

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, January 31, 2012 12:42 PM
To: 'greenkimberley@bellsouth.net'
Cc: Centorino, Joseph (COE)
Subject: INQ 12-22 RE: Inquiry of legal responsibility

Ms. Green,

Although attorneys may disagree about the interpretation of various rules and laws, this type of disagreement usually does not rise to the level of an ethics violation under the County Code. In a fact pattern such as the one you presented, the Ethics Code is not likely violated unless there is evidence to prove that a County attorney intentional misrepresented some issue for his or her personal gain.

Sincerely,

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From: Kimberley Green [<mailto:greenkimberley@bellsouth.net>]

Sent: Monday, January 30, 2012 10:25 AM

To: Ethics (COE)

Subject: Inquiry of legal responsibility

Question? Is withholding the full truth a lie?

Would the Attorney for the County, sitting advising the Mayor and Commission face an ethics issue if he failed to disclose the full truth about the County Commission's legal responsibility on a procedural matter?

In specific – on January 24, 2012 the County Commission voted to reconsider their impasse vote and the Mayor's veto. During the meeting they voted to imposed a 4% healthcare Contribution saying that it would only be imposed until September 30, 2012. They asked for a legal opinion on "if" what they wished to do which was until September 30, 2012 not for the 3 years of the contract was allowable. The legal opinion from the lawyer conveyed that they could do that. The Full truth as explained by another union representative lawyer later that evening is that the Charter does not allow that it will still be imposed until the Commission comes back again in September and stop it -

The lawyer representing 4 unions later in the evening after the first group left outlined that the County Charter does not allow them to have the 4% only until September 30, 2012.

So my question is – did the County Attorney in that meeting clearly convey and outline to the commission and public the full impact to Commission?

Was it his full responsibility to CLEARLY and FULLY explain the law and when you watch the hearing – did he fully disclose the truth?