

From: VolusiaExposed <volusiaexposed@cfl.rr.com>

To: Daniel Eckert <deckert@co.volusia.fl.us>

Bcc:

Subject: Violation of County Charter - Lewis' appointments to Personnel Board and VC Growth Management Commission

Date: Mon, 18 Jun 2012 18:48:39 -0400

Mr. Eckert:

Thank You for your below opinion, allow us to respond as follows:

We (VolusiaExposed.Com) believe our position is correct. Mr. Dwight Lewis' appointment to the Volusia County Personnel Board is in violation of the County Merit System, and therefore a violation of the Volusia County Charter. (as defined in County Merit Rule 86-40(f)(2))

In your below email, you improperly quote 86-40(f)(2) by stating "a candidate for public office or employment."

Actually, 86-40(f)(2) states - "...shall neither HOLD (emphasis added) nor be a candidate for ANY (emphasis added) public office or employment...." (see attached copy)

In opposition to your opinion, the provisions of 86-40(f)(2) are not unclear or vague. If your office would care to read the rule, in it's entirety, and without deletions, we believe, you will come to share our opinion.

In Florida Attorney General, Bill McCollum's 2008-61 opinion (see attached copy), he clearly indicates that a Volusia County Growth Management Commissioner is by definition, a public office. Your own email confirms that a VCGM Commissioer office is a "county office".

County Merit Rule 86-45(b)(1) is of no relevance, given that it solely defines the Code of Conduct for Volusia County employees. Since, Mr. Dwight Lewis is NOT a Volusia County employee, County Merit Rule 86-45(b)(1) has no standing in the matter at hand (Mr. Lewis' appointment to the County Personnel Board).

Since you have apparent faith in YOUR opinion, and due to the importance of this issue, we challenge your office, to submit this matter to the Florida Attorney General for further clarification. We would ask that you incorporate our concerns into your request to the Attorney General.

Our concerns are also detailed within the below web links

<http://volusiaexposed.com/personnelboard/pboardviolation.html>

<http://volusiaexposed.com/beachsafety/countylies.html>

Thank You for the opportunity to express our concerns, and for your communications with us.

Regards;

VolusiaExposed.Com

volusiaexposed@cfl.rr.com

Attachments:

copy - 86-40(f)(2)

copy - AGO 2008-61

bcc - several