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

In re: Thomsen v. Spain

C 13-04

**PUBLIC REPORT
AND
FINAL DISMISSAL ORDER**

Mads Thomsen, a private citizen, filed the above-captioned complaint against Dona M. Spain, the Coral Gables Preservation Officer. The complainant alleged that Ms. Spain acted unethically by recommending that the complainant's 85-year old house in Coral Gables be placed on the city's historic registry. The complainant contends that he did not receive an impartial hearing from the Coral Gables Historic Preservation Board because the Board was unfairly influenced by Ms. Spain's testimony and by interruptions made by board member Dolly Macintyre—all conducted, according to the complainant, in a mocking and condescending manner.

Pursuant to the Code of Miami-Dade County at Secs. 2-1068 and 2-11.1 (y), the Ethics Commission has jurisdiction to enforce the County Ethics Code against municipal employees and board members. However, the allegations set forth in this complaint do not rise to any action prohibited by the County Ethics Code at Sec. 2-11.1.

Meeting in public session on March 20, 2013, the Ethics Commission dismissed the complaint against Dona M. Spain for lack of legal sufficiency because this complaint did not describe an action that violates the County Ethics Code.

Therefore it is:

ORDERED AND ADJUDGED THAT the complaint against Dona M. Spain is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on March 20, 2013.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:


Charlton Copeland

Chair

Signed on this date: 3/20/2013