist in the past and may do so in the future, you are seeking clarification from the Commission as to whether CFC is a principal or employer of a lobbyist.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Code of Ethics:

Section 2-442 of the Code defines a lobbyist, in part, "as any person *who is employed* and receives payment, or who *contracts* for economic consideration, for the purpose of lobbying on behalf of a principal ..." To fall within the definition of a lobbyist, the lobbyist must have an *existing* contract or be employed for the purpose of lobbying on behalf of a principal. Similarly, a business, organization or individual that retained a lobbyist in the past, but does not have an existing contract or agreement to employ a person for the purpose of lobbying, is no longer a principal or employer of a lobbyist, notwithstanding the fact that they may again retain a lobbyist at some indeterminate time in the future.

Just as §2-444(a)(1) prohibits officials, advisory board members and public employees from accepting gifts valued in excess of \$100, annually in the aggregate, given by lobbyists, principals or employers of lobbyists who lobby their government entity, principals and employers of lobbyists are prohibited by §2-444(a)(2) from giving such a

¹ In RQO 12-048, Mr. Abdella asked whether CFC could invite municipal and county elected officials to a 2 day leadership summit. The COE opined that the value of the summit in excess of \$100, calculated for each individual elected official, would constitute a prohibited gift if CFC were a vendor or lobbyist of the applicable official's government. No reference was made in the facts and circumstances indicating that CFC had employed a lobbyist in the past, or may do so again in the future.

gift. Under the circumstances you describe, these prohibitions would not apply to a donor who does not currently employ a lobbyist.

The plain language of the Code applies to current status, provided there is no apparent subterfuge or scheme to circumvent the Code by altering or terminating the lobbyist/principal relationship for a brief period of time for the purpose of offering or accepting prohibited gifts. The COE will not opine as to speculative facts and circumstances. At this time, you do not know when, if ever, the services of a lobbyist will again be required by CFC.

IN SUMMARY, based upon the facts and circumstances presented, CFC is not a current principal or employer of a lobbyist and is not subject to the gift law prohibitions specific to lobbyists as provided by the Code.

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at (561) 233-0724 should you have any further questions in this matter.

Sincerely,

Alan S. Johnson,
Executive Director

ASJ/mcr/gal

Commission on Ethics

Social Media Policy

Purpose

The Commission on Ethics (COE) recognizes that public entities must expand their traditional communication methods in order reach a broader audience. This requires the COE to adapt to the fast-changing landscape of the internet and the way citizens communicate and obtain information online.

While the COE website will remain the public's primary access point to COE records, advisory opinions, training and forms, social media can increase the public's access to this resource. Policy goals include the establishment of guidelines for the use of social media by the Commission on Ethics and to provide a standard of conduct for COE staff in the implementation of social media to better engage with the citizens of Palm Beach County.

Access/ Authorized Use

- Access to social media networks on COE computers is limited to individuals performing official COE business.
- The Executive Director will designate which social media sites shall be used and will designate which COE employees are authorized to use social media on behalf of the COE within designated access levels.
 1. Access levels include identifying what sites, or type of sites, the individual is approved to use, as well as defining capability to publish, edit, comment or view only.
 2. Employees performing COE social media work beyond normal work hours shall receive pre-authorization from the Executive Director.
- Account password information shall only be shared with staff authorized to use social media on behalf of the COE
 1. A record shall be maintained containing the name of each social media account, password and registered email address, and shall include the date established, authorized user/users and the name of the account creator who agreed to the sites terms of service agreement/ policy.
- If an employee responsible for maintaining content of a social media site/ page leaves the COE or is removed as a social media administrator the passwords to those social media sites/ pages shall be immediately reset.

Security

- Social media accounts must use an official COE email address.
- Transferring sensitive, non-public record information over social media is prohibited.
- A social media application should not be used unless it serves a public purpose, comes from a trusted source and is approved by the County's IT department.
 1. An application shall be immediately removed if there is any reason to believe that it is causing a security breach or computer virus.
 - ~~1-2.~~ An application shall be removed at the direction of the Executive Director if it is found to be political in nature or presents an appearance of impropriety, is offensive, obscene or otherwise inappropriate. [MCR1]

Content

- Social media sites/pages shall contain visible elements that identify them as an official COE site/page. This may include, but not limited to, the official COE seal, contact information and a link to the COE website.
- Sites/pages shall include an introductory statement which clearly specifies the purpose and topical scope of the site/page.
- Posted information will reflect the COE's goals for using social media technology and will be relevant and timely. Additionally, posts should stand alone in nature, allowing for the posting to be a topic or category oriented toward creating awareness and promoting discussion.
- Non-public information shall not be posted/shared on a COE social media site/page.
- Sharing or posting of content owned by others shall be performed in accordance with copyright, fair use and established laws pertaining to such materials.
- Links to other social media sites or websites are approved if they meet the following criteria:
 1. Creates awareness and discussion on COE related topics
 2. Does not raise partisan questions, issues or promote a political agenda or campaign.
 3. Are sites created by state regional or federal government agencies, special purpose districts, and hospitals, scientific or cultural organizations.
 4. Content does not contain inappropriate or offensive material or information irrelevant to the COE's mission or services.
- All approved links shall include a disclaimer stating that the COE does not guarantee the authenticity, accuracy, appropriateness or security of the link, website or content linked thereto.
- When possible, content posted to a social media site/page will also be available on the COE website.

1. Links will direct users back to the COE's website for in depth information, forms, documents or online services necessary to conduct business with the COE.

Public Comment

- The COE may disable commenting features on its social media sites/pages in accordance with publically noticed site/page policies.
- When public comments are enabled a site/page must clearly display a comment policy informing the public of the discussion topic introduced for public comment and the limited nature of the discussion. Inappropriate or discriminatory posts are subject to removal regardless of format (text, video, images, links, documents, etc). This policy will also inform the public that comments are subject to public disclosure laws.
- Comments containing any of the following shall be removed:
 1. Comments not relevant to page content
 2. Profane or harassing language or tone
 3. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, sexual orientation, national origin. physical or mental disability or status with regard to public assistance
 4. Obscene sexual content or links to sexually oriented materials
 5. Solicitations of commerce
 6. Conduct or encouragement of illegal activity
 7. Information that may lead to compromise the safety or security of the public, public servants or public systems
 8. Content that violates a legal ownership interest of any other party
 9. Promotion or opposition to any person campaigning for election to a political office or promoting or opposing any ballot initiative
 10. Disclosure of information which the COE and its employees are required to keep confidential by law or regulation
 11. Attempts to circumvent public records or open meetings laws

Site Monitoring

- An authorized COE staff member(s) shall regularly monitor site/ page content for exploitation and misuse and to ensure the content does not become stale.
- All comments will be approved by an authorized COE staff member.
- Comments should remain regardless of whether the content of the comment is favorable or unfavorable. *Only posts which violate the comment policy will be deleted.*
- Prompt corrective action shall be taken when an issue arises that places, or has the potential to place, the County, the COE, any other public agency, or the general public at risk.

- Prompt corrective action shall be taken when an issue arises that places, or has the potential to place, a public official, employee, or member of the general public at risk.
- Any user posting comments in violation of the comment policy will be given a warning on their first offence. If a user commits a subsequent offence, that user shall be banned from the page.

Public Records/ Record Retention

- All posted content, comments, replies and email/ messages on any COE social media site are subject to Florida Public Records Laws.
- The COE will respond completely, accurately and in a timely manner to all social media public records request.
- Social media content shall be retained on a regular schedule in an easily assessable format that preserves the integrity of the original record.
- Any content posted in violation of the comment policy must be retained before deletion. Upon deletion, the time, date, identity of the poster (users name/ screen name) and a description of the reason the content is in violation of the comment policy shall be filed along with the retained content.
- Official COE business emails/messages and other correspondence conducted over personal social media channels shall be retained in a manner similar to other official COE documents.

Standards of Conduct

- The same standards, principles and guidelines that apply to COE employees in the performance of their assigned duties apply to social media use by those employees.
- Employees using social media on behalf of the COE shall:
 1. Not knowingly communicate inaccurate or false information. All reasonable efforts should be made by the COE member to provide only verifiable facts and not speculative facts or opinions
 2. Be as transparent as possible without disclosing information of a non-public nature
 3. Respect public opinion, whether positive or negative, provided the opinion is “on topic” and does not violate the comment policy.
 4. Provide links to credible sources of information to support its interactions, when possible
 5. Use proper grammar and avoid using jargon and abbreviations.
- Authorized social media users participating in *personal social media discussions* related to COE matters shall indicate that viewpoints are personal and do not necessarily reflect COE opinion.

1. A disclaimer will be posted with the content stating: "The postings are my own and do not represent the opinion of the COE"
- A COE employee using social media in their official or nonofficial capacity shall not write anything that is or could appear to be legal advice. Legal issues must be handled through the COE's regular procedures.
 - If a COE employee is responding on a non COE social media site/page concerning an official COE matter, the employee must be sure to identify themselves and their position. They must only comment about matters they are qualified to address and may not respond without first consulting the Executive Director.
 - A COE employee using a personal social media account, and who is known to the general public, must ensure their profile and related content is consistent with how they wish to present themselves as a professional, and appropriate to the public trust associated with their position.
 - A COE employee will not use a COE email address or password to access any other social media site/ website for personal use.

XIII Policy and Procedure Clarification Re: Processing of Complaints that are filed within 30 days of Election

Background:

Staff was requested to review the applicable codes and rules of procedure to determine protocol for complaints filed within 30 days of an election and if a change in rules on the issue is warranted.

Staff Analysis:

Both the Palm Beach County Commission on Ethics Ordinance and the Commission Rules and Procedures are silent as to when a complaint may be filed. Likewise, there is no time constraint regarding the filing of a complaint prior to an election. Aside from legal sufficiency requirements, a complainant may file his or her complaint at any time. Nor is there any requirement that a complainant withhold the filing of a complaint from public disclosure. The COE does not possess the power to order a complainant to not disclose the filing of a complaint or the supporting documentation provided by, and in the possession of, the complainant. Notwithstanding, pursuant to §2-260(g) public records exemption, "The complaint and all records held by the commission on ethics and its staff related to an active preliminary investigation are confidential and exempt from disclosure..." This exemption is also found in COE Rule of Procedure 3.3. Consistent with §2-257 of the COE Ordinance pertaining to organization, the COE Executive Director has adopted personnel and management policies, including policies pertaining to staff response to public inquiries involving ongoing investigations that are not yet public record. Office Policy and Procedure 6.1 prohibits staff from commenting on "any matter that is not a public record."

While it may be within the power of the COE to promulgate a rule of procedure interpreting the public records exemption mandated by the Code to include a freeze on the acceptance of a complaint within a reasonable time prior to an election, the fact that the complaint process itself takes some time before records become public would seem to make such a finding unnecessary.

Staff recommendation:

No action by the COE is warranted.