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**MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST**

In re: MYRON ROSNER

C 09-02 & C 09-04

PUBLIC REPORT AND FINAL DISMISSAL ORDER

This PUBLIC REPORT AND FINAL DISMISSAL ORDER results from merging two separate COMPLAINTS filed in 2009 by private citizens, Barbara Falsey and D.D. Thompson Drumheller. COMPLAINANTS alleged that RESPONDENT Myron Rosner, while serving as a Councilman in the City of North Miami Beach, exploited his official position. Specifically, they contended that, in and around 2006, RESPONDENT Rosner improperly bypassed city procedures to obtain building permits for structures on his private property that did not conform to the city code and were not approved as variances at public hearings.

If true, these actions could violate Sec. 2-11.1 (g) of the County Code, which states the following:

Exploitation of official position prohibited. No [elected city official] shall use or attempt to use his official position to secure special privileges or exemptions for himself or others....

Pursuant to the County Code at Secs. 2-1068 and 2-11.1(a), the Ethics Commission has authority to enforce the County Code against municipal officers.

On June 23, 2009, following an investigation into the charges, the Ethics Commission found PROBABLE CAUSE existed to suggest that at least one or more violations of the County Ethics Code occurred. On June 23, 2011, the Ethics Commission denied RESPONDENT's Motion to Dismiss.

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The Public Hearings in this matter took place on September 22, 2011, October 6, 2011, and October 11, 2011. The Ethics Commissioners completed deliberations on October 25, 2011.

Two Commissioners found that the evidence did not rise to the "clear and convincing" standard required to find that RESPONDENT had exploited his official position. Two Commissioners found a violation, and one Commissioner recused himself. Consequently, lacking a majority vote, a finding that RESONDENT violated the ethics code did not succeed.

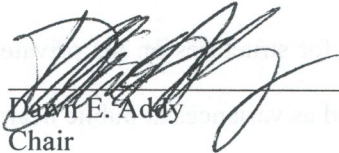
Therefore it is:

ORDERED AND ADJUDGED THAT COMPLAINTS C 09-02 and C 09-04 are hereby DISMISSED.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on October 25, 2011.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:


Dawn E. Addy
Chair

Signed on this date: 11/04/11