

Personal Use of Office in Orange Beach

800 words

Rauf Bolden, Orange Beach

August 14, 2019

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Politicians are a mirror into who we are not who molds us.

The top elected official in Orange Beach showed a serious lack of judgement. Mayor Tony Kennon took a city-owned boat from Coastal Resources, loaded his family onboard and went to the islands on Memorial Day, May 27, 2019. He does not dispute this fact, claiming he was working.

The rationale for pointing the finger of poor judgement at the mayor is the insurance liability incurred by non-city employees, riding in a city-owned boat. Accidents do happen. His actions could have had serious financial consequences for all taxpayers and elected officials in Orange Beach, breaking the news cycle on Facebook.

"Despite having others who are unaffiliated with city aboard and around the boat, [he] was using the vessel that day to oversee [as in working] how ordinances were being enforced and whether Orange Beach was living up to the 'family-friendly' image it's worked to cultivate," said Mayor Tony Kennon in an interview titled: "Orange Beach mayor defends use of city boat on Memorial Day" by Jason Johnson, published in the Lagniappe Mobile on July 17, 2019

(<https://lagniappemobile.com/?s=Orange+Beach+mayor+defends+use+of+city+boat+on+Memorial+Day>).

Does Kennon realize his family members are uninsured riding in city boats?

"Asked about taking his family along, Kennon said his wife goes with him anywhere there's any type of drinking or partying environment or women in swimsuits' to avoid any kind of rumors or suggestions [having resigned from Council once before on June 7, 2005 (http://blog.al.com/live/2010/09/orange_beach_settles_defamatio.html)]. He added that his children go with him 'anywhere and anytime I can take them'," according to a report in Lagniappe Mobile

(<https://lagniappemobile.com/?s=Orange+Beach+mayor+defends+use+of+city+boat+on+Memorial+Day>).

Who picks up the tab for uninsured passengers after an accident?

Poor judgement aside there is also the question of ethics. The Ethics Law is clear, painstakingly written in unambiguous language.

"(§ 36-25-5c) No public official or public employee shall use or cause to be used equipment [boats], facilities, time, materials, human labor, or other public property under his or her discretion or control for the private benefit or business benefit of the public official," according to the Ethics Commission web site

([http://ethics.alabama.gov/docs/2016_DRAFT_CODFICATION_Restated_AL_Ethics_Act_2016_Revisions\(8-1-2016\).pdf](http://ethics.alabama.gov/docs/2016_DRAFT_CODFICATION_Restated_AL_Ethics_Act_2016_Revisions(8-1-2016).pdf)).

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The Ethics Commission is armed with regulatory teeth, having a remedy for personal use of office but they cannot act unless conscientious citizens complain about an elected official's behavior by calling: (334) 242-2997, or using their specific form (<http://www.ethics.alabama.gov/complaints.aspx>).

I suspect fear of reprisals from City Hall stops many residents and business owners from coming forward in Orange Beach, refusing to go on the record, saying they do not have a safe place to share their stories.

Could it be argued taking your family members on a trip around the islands in the Coastal Resources boat on a National Holiday falls outside the common-sense definition of work?

Kennon said, "I have use of every vehicle the city owns [including Police boats]. If it's for a city purpose [defined by me], every piece of equipment is at my disposal," according to a report in the Lagniappe Mobile (<https://lagniappemobile.com/?s=Orange+Beach+mayor+defends+use+of+city+boat+on+Memorial+Day>).

In all fairness Mayor Kennon did defend himself, "I am the president and CEO of a \$60 million-a-year company called the city of Orange Beach," and "according to him, using the boat [for a trip to the island with his family] isn't a violation of Alabama ethics law because the trip was 'pure city business,'" according to a report in Lagniappe Mobile (<https://lagniappemobile.com/?s=Orange+Beach+mayor+defends+use+of+city+boat+on+Memorial+Day>).

Does his argument satisfy the test, delineating city business from personal use of office?

Personally, I think Tony has lost his fastball, doing whatever he pleases, spending taxpayer funds however he pleases.

Otto von Bismarck said, "Politics is the art of the possible." The people of the great City of Orange Beach must decide if a politician acting on his own, self-interpreting the rules for insurance and ethics is a politician for the possible future of the community.

ENDS.

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Disclosure: The views, thoughts, and opinions expressed in the text belong solely to the author. I have no business relationship with any company whose stock is mentioned in this article.