

OFFICE OF THE INDEPENDENT ADVOCATE
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
REPORT OF INVESTIGATION

K #: 10-022 Steve Bernard

Date Opened: January 28, 2010

Date Closed: March 2, 2010

Name of investigator: Arthur D. Skinner
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Allegation:

This investigation was predicated upon the receipt of letter from a an anonymous source stating that the Village of Biscayne Park Commissioner Steve Bernard violated the town charter by ordering the village building official to allow a contractor to continue a roofing job without a proper permit from the Village.

Section 2-11.1 of the Code of Miami-Dade County, the County's Conflict of Interest and Code of Ethics Ordinance. . (g) *Exploitation of official position prohibited.* No person included in the terms defined in Subsections (b)(1) through (6) shall use or attempt to use his official position to secure special privileges or exemptions for himself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

Investigation:

January 28, 2010, Investigator Art Skinner interviewed Sira Ramos, in the Village of Biscayne Park Town Hall. Mrs. Ramos was informed of the propose of the interview and gave the following information:

On January 13, 2010 Mrs. Ramos observed A-Star Roofing removing the roof at 959 NE 115 Street. Mrs. Ramos stated she stopped and talked with a man who identified himself as Mark Cameron, the owner of the company. Mr. Cameron explained to Mrs. Ramos that building permit was at Village Hall and he had sent a runner to drop

off the Notice of Commencement. At the Village Hall Mrs. Ramos discovered that his runner (co-worker) had only brought the permit application. Mrs. Ramos told Mr. Cameron that he had to stop the work on the roof until the proper permits had been obtained. A short time later Mrs. Ramos checked the jobsite, and the work was in full swing. She got out of her car and placed a stop work order at the property. Mrs. Ramos stated that she received a telephone call from Building Official Sal Annese that Commissioner Bernard had called him and told him to allow the roofing company to partially complete the job so they can sufficiently protect the residence from possible rain or other damage.

January 29, 2010, Telephone interview with village of Biscayne Park Commissioner Steve Bernard (305) 538-6324. Mr. Bernard was informed of the purpose of the interview and gave the following information: Mr. Bernard stated that he talked with both the Building Official and the Village Manager about the roofing work being done on the residence located at 959 NE 115 Street, Biscayne Park. Mr. Bernard denied ordering or requesting the Building Officer to allow the Contractor Mark Cameron of A-Star Contractors to continue working on the roof. Mr. Bernard stated that he told the Building Official that the Contractor needed to obtain a building permit in order to continue the roofing on the residence. He did tell the building Official that there were some extenuating circumstances that the house needed to be tented and fumigated the following day and he should allow the contractor to either cover the roof with a protective plastic cover or complete the job to the tin-caps to prevent any possible rain damage to the building.

CONCLUSION:

There does not appear to be any violation of the Ethics Ordinance, therefore this investigation is closed per the Advocate.