

INQ 02-40

**Meyers, Robert (COE)**

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To: Meyers, Robert (COE)  
Subject: Cooper McMillan Inquiry

I spoke to Cooper McMillan yesterday (9/3/02), who chairs the county's Agricultural Practices Board and he had a conflict of interest question. He asked whether the Farm Bureau appointees to this board can vote on a resolution to widen Krome Avenue to four lanes when the Farm Bureau has already taken an official position on this question. The three Farm Bureau appointees to the county Agricultural Practices Board also sit on the Board of Directors of the Farm Bureau.

I advised Mr. McMillan, after speaking to Ardyth Walker, that 2-11.1(v) was the applicable section and a conflict would be created if the board member was directly affected by the board action and had one of the enumerated relationships described in the section. I advised McMillan that the facts he gave me were not sufficient to establish that the Farm Bureau appointees would be directly affected by the resolution. I did suggest that there could be an "appearance problem" for these board members, but this would not be an ethics violation.

Finally, I advised him to seek a formal opinion from the Ethics Commission and he gave no indication whether he was going to ask for an opinion