

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

**NOVEMBER 5, 2020**

**THURSDAY  
1:29 P.M.**

**COMMISSION CHAMBERS  
GOVERNMENTAL CENTER**

**I. CALL TO ORDER**

**II. ROLL CALL**

MEMBERS:

Peter L. Cruise – Chair  
Michael S. Kridel – Vice Chair  
Carol E. A. DeGraffenreidt  
Michael H. Kugler  
Rodney G. Romano

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Executive Director  
Mark Higgs, COE Investigator II  
Abigail Irizarry, COE Investigator II  
Christie E. Kelley, Esq., COE General Counsel  
Gina A. Levesque, COE Intake and Compliance Manager

ADMINISTRATIVE STAFF:

Danielle Freeman, Deputy Clerk, Clerk & Comptroller's Office

**III. INTRODUCTORY REMARKS – None**

**IV. APPROVAL OF MINUTES FROM SEPTEMBER 3, 2020**

**MOTION to approve the September 3, 2020 minutes. Motion by Rodney Romano, seconded by Michael Kugler, and carried 5-0.**

**V. APPROVAL OF MINUTES FROM OCTOBER 1, 2020**

**MOTION to approve the October 1, 2020 minutes. Motion by Michael Kugler, seconded by Michael Kridel, and carried 5-0.**

**RECESS**

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

**RECONVENE**

**At 2:36 p.m., the meeting reconvened, and at Chair Cruise's request for a roll call, Commissioners DeGraffenreidt, Kridel, Kugler and Romano were present.**

**VI. Executive Session – C20-001**

**VI.a.**

Vice Chair Kridel read the following Public Report and Final Order Decision:

Mark E. Bannon, Executive Director of the Palm Beach County Commission on Ethics (COE), filed the above-referenced complaint on January 21, 2020, against Respondent, Nohemi Polanco, a city of Pahokee employee, alleging that Respondent's outside business entered into a contract with the City of Pahokee to perform landscaping services, in violation of Section 2-443(d) of the Palm Beach County Code of Ethics.

Pursuant to §2-258(a) of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On November 5, 2020, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate and Respondent, the Commission issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance after determining that the violation was unintentional, inadvertent, or insubstantial.

Therefore, it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Nohemi Polanco, is hereby DISMISSED and a Letter of Instruction is issued.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on November 5, 2020.

By: Peter L. Cruise, Chair

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

## VII. EXECUTIVE DIRECTOR COMMENTS

### VII.a.

**DISCUSSED:** Selection of Candidates.

Mark Bannon COE Executive Director, said that:

- COE candidates were submitted to the Board of County Commissioners (BCC) with a request that the agenda item be placed as soon as possible.
- The Palm Beach County League of Cities was also recommending two candidates.

Chair Cruise asked when BCC voting would take place.

Mr. Bannon replied that the vote to make any changes would go before the BCC and not the voting public.

### VII.b.

**DISCUSSED:** Virtual COE Meetings.

Mr. Bannon stated:

- The COE previously discussed holding shorter meetings virtually since some commissioners lived a great distance away.
- Virtual meetings were previously held according to Governor DeSantis's order.
- The Florida Constitution and The Sunshine Law stated that the public must have access to meetings and that there be a physical quorum of 3 members.
- Exceptions were made on a permanent basis for those with disabilities who could not attend in person.
- An exception in the COE allowed someone who was out of town on a temporary basis to participate by phone as long as there was a physical quorum.

**VIII. COMMISSION COMMENTS**

**VIII.a.**

**DISCUSSED:** Business conducted with a municipality.

Commissioner Kugler stated if anyone had a close family member that wanted to conduct business with a municipality or a government entity an approval is to be obtained, and the code of ethics must be consulted.

**VIII.b.**

**DISCUSSED:** Expression of Gratitude.

Commissioner Romano said that he appreciated how well written and concise the complaint reports were. In the future, he would be adding one half hour to his travel time so that he can make it to the meetings.

**VIII.c.**

**DISCUSSED:** Expression of Gratitude.

Commissioner DeGraffenreidt stated that she enjoyed today's discussion and that she was impressed by the commissioner's contributions.

**IX. PUBLIC COMMENTS – None**

**X. ADJOURNMENT**

**At 2:43 p.m., the chair declared the meeting adjourned.**

APPROVED:



Chair/Vice Chair