

PALM BEACH COUNTY COMMISSION ON ETHICS
2633 Vista Parkway, West Palm Beach, Florida 33411
Hotline: 877-766-5920

COMPLAINT FORM

1. Complainant (Person bringing Complaint) *Add pages, if necessary.*

Name: Chrystal Mathews
Address: 110169 Isle Wynd Ct
City: Boynton Beach, Fl Zip: 33437
Home #: 561-733-4672 Work #: 561-233-5565 Cell #: 561-282-5910

2. Respondent (Person against whom complaint is made) *Add pages, if necessary.*

Name: Priscilla Taylor
Address: _____
City: _____ Zip: _____
Home #: _____ Work #: _____ Cell #: _____
Title/Office Held or Sought: District 7 County Commissioner

3. IF KNOWN, CHECK THE BOX OR BOXES THAT APPLY

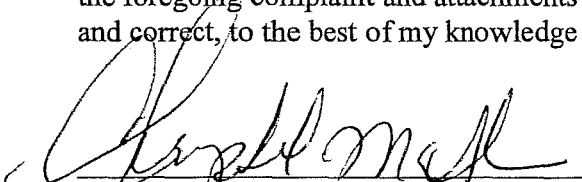
Allegation is against person in
 County Government
Allegation is about County:
 Whistleblower Retaliation

4. STATEMENT OF FACTS BASED ON YOUR PERSONAL KNOWLEDGE

In a separate attachment, please describe in detail the facts and actions that are the basis of your complaint, including the dates when the actions occurred. Also attach any relevant documents as well as names and contact information of persons who may be witnesses to the actions. If known, indicate the section of the ordinance you believe is being violated. For further instructions, see page 2 of this form.

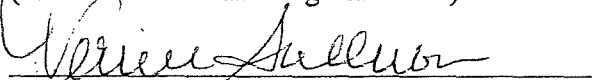
5. OATH

I, the person bringing this complaint, do depose on oath or affirmation and say that the facts set forth in the foregoing complaint and attachments are true and correct, to the best of my knowledge and belief.


Signature of Person Making Complaint

STATE OF FLORIDA COUNTY OF PALM BEACH
Sworn to (or affirmed) and subscribed before me this 13th day of Sept, 2010,

by Chrystal Mathews
(Name of Person Making Statement)

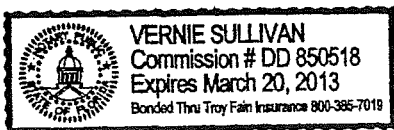

(Signature of Notary Public, State of Florida)

VERNIE SULLIVAN
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known to me

or
Produced Identification

Type of Identification Produced:



To Protect Our Interest And Preserve The Best Quality of Life,

Insist on a GOOD MAN!!!!

For District 7 County Commissioner

VINCE GOODMAN

"We can no longer stand by and watch things happen."
We must provide a knowledge-based district to insure meaningful employment, fair housing, home energy assistance initiatives, job opportunities and the richness of life to each individual's potential, regardless of status or race.



VINCE GOODMAN

Education:

1. Bachelor of Science Degree in Education.
2. Masters Degree in Administration and Supervision

Background:

1. 38 years in education (Palm Beach County)
2. 6 1/2 years, Instructor State Road Prison
3. Vietnam Veteran (Department of Defense)

Public Service:

(serves or served on the following boards)

1. Fair Housing/Equal Employment Opportunity Board
2. Palm Beach County Community Action Board
3. Children's Services Council (Palm Beach County)
4. The US Senate Education Advisory Board.
5. Congressional Contact to former Congressman Tom Lewis, for the Florida Education Association.
6. Former member, C.T.A. Legislative Committee
7. Palm Beach County Republican Party Committee, (former member)
8. Former member Palm Beach County Community Relations Board
9. Past President (1985) North Side Republican Club
10. Served on Riviera Beach's Bi-Racial Board
11. Past Chief Examiner of the Civil Service Board

I will dedicate my activities to the following:

1. Home Energy Assistance Initiatives
2. Housing
3. Employment
4. Help establish enforceable regulations to fighting crime
5. Give special consideration to needs of retirees in Palm Beach County, transportation, Cost of Living, Health Care, Spiraling Taxes and Growth

Paid Political Advertisement, Paid for and approved by
Vince Goodman, Republican, for County Commission, Dist. 7.



10 MAY 10 PM 2:51

10 MAY 10 PM 2:51

PALM BEACH COUNTY EMPLOYEE GRIEVANCE FORM

NOTE: BEFORE FILLING OUT THIS WRITTEN GRIEVANCE, CAREFULLY READ INSTRUCTIONS AS OUTLINED IN CHAPTER 7 OF THE MERIT SYSTEM RULES.

(Please print very plainly or type)

NAME: Chrystal Mathews **JOB TITLE/DEPARTMENT:** Senior Planner/Office of Community Revitalization

MY GRIEVANCE IS AS FOLLOWS:

I did not violate PPM CW-P-012. I did not engage or support any political activities during normal working hours, nor did I utilize public property, equipment or funds for any political activity. In reference to the corrective action recommended, Mr. Tate states that "The employee is expected to comply with PPM CW-P-012 and ensure that at no time any political activities shall be conducted on County premises or events and/or during working hours". However, PPM-CW-P-012 does not specifically mention "county premises or events" as part of the policy. Please see attached documents.

I have discussed this matter with my immediate supervisor, and I am not satisfied with his/her response, and therefore, I hereby request the Department of Human Resources to review my grievance to determine if the issue involved is grievable under the Palm Beach County Merit System rules. (The employee must submit the grievance to the Human Resources Director within five (5) working days of the event giving rise to the grievance.)

Signature Chrystal Mathews Date 8/4/10

The above grievance has been reviewed by the Department of Human Resources, and is Accepted Rejected *for processing through the grievance procedure.

Signature [Signature] Date 8/4/10

Date : (returned to employee from Human Resources) 8/4/10 Signature [Signature] [Signature]

***The above grievance has been rejected for the following reason(s):**

STEP I

IMMEDIATE SUPERVISOR ANSWER: _____

Signature _____ Date Received _____
Date Answered _____

I (am) _____ (am not) _____ satisfied with the answer given by my Immediate Supervisor and (wish) _____ (do not wish) _____ to have my grievance heard by the Division Head.

Signature _____ Date Received _____
Date Answered _____

STEP II

DIVISION HEAD ANSWER: _____

Signature _____ Date Received _____
Date Answered _____

I (am) _____ (am not) _____ satisfied with the answer given by my Division Head and (wish) _____ (do not wish) _____ to have my grievance heard by the Department Head.

Signature _____ Date Received _____
Date Answered _____

STEP III

DEPARTMENT HEAD ANSWER: Chrystal Mathews was responsible for the oversight and coordination of the overall REAP luncheon and its program details. The political endorsement card supporting Vincent Goodman for District 7, County Commission (her father) was placed on my table. Chrystal Mathews should have prevented this action from occurring.

Signature Winston L. Gato Date Received 8/4/10
Date Answered 8/18/10

I (am) _____ (am not) satisfied with the answer given by my Department Head and (wish) _____ (do not wish) _____ to have my grievance heard by the Grievance Committee.

Signature Chrystal Mathews Date Received 8/18/10
Date Answered 8/18/10

**NOTIFICATION AND ACKNOWLEDGMENT OF VIOLATION OF RULES AND REGULATIONS
PALM BEACH COUNTY**

(The following employee is hereby notified of a violation of Rules and Regulations)

EMPLOYEE: CRYSTAL MATHEWS JOB TITLE: SENIOR PLANNER
DEPARTMENT: COUNTY ADMINISTRATION DATE: July 28, 2010
DIVISION: OFFICE OF COMMUNITY REVITALIZATION STATUS: PERMANENT PROBATIONARY

OFFENSE OF CONDUCT: Violation of PPM CW-P-012

DESCRIPTION OF INCIDENT OF OFFENSE (INCLUDE DATE OF OFFENSE): On June 12, 2010, at the REAP Graduation Luncheon,

I observed political campaign literature that endorsed your father. This action conflicts with PPM CW-P-012, which defines the restrictions on County employees regarding involvement in political activities. It was your responsibility to make certain that your father did not campaign in a County event coordinated by you.

ACTION TAKEN: WRITTEN REPRIMAND SUSPENSION _____ (DAYS/HOURS)

FROM: DATE/TIME: _____ TO: DATE/TIME: _____

CORRECTIVE ACTION RECOMMENDED: The employee is expected to comply with PPM CW-P-012 and ensure that at no time any political activities shall be conducted on County premises or events and/or during working hours. In addition, no County property or equipment shall be utilized in the conduct of such activities. Future occurrences of this or other violations of County rules or policies will be addressed through progressive discipline. The employee has demonstrated that she is a valued team player and I trust that she will observe the provisions of this Policy we have discussed. This recommended corrective action is effective immediately. The employee is signing below to acknowledge receipt and understanding of the notification.

SIGNED: _____ (Supervisor) _____ (Date) _____ (Division Head) _____ (Date)
_____ (Department Head) _____ (Date)

I acknowledge that I have been provided with a copy of this disciplinary action and that I have been advised of my grievance rights.

SIGNED: _____ (Employee) _____ (Date)

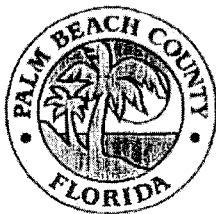
EMPLOYEE COMMENTS: Mrs Mathews states to appeal this written reprimand based on the memo attached.

DISTRIBUTION: ORIGINAL-HUMAN RESOURCES; PINK-DEPARTMENT; YELLOW-EMPLOYEE

witness: [Signature]

MS 113

Employee has requested time to evaluate the disciplinary actions.
9/1 - PCA



**County Administration
Office of Community Revitalization**

2300 North Jog Road, 2-East
West Palm Beach, FL 33411-2741
(561) 233-5311
FAX: (561) 233-5309
www.pbcgov.com/ocr

**Palm Beach County
Board of County
Commissioners**

Burt Aaronson, Chair
Karen T. Marcus, Vice Chair
Jeff Koons
Shelley Vana
Steven L. Abrams
Jess R. Santamaria
Priscilla A. Taylor

County Administrator

Robert Weisman

*"An Equal Opportunity
Affirmative Action Employer"*

Official Electronic Letterhead

MEMORANDUM

TO: Chrystal Mathews, Senior Planner
FROM: Houston L. Tate, Director
Office of Community Revitalization
DATE: July 29, 2010
RE: Disciplinary Actions

First let me say that you are a valued employee, your performance and contribution to the department has exceeded my expectations. Your initiative and analytical input has provided the department with positive ways to achieve its desired successes.

On June 12, 2010, at the REAP Graduation Luncheon, I observed campaign literature on the tables which endorsed your father.

This formal reprimand is based on your actions not conforming to PPM CW-P-012, which defines the restriction on County employees regarding involvement in political activities. It ensures that at no time any political activities shall be conducted on County premises or events.

In summary, you are expected to comply with PPM CW-P-012. Future occurrence of this or other violations of County rules or policies will be addressed through progressive discipline.

You have demonstrated that you are a valued team player and I trust that you will observe this Policy and Procedure we have discussed. Your compliance with such details should be immediate. Please sign below to indicate you received and understand this memo.

Chrystal Mathews

Employee has requested time to evaluate the disciplinary actions.

Houston L. Tate



MEMORANDUM

County Administration
Office of Community Revitalization

2300 North Jog Road, 2-East
West Palm Beach, FL 33411-2741
(561) 233-5311
FAX: (561) 233-5309
www.pbcgov.com/ocr

To: Houston L. Tate, Director
Office of Community Revitalization
From: Chrystal Mathews, Senior Planner
Date: August 2, 2010
RE: Rebuttal to Disciplinary Actions

Palm Beach County
Board of County
Commissioners

- Burt Aaronson, Chair
- Karen T. Marcus, Vice Chair
- Jeff Koons
- Shelley Vana
- Steven L. Abrams
- Jess R. Santamaría
- Priscilla A. Taylor

County Administrator

Robert Weisman

An Equal Opportunity
Affirmative Action Employer

Official Electronic Letterhead

This memo is in response to the formal reprimand memo, the discussion held on July 30, 2010 at 10:30 a.m. and the written reprimand alleging that I, Chrystal Mathews, violated PPM CW-P-012.

PPM CW-P-012 states, "It is the policy of the Board of County Commissioners that all County officers and employees are citizens and as such are afforded all the rights and privileges with respect to this nation's democratic process as are enjoyed by citizens not in County employment. These include such activities as contributions of funds or efforts in support of the campaign of a candidate for public office, or the display of advertising materials in support of a candidate on the personal or private property of such employee. At no time may any County employee engage in any political activities during normal working hours, nor shall any public property, equipment or funds be utilized in the conduct of such activities".

The Corrective Action Recommended from the Notification and Acknowledgement of Violation or Rules and Regulations states "The employee is expected to comply with PPM CW-P-012 and ensure that at no time any political activities shall be conducted on County premises or events and/or during working hours. In addition, no County property or equipment shall be utilized in the conduct of such activities. Future occurrences of this or other violations of County rules or policies will be addressed through progressive discipline. The employee has demonstrated that she is a valued team player and I trust that she will observe the provisions of this Policy we have discussed. This recommended corrective action is effective immediately. The employee is signing below to acknowledge receipt and understanding of this notification".

In May 2010, I approached Deputy County Administrator, Verdenia Baker outside of the Governmental Center requesting advice on conflict of interest issues regarding the campaign of Vincent Goodman, my father. Mrs. Baker referred me to Lenny Berger, County Attorney. On May 26, 2010, I e-mailed Lenny Berger (See attached e-mail).

On Saturday, June 12, 2010, the Office of Community Revitalization hosted a graduation ceremony at the Airport Hilton for participants who completed the five week Resident Education to Action Program (REAP) leadership and civic engagement training. I, as REAP Coordinator, was in charge of all program logistics as well as introducing the Keynote Speaker, Chief Deputy Michael Gauger, PBSO (See Program and Seating Chart Attached).

During this event I did not solicit, support, endorse or acknowledge my father, Vincent Goodman's, campaign for County Commission. Mr. Goodman was seated at the reserved table for the Mathews family. Mr. Goodman acted independently without my knowledge or support, a fact acknowledged by him in a separate letter.

On July 30, 2010 at 10:30am, Mr. Tate requested to speak with me in Planning's Library. At this time, the disciplinary action and written reprimand for violation of PPM CW-P-012 were brought to my attention. Mr. Tate stated that he personally did not have facts to support the violation because he did not personally observe me or my father (Vincent Goodman) place any campaign literature on any tables, before or during the REAP Graduation. Considering these facts alone, it would be inappropriate for Mr. Tate to reprimand me for the violation of PPM CW-P-012 since there is no evidence to support the allegation of violation. When asked who directed the disciplinary action, Mr. Tate advised that there was a discussion with a panel. I asked who was on this panel but was not given that information.

Also, Mr. Tate stated that "If this was a major offense, you would have been suspended". In addition, Mr. Tate stated that he did not believe this was something planned or intentional on my behalf or that of my father but that he was instructed to "take care of the situation".

In due diligence and in fairness the panel should have conducted interviews of me, my father and those seated at the table with him that day: Commissioner Shelly Vana, Commissioner Priscilla Taylor, Commissioner Aide, Dennis Lipp, Deputy County Administrator, Verdenia Baker, Jay Mattison, Palm Beach Community College, to determine whether any violation of County policy had occurred instead of reaching conclusions not supported by any evidence.

PPM CW-P-012 is not applicable in this case: at no time did I engage in any political activities during normal working hours, nor did I utilize public property, equipment or funds for any political activity. In reference to the corrective action recommended, Mr. Tate states that "*The employee is expected to comply with PPM CW-P-012 and ensure that at no time any political activities shall be conducted on County premises or events and/or during working hours*". However, PPM-CW-P-012 does not specifically mention "county premises or events" as part of the policy.

In conclusion, no facts have been presented to support the disciplinary allegations. I respectfully request that the disciplinary action memo and Notification and Acknowledgement of Violation Of Rules And Regulations documentation be removed from my personnel file and/or the allegation of violation be amended to read that it is unfounded. I further request that a copy of this rebuttal, email from Leonard Berger, County Attorney, the disciplinary action memo and Notification and Acknowledgement of Violation of Rules and Regulations be forwarded to the new Ethics Commission for review. In addition I request a written copy of the findings regarding the disciplinary actions.

In closing, please keep in mind that I have been and remain a highly respected and exemplary employee for the past nine years. I have been awarded several County Administrator's Golden Palm Awards, a National Association of Counties Award (NACO) and numerous plaques and certificates of achievement and dedication to service from local agencies and resident groups. I have never been disciplined for a violation of this policy or any other.

Memo

To: Whom it may concern
From: Vincent R. Goodman Sr.
Date: 8/2/2010
Re: REAP Graduation Ceremony

On June 12, 2010 I attended the REAP graduation as a guest of my daughter, Chrystal Goodman-Mathews (the coordinator of the graduation program). I did not attend the event as a candidate for office but as a proud supporter my daughter. No campaign material was placed on any table however, I did speak to a few people and handed them my card. Thank you for your time.

Sincerely,



Vincent R. Goodman Sr.
Vincegoodman1@msn.com

INVESTIGATIVE REPORT

To: Alan Johnson, Executive Director
From: Mark E. Bannon, Investigator
Date: October 27, 2010
Re: Complaint C10-004

- **Background**

As stated in the Director's Memorandum of Legal Sufficiency to the Commission, Complainant, Crystal Mathews, a county employee, filed the above referenced complaint against Respondent Commissioner Priscilla Taylor. The Complainant is the daughter of Vincent Goodman, who is running against Respondent for the position of Palm Beach County Commissioner, District 7. On June 12, 2010, Office of Community Revitalization hosted a luncheon honoring graduates from a five week Resident Education to Action Program (REAP). The function took place at an area hotel. Members of the community attended as well as county commissioners and county staff.

County policy and procedure prohibits employees from participating in campaign activities during working hours or on public property. During the luncheon, a political advertisement was found on one of the tables promoting Mr. Goodman for county commission. According to the allegations submitted by Complainant, she was never accused of personally engaging in political activity at the luncheon but was nonetheless disciplined by written reprimand for allowing the activity to take place. Respondent attended the luncheon and was sitting at the table containing the literature. Complainant alleges that upon being disciplined, she asked her supervisor, also present at the event, who had directed the disciplinary action be taken against her and was told that he was instructed to "take care of the situation." The Complainant did not personally hear this directive but believed it was given by Respondent.

The Commission determined that further investigation should be conducted in this case on October 7, 2010. The case was assigned to me on October 21, 2010 for follow-up investigation.

- **Persons Interviewed**

1. **Houston Tate**, Director of Office of Community Revitalization (by Director Johnson)
2. **Verdenia Baker**, Deputy County Administrator, Palm Beach County
3. **Dennis Lipp**, Executive Assistant to Palm Beach County Commissioner Jess Santamaria
4. **Priscilla Taylor**, Palm Beach County Commissioner, District 7
5. **Wayne Condry**, Director of Human Resources, Palm Beach County
6. **Dr. Jay Matteson**, Palm Beach State College
7. **Shelly Vana**, Palm Beach County Commissioner, District 3

- **Documents Submitted**

1. Notification and Acknowledgment of Violation of Rules and Regulations form
2. Memorandum of Disciplinary Action
3. Palm Beach County Grievance Form
4. Memorandum of Rebuttal to Disciplinary Actions by Crystal Mathews, dated August 2, 2010
5. Memo by Vincent R. Goodman, Sr., dated August 8, 2010
6. PB County Policy (PPM) CW-P-012, Political Activities of County Employees
7. Section 2-443(a), (Prohibited Conduct, Misuse of public office or employment), Palm Beach County Code of Ethics
8. Palm Beach County Charter (Section 2.5, Noninterference Clause, Page 8-9)
9. Article IV, Section 7(a), Florida Constitution, Suspensions; filling office during suspensions
10. Memorandum of Ethics Complaint by Crystal Mathews, dated September 12, 2010
11. Program agenda and seating chart, June 12, 2010 REAP graduation luncheon
12. Four (4) photographs taken at the REAP luncheon of June 12, 2010.

- **Investigation**

The sworn statement of Houston Tate taken by Director Alan Johnson on September 27, 2010 was reviewed. During this interview Mr. Tate stated that at the REAP graduation luncheon held on June 12, 2010 at the Airport Hilton Hotel, there were materials discovered on at least one guest table. This literature endorsed Vincent Goodman, Candidate for PB County Commission, District 7. These materials were observed by current District 7 County Commissioner Priscilla Taylor, who is also a candidate to retain her seat, and who pointed them out to Deputy County Administrator Verdenia Baker, Houston Tate's direct supervisor. Tate stated that Ms. Baker told him to handle the issue, but did not direct him to take any specific action. Tate is aware that County policy (specifically, CW-P-012), prohibits employees from engaging in any political activities while working, or the use of any County property, equipment or funds for political activities. Tate was also aware that Vincent Goodman was the father of his employee, Senior Planner Crystal Matthews, who was the coordinator of the REAP program, and of this particular luncheon, and that this luncheon was attended by her father. Mr. Tate knew that Ms. Matthews' father, Vincent Goodman, was a current candidate for County Commission, and that she had considered managing his campaign on a part-time volunteer basis. Although he does not have direct knowledge as to who actually placed the literature on the table, he felt that Ms. Matthews had a duty to make sure that no campaign activities occurred at a County sponsored event she was responsible for overseeing. After conferring with County Human Resource Director Wayne Condry, it was decided by him that Ms. Matthews would be given a *Notification and Acknowledgment of Violation of Rules and Regulations* form, including a written reprimand. Tate maintains that this course of action was his decision, after discussion with Wayne Condry, and that neither his supervisor or anyone else made this determination.

Interview: Deputy County Administrator Verdenia Baker

On October 22, 2010 I met with Deputy County Administrator Verdenia Baker at my office and took a sworn, taped statement as to her knowledge of the events that occurred at the luncheon. Ms. Baker has been employed by Palm Beach County for twenty-three years, and has served as Deputy County Administrator of nearly ten years. Houston Tate, as Director of the Office of Community Revitalization, reports directly to her as Deputy County Administrator. Ms. Baker was seated at the same table as Houston Tate, Commissioner Taylor and County Commissioner Shelly Vana. Ms. Baker advised that Tate was speaking at the dais, when Commissioner Taylor touched her on the arm and showed her some paperwork she found on the table. Ms. Baker then read the literature, and observed that it was a political advertisement for PB County Commission candidate Vincent Goodman. Ms. Baker is aware that Mr. Goodman is seeking the same Commission seat currently occupied by Commissioner Taylor.

Ms. Baker then stated that Commissioner Taylor then asked her, "Do we allow this?" showing her the literature that had been on the table. Ms. Baker examined the literature, and seeing that it was political in nature, replied "no, we don't, we don't allow it." Ms. Baker then said, "I'll take care of it." When Houston Tate returned to the table after speaking, Ms. Baker leaned over to Mr. Tate and showed him the literature. She then told him, "Please handle this" which she stated is what she would normally say in this situation, or words to that effect, to indicate to her subordinate that he was to deal with the issue of the political literature being at a department event. Ms. Baker advised that no further conversation concerning the literature with anyone, including Commissioner Taylor occurred, and that she was never asked to take any action concerning this literature.

Ms. Baker stated that she did not direct Mr. Tate to take any specific action in reference to this incident, determining that it was his responsibility to take appropriate action if any were necessary as the Director of that department. Ms. Baker advised that her policy is to have any proposed disciplinary action reviewed by Human Resources. She received a draft of Mr. Tate's Memorandum concerning disciplinary action against the Complainant some time later. At a regularly scheduled meeting with Houston Tate, she was told that he had worked with Human Resources, and she was satisfied that the action taken was decided after discussions with Human Resources. Ms. Baker told me that unless she feels a discipline is excessive, she does not involve herself directly in the discipline issues within departments. She reiterated that Commissioner Taylor did not direct her to take any action, but even if she had, Ms. Baker said she would not have taken any action based on this because there are policies in place to prevent Commissioners from directing County staff.

Interview: Mr. Dennis Lipp, Executive Assistant to County Commissioner Jess Samntamaria

On October 22, 2010 at approximately 2:00PM, I interviewed Dennis Lipp, Executive Assistant to County Commissioner Jess Santamaria at our office. Mr. Lipp gave a tape recorded sworn statement, and advised the following. Mr. Lipp was present at the REAP luncheon on behalf of Commissioner Santamaria, who was unavailable to attend. He was seated at the same table as Tate, Baker, Commissioner Taylor and Commissioner Vana. Mr. Lipp did not recall seeing any political literature on the table, advising that it was a large, round table with a large centerpiece. He stated he believed there was some paperwork on the table, but he did not look at it so could not advise the subject of the materials. He was seated across the table from Deputy Administrator Baker, Director Tate and Commissioner Taylor, and so was unaware of the topic of any conversations they may have been having.

Interview: Palm Beach County Commissioner Priscilla Taylor

On October 25, 2010, at approximately 8:30 AM, I interviewed Commissioner Priscilla Taylor at her office in the Palm Beach County Governmental Center, 301 N. Olive Ave., West Palm Beach, FL. Commissioner Taylor was placed under oath, and gave a tape recorded statement. Commissioner Taylor stated that she attended the REAP graduation luncheon on June 12, 2010 at the Airport Hilton Hotel. Upon entering the room, she observed what she described as "Mr. Goodman's literature" on several tables. She also found that this literature was on the table she was assigned to for this function. Commissioner Taylor stated that the literature was in support of Mr. Vincent Goodman, who was running for the County Commission seat she currently occupies. Mr. Goodman called Commissioner Taylor over to his table to introduce her to his wife and the people at his table. She was introduced to them, and then went to her table, directly beside Mr. Goodman's table. Upon going to her table she pick-up the literature on her table and asked Deputy County Administrator Verdenia Baker, sitting to her right, if the County had any policy on distribution of political literature at county functions. Ms. Baker replied that they did, and that they would be looking into it. Commissioner Taylor described the literature a "card" supporting Vincent Goodman.

Commissioner Taylor states that she did not suggest or direct Ms. Baker on what, if any, action should be taken, but merely inquired into the policy. She had no further involvement in the incident except to advise that some time later she asked Ms. Baker in passing what had happened in reference to the literature, and Ms. Baker replied that they were still looking into it. She had no other conversations with Ms. Baker, or anyone within County Administration about the incident or any resulting action taken. Commissioner Taylor stated she does not know who placed the literature on the tables. Commissioner Taylor also advised that she was aware that she was not allowed to direct the actions of any County employee under the Palm Beach County Charter, but that she was allowed to make inquiries for information, which was what she did in this case.

The section of the Palm Beach County Charter that Commissioner Taylor was referring to is Section 2.5 of the Palm Beach County Charter, "Noninterference Clause," Ordinance 86-27, § 2, 8-26-86 and attached as a document to this memorandum. Section 2.5 of the Palm Beach County Charter states:

Sec. 2.5 Noninterference Clause

Except for the purposes of inquiry and information, the members of the Board of County Commissioners are expressly prohibited from interfering with the performance of the duties of any employee who is under the direct or indirect supervision of the county administrator. Such action shall be malfeasance within the meaning of Article IV, Section 7(a) of the Florida Constitution.

(Article IV, Section 7(a) of the Florida Constitution allows the Governor, by executive order, to suspend any county officer from office, and to fill the office by appointment for the period of suspension, for "malfeasance.")

Commissioner Taylor reiterated that she at no time did any more than inquire as to the policy about political literature at County events, and her concern was that if someone is not aware of this policy, the behavior is more likely to be repeated. She was confident that Ms. Baker would deal with this issue appropriately so as not to have a re-occurrence, and never involved herself in the situation beyond the listed inquires for information.

Interview: Mr. Wayne O. Condry, Palm Beach County Director of Human Resources

I met with Wayne Condry, Palm Beach County Director of Human Resources at his office on October 26, 2010 at approximately 10:15 AM. Mr. Condry gave a recorded statement under oath. Mr. Condry was not present at the REAP luncheon on June 12th, and has no personal knowledge of what occurred at that event beyond what was relayed to him by Houston Tate and Complainant. In his role as Director of Human Resources, he met with Mr. Tate to discuss the disciplinary alternatives available in regard to Crystal Matthews, concerning the inappropriate political literature found at the luncheon. Mr. Condry was unsure as to the date of the meeting, but believed it occurred approximately a week before the formal discipline was disseminated to Complainant. I asked him about who else was present at this meeting, and Mr. Condry advised that only Mr. Tate and himself were present. When I asked about the statement by Complainant that she was told this decision was based on a "discussion with a panel," Mr. Condry stated that this was incorrect. He further advised that he has spoken with Ms. Matthews, who requested some assistance in filing a grievance, and at that time he took her through the grievance process, including that a committee would meet to determine the merits of her grievance. Mr. Condry felt that this may have led to some confusion on the part of Complainant as to how the disciplinary process worked, and her belief that it was the decision to implement disciplinary action that was made by a "panel."

The purpose of the meeting between Mr. Condry and Mr. Tate was to discuss what options were available to Mr. Tate. However, Mr. Condry's role was to advise Mr. Tate, and to make sure that the discipline Mr. Tate wished to use was appropriate under the County policies. Mr. Condry did not make recommendations as to the discipline proposed other than ensuring it was within policy. He has since assigned Human Resource staff member Sheila Woodbury to assist Complainant in her grievance efforts.

Mr. Condry advised he has not been contacted by County Commissioner Taylor or any County Commission member or staff representative about this matter, and stated that Mr. Tate never indicated to him that he had been contacted by anyone who might attempt to influence his disciplinary decision.

Interview: Dr. Jay Matteson, Institute for Energy and Environmental Sustainability, P.B. State College

Dr. Matteson was interviewed by telephone on October 27, 2010 at approximately 9:30 AM, due to his unavailability until mid November for a personnel meeting. Dr. Matteson attended the June 12th REAP luncheon with his wife, Karen. He was seated at the same table as Houston Tate, Deputy County Administrator Verdenia Baker, and County Commissioners Taylor and Vana. Photographs taken at the luncheon appear to show Dr. Matteson's wife on the left side of Commissioner Vana, with Dr. Matteson directly to his wife's left. This would place them on the other side of the table from Mr. Tate, Ms. Baker and Commissioner Taylor. Dr. Matteson stated that he did not see any "political literature" on his table, but was concentrating on the awards ceremony and his notes for his speech. Dr. Matteson was invited to speak at the luncheon by Mr. Tate due to his position as Director of an organization that promotes employment with environmentally friendly employers. He also does not recall hearing any conversations that were not directly involving the awards ceremony itself and the graduation.

Interview: Palm Beach County Commissioner Shelly Vana

On October 27, 2010, at approximately 10:40 AM, I interviewed Commissioner Shelly Vana at her office in the Palm Beach County Governmental Center, 301 N. Olive Ave., West Palm Beach, FL. Commissioner Vana was placed under oath, and gave a tape recorded statement. Commissioner Vana stated that she did attend a REAP luncheon on June 12, 2010 at the Airport Hilton Hotel. She stated her memory of the event was "blurry" because she attends many similar events and county functions in her role as a County commissioner, and that she has attended several REAP luncheons. She did not remember who was present at this particular event. Commissioner Vana does not recall seeing any "political materials" located on the table, but emphasized that since the event was in June, her memory of it is sketchy. She also does not remember hearing any conversations about such material being on the tables, nor hearing Commissioner Taylor discuss the issue with either Deputy Administrator Baker or Director Tate. She has met the young woman named "Crystal" (Crystal Matthews) who coordinates the REAP events at these events, but was unaware that she was related to County Commission Candidate Vincent Goodman until she read it in a newspaper. She does know Mr. Goodman because they were both teachers in Palm Beach Public Schools several years ago. Commissioner Vana stated that she usually is concentrating on what she is going to say at such events, because as with this one, she is often asked to speak at such events. Commissioner Vana could provide no other relevant information related to this investigation.

- **Analysis of Findings**

After interviews of several persons who attended the REAP luncheon on June 12, 2010, and were seated at table #8, and an interview with Director of Human Resources, Wayne Condry, I have been unable to establish any evidence or proper factual basis for Complainant's allegation that her disciplinary action was the result of improper interference or influence by Respondent.

Respondent first observed the political materials at the June 12th Reap graduation luncheon, and did point them out to Deputy County Administrator Verdenia Baker. Respondent also made an initial inquiry of Ms. Baker as to whether this material was allowed at a County sponsored event, and was told it was not allowed. There is no indication that she attempted to direct Deputy Administrator Baker, Director Tate, or any County employee concerning possible disciplinary action to be taken. Respondent had the right to make this inquiry for informational purposes under the Palm Beach County Charter.

Respondent made a second inquiry of Deputy Administrator Baker sometime later concerning whether the matter had been resolved. According to Respondent, the second inquiry was made "in passing" to Ms. Baker simply to verify that whoever was responsible was now aware that the political materials found at the luncheon were "inappropriate" at a County sponsored function, so that it would not be repeated at some future County event. There is no indication that she attempted to direct Deputy Administrator Baker to take any action, and her concern that any County employee know the information about the inappropriateness of such political materials at a County sponsored event is reasonable, since this policy had been previously violated at the REAP luncheon on June 12th.

- **Conclusion**

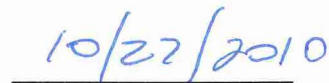
Based on the investigation and interviews conducted, I have found no evidence that Respondent personally or through her staff, made any contact with County staff personnel regarding any attempt to influence or interfere with the disciplinary process surrounding this incident. The only contact by Respondent with any County staff member concerning the incident appears to be limited to the two inquiries made of Deputy Administrator Baker. The first was when Respondent initially pointed out the political materials to Ms. Baker at the luncheon, followed by a question concerning whether such materials were allowed at such a function. The second inquiry can reasonably be termed a request that was made by Respondent to verify that the inappropriate literature would not reappear at any future County sponsored functions. Both inquiries appear to fall under the umbrella of "informational," and neither appears to violate Palm Beach County Code of Ethics, which is the scope of this investigation.

Therefore, there is insufficient evidence to establish that Respondent misused her official position by attempting to direct, influence or interfere with the disciplinary process to be employed in this matter regarding County employee and Complainant, Crystal Matthews, as determined and instituted by her direct supervisor, Houston Tate, in violation of §2-443(a) of the Palm Beach County Code of Ethics.

A finding of "No Probable Cause" is recommended in this case.



Mark E. Bannon, Investigator
PB County Commission on Ethics



Date

MEMORANDUM OF NO PROBABLE CAUSE

To: Commission on Ethics
From: Alan S. Johnson, Executive Director
Date: October 28, 2010
Re: Complaint C10-004

- **Recommendation**

A finding of NO PROBABLE CAUSE should be entered in the above captioned matter as to the allegations made in the Complaint. Probable Cause exists where there are reasonably trustworthy facts and circumstances for the Commission on Ethics (COE) to conclude that the Respondent, Priscilla Taylor, should be charged with violating the Palm Beach County Code of Ethics.

- **Jurisdiction**

COE has jurisdiction pursuant to Chapter 2, Article V, Division 8, section 2-258(a) of the Palm Beach County Commission on Ethics Ordinance which states in pertinent part:

Article V, Division 8, section 2-258. Powers and duties. (a) The commission on ethics shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided. The commission on ethics shall be empowered to review, interpret, render advisory opinions and enforce the;

- (1) County Code of Ethics;
- (2) County Post-Employment Ordinance, and
- (3) County Lobbyist Registration Ordinance.

Article XIII, sec. 2-443(a) prohibits a public official from using his or her office to “...take or fail to take any action, ***or influence others to take or fail to take any action...***” that will result in a financial benefit to “himself or herself”.

- **Background**

The instant Complaint was filed by county employee Crystal Mathews on September 13, 2010. The Complaint alleges that during a county function on June 12, 2010, campaign literature was distributed by her father, a candidate for county commission. The function was not on county property. Complainant was in charge of the function. Complainant was ultimately reprimanded for allowing inappropriate campaign material to be distributed at a county function in violation of county rules. When Complainant objected to her supervisor, he allegedly said that he knew her actions were not planned or intentional but that he was “instructed” to “take care of the situation.” Complainant did not personally hear the directive. She believed that Respondent, present at the function and running against Complainant’s father for county commission, misused her official position by instructing county staff to reprimand Complainant.

- **Facts**

On June 12, 2010, the Office of Community Revitalization hosted a luncheon honoring graduates from the Resident Education to Action Program (REAP) at a local hotel. In attendance were participants, guests, county employees and officials. Among the attendees were Respondent and her political opponent who is the father of Complainant. It is uncontroverted that campaign literature featuring Complainant's father was found on a table. Guests at that table included Respondent, and several other officials and employees including County Commissioner Shelly Vana, Complainant's supervisor, Houston Tate, his supervisor, Assistant County Administrator, Verdenia Baker, Executive Assistant to Commissioner Jess Santamaria, Dennis Lipp, and Dr. Jay Matteson.

Pursuant to an investigation, Houston Tate gave a sworn statement on September 27, 2010. At the luncheon, he was made aware of the literature but did not recall by whom. He personally felt that the literature was a violation of county rules and that Complainant, who was in charge of the event and knew her father was present, had a duty to prevent him from engaging in political activity during the county event. At no time was he ordered, pressured or otherwise advised to reprimand the Complainant by the Respondent. He did not recall speaking with Respondent about the issue.

On September 29, 2010, Verdenia Baker was briefly interviewed. At that time, the interview was not recorded or under oath or affirmation. She recalled being shown a political circular at the luncheon while sitting at her table. It was brought to her attention by the Respondent who asked her if such political material was permitted at a county function. Ms. Baker told Respondent that it was not. At no time did Respondent instruct Ms. Baker or ask her to take any action regarding the material. Ms. Baker stated that she independently requested that Mr. Tate look into the matter.

This matter was originally before the Commission on Ethics on September 7, 2010. At that time additional investigation was requested.

The subsequent investigation was assigned to the Commission on Ethics' Investigator Mark Bannon. Commissioners Taylor and Vana were interviewed as was Dr. Jay Matteson, Director of Human Resources Wayne Condry and Executive Assistant Dennis Lipp. Verdenia Baker was reinterviewed. All witness statements were recorded and under oath or affirmation except Dr. Matteson, who was interviewed by telephone.

Commissioner Vana, Dr. Matteson and Dennis Lipp were all speaking at the luncheon event and have no substantive recollection of the issue involving political literature. Commissioner Taylor indicated that she inquired of Ms. Baker as to the appropriateness of the literature but at no time did she direct or request that action be taken against the Complainant. Subsequently she asked Ms. Baker for a status update but again maintains that at no time did she direct or request specific action be taken. Her testimony is corroborated by the statements of both Mr. Tate and Ms. Baker.

Mr. Condry was consulted by Mr. Tate in his capacity as Human Resources Director before any action was taken in the matter. This is in accord with County policy. Mr. Condry testified that at no time was he approached or instructed to take or approve any particular action against the Complainant. His role is to discuss disciplinary alternatives and to later assist an employee through the grievance process if there is an appeal.

- **Conclusion**

There is no probable cause to believe that Respondent has violated sec. 2-443(a) of the Palm Beach County Code of Ethics. The complainant herself has no direct knowledge of any involvement by the Respondent. All known witnesses with direct knowledge corroborate the Respondent's claim that she had no direct role in the process other than to inquire as to the appropriateness of the political literature. The facts obtained during the investigation are uncontroverted that Respondent did not order staff to reprimand the daughter of her political opponent. Therefore, there are no reasonably trustworthy facts and circumstances for the COE to conclude that Respondent should be charged with violating sec. 2-443(a) of the Palm Beach County Code of Ethics.

By: 

Alan S. Johnson
Executive Director
Florida Bar # 223352
Commission on Ethics
2633 Vista Parkway
West Palm Beach, FL 33411
561-233-0720

**NOTIFICATION AND ACKNOWLEDGMENT OF VIOLATION OF RULES AND REGULATIONS
PALM BEACH COUNTY**

(The following employee is hereby notified of a violation of Rules and Regulations)

EMPLOYEE: CRYSTAL MATHEWS JOB TITLE: SENIOR PLANNER
DEPARTMENT: COUNTY ADMINISTRATION DATE: July 29, 2010
DIVISION: OFFICE OF COMMUNITY REVITALIZATION STATUS: PERMANENT PROBATIONARY

OFFENSE OF CONDUCT: Violation of PPM CW-P-012

DESCRIPTION OF INCIDENT OF OFFENSE (INCLUDE DATE OF OFFENSE): On June 12, 2010, at the REAP Graduation Luncheon,

I observed political campaign literature that endorsed your father. This action conflicts with PPM CW-P-012, which defines the restrictions on County

employees regarding involvement in political activities. It was your responsibility to make certain that your father did not campaign in a County event
coordinated by you.

ACTION TAKEN: WRITTEN REPRIMAND SUSPENSION _____ (DAYS/HOURS)

FROM: DATE/TIME: _____ TO: DATE/TIME: _____

CORRECTIVE ACTION RECOMMENDED: The employee is expected to comply with PPM CW-P-012 and ensure that at no time any political
activities shall be conducted on County premises or events and/or during working hours. In addition, no County property or equipment shall be utilized in
the conduct of such activities. Future occurrences of this or other violations of County rules or policies will be addressed through progressive discipline
The employee has demonstrated that she is a valued team player and I trust that she will observe the provisions of this Policy we have discussed. This
recommended corrective action is effective immediately. The employee is signing below to acknowledge receipt and understanding of this notification.

SIGNED: _____ (Supervisor) _____ (Date) _____ (Division Head) _____ (Date)
_____ (Department Head) _____ (Date)

I acknowledge that I have been provided with a copy of this disciplinary action and that I have been advised of my grievance rights.

SIGNED: _____ (Employee) _____ (Date)

EMPLOYEE COMMENTS: Mrs Mathews seeks to appeal this
written reprimand based on the memo attached.

DISTRIBUTION: ORIGINAL-HUMAN RESOURCES; PINK-DEPARTMENT; YELLOW-EMPLOYEE

witness: [Signature]

MS 113

Employee has requested time to evaluate the disciplinary actions.
9/1 - PDA



**County Administration
Office of Community Revitalization**

2300 North Jog Road, 2-East
West Palm Beach, FL 33411-2741
(561) 233-5311
FAX: (561) 233-5309
www.pbcgov.com/ocr



**Palm Beach County
Board of County
Commissioners**

Burt Aaronson, Chair
Karen T. Marcus, Vice Chair
Jeff Koons
Shelley Vana
Steven L. Abrams
Jess R. Santamaria
Priscilla A. Taylor

County Administrator

Robert Weisman

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Affirmative Action Employer"*

Official Electronic Letterhead

MEMORANDUM

TO: Chrystal Mathews, Senior Planner
FROM: Houston L. Tate, Director
Office of Community Revitalization
DATE: July 29, 2010
RE: Disciplinary Actions

First let me say that you are a valued employee, your performance and contribution to the department has exceeded my expectations. Your initiative and analytical input has provided the department with positive ways to achieve its desired successes.

On June 12, 2010, at the REAP Graduation Luncheon, I observed campaign literature on the tables which endorsed your father.

This formal reprimand is based on your actions not conforming to PPM CW-P-012, which defines the restriction on County employees regarding involvement in political activities. It ensures that at no time any political activities shall be conducted on County premises or events.

In summary, you are expected to comply with PPM CW-P-012. Future occurrence of this or other violations of County rules or policies will be addressed through progressive discipline.

You have demonstrated that you are a valued team player and I trust that you will observe this Policy and Procedure we have discussed. Your compliance with such details should be immediate. Please sign below to indicate you received and understand this memo.

Chrystal Mathews

Employee has requested time to evaluate the disciplinary actions.

Houston L Tate



LOCAL TELEPHONE 888
10 AUG 19 PM 2:57
PALM BEACH COUNTY

PALM BEACH COUNTY EMPLOYEE GRIEVANCE FORM

NOTE: BEFORE FILLING OUT THIS WRITTEN GRIEVANCE, CAREFULLY READ INSTRUCTIONS AS OUTLINED IN CHAPTER 7 OF THE MERIT SYSTEM RULES.

(Please print very plainly or type)

NAME: Chrystal Mathews **JOB TITLE/DEPARTMENT:** Senior Planner/Office of Community Revitalization

MY GRIEVANCE IS AS FOLLOWS:

I did not violate PPM CW-P-012. I did not engage or support any political activities during normal working hours, nor did I utilize public property, equipment or funds for any political activity. In reference to the corrective action recommended, Mr. Tate states that "The employee is expected to comply with PPM CW-P-012 and ensure that at no time any political activities shall be conducted on County premises or events and/or during working hours". However, PPM-CW-P-012 does not specifically mention "county premises or events" as part of the policy. Please see attached documents.

I have discussed this matter with my immediate supervisor, and I am not satisfied with his/her response, and therefore, I hereby request the Department of Human Resources to review my grievance to determine if the issue involved is grievable under the Palm Beach County Merit System rules. (The employee must submit the grievance to the Human Resources Director within five (5) working days of the event giving rise to the grievance.)

Signature *Chrystal Mathews* Date 8/4/10

The above grievance has been reviewed by the Department of Human Resources, and is Accepted Rejected *for processing through the grievance procedure.

Signature *Wayne* Date 8/4/10

Date :(returned to employee from Human Resources) 8/4/10 Signature *DN* *SE*

***The above grievance has been rejected for the following reason(s):**

STEP I

IMMEDIATE SUPERVISOR ANSWER: _____

Signature _____ Date Received _____
Date Answered _____

I (am) _____ (am not) _____ satisfied with the answer given by my Immediate Supervisor and (wish) _____ (do not wish) _____ to have my grievance heard by the Division Head.

Signature _____ Date Received _____
Date Answered _____

STEP II

DIVISION HEAD ANSWER: _____

Signature _____ Date Received _____
Date Answered _____

I (am) _____ (am not) _____ satisfied with the answer given by my Division Head and (wish) _____ (do not wish) _____ to have my grievance heard by the Department Head.

Signature _____ Date Received _____
Date Answered _____

STEP III

DEPARTMENT HEAD ANSWER: Chrystal Mathews was responsible for the oversight and coordination of the overall REAP luncheon and its program details. The political endorsement and supporting Vincent Goodman for District 7. County Commission (her father) was placed on my table. Chrystal Mathews should have prevented this action from occurring.

Signature Arinston X. Jato Date Received 8/4/10
Date Answered 8/18/10

I (am) _____ (am not) satisfied with the answer given by my Department Head and (wish) _____ (do not wish) _____ to have my grievance heard by the Grievance Committee.

Signature Chrystal Mathews Date Received 8/18/10
Date Answered 8/18/10



MEMORANDUM

County Administration
Office of Community Revitalization

2300 North Jog Road, 2-East
West Palm Beach, FL 33411-2741
(561) 233-5311
FAX: (561) 233-5309
www.pbcgov.com/ocr

To: Houston L. Tate, Director
Office of Community Revitalization
From: Chrystal Mathews, Senior Planner
Date: August 2, 2010
RE: Rebuttal to Disciplinary Actions

This memo is in response to the formal reprimand memo, the discussion held on July 30, 2010 at 10:30 a.m. and the written reprimand alleging that I, Chrystal Mathews, violated PPM CW-P-012.

PPM CW-P-012 states, "It is the policy of the Board of County Commissioners that all County officers and employees are citizens and as such are afforded all the rights and privileges with respect to this nation's democratic process as are enjoyed by citizens not in County employment. These include such activities as contributions of funds or efforts in support of the campaign of a candidate for public office, or the display of advertising materials in support of a candidate on the personal or private property of such employee. At no time may any County employee engage in any political activities during normal working hours, nor shall any public property, equipment or funds be utilized in the conduct of such activities".

The Corrective Action Recommended from the Notification and Acknowledgement of Violation or Rules and Regulations states "The employee is expected to comply with PPM CW-P-012 and ensure that at no time any political activities shall be conducted on County premises or events and/or during working hours. In addition, no County property or equipment shall be utilized in the conduct of such activities. Future occurrences of this or other violations of County rules or policies will be addressed through progressive discipline. The employee has demonstrated that she is a valued team player and I trust that she will observe the provisions of this Policy we have discussed. This recommended corrective action is effective immediately. The employee is signing below to acknowledge receipt and understanding of this notification".

In May 2010, I approached Deputy County Administrator, Verdenia Baker outside of the Governmental Center requesting advice on conflict of interest issues regarding the campaign of Vincent Goodman, my father. Mrs. Baker referred me to Lenny Berger, County Attorney. On May 26, 2010, I e-mailed Lenny Berger (See attached e-mail).

On Saturday, June 12, 2010, the Office of Community Revitalization hosted a graduation ceremony at the Airport Hilton for participants who completed the five week Resident Education to Action Program (REAP) leadership and civic engagement training. I, as REAP Coordinator, was in charge of all program logistics as well as introducing the Keynote Speaker, Chief Deputy Michael Gauger, PBSO (See Program and Seating Chart Attached).

During this event I did not solicit, support, endorse or acknowledge my father, Vincent Goodman's, campaign for County Commission. Mr. Goodman was seated at the reserved table for the Mathews family. Mr. Goodman acted independently without my knowledge or support, a fact acknowledged by him in a separate letter.

On July 30, 2010 at 10:30am, Mr. Tate requested to speak with me in Planning's Library. At this time, the disciplinary action and written reprimand for violation of PPM CW-P-012 were brought to my attention. Mr. Tate stated that he personally did not have facts to support the violation because he did not personally observe me or my father (Vincent Goodman) place any campaign literature on any tables, before or during the REAP Graduation. Considering these facts alone, it would be inappropriate for Mr. Tate to reprimand me for the violation of PPM CW-P-012 since there is no evidence to support the allegation of violation. When asked who directed the disciplinary action, Mr. Tate advised that there was a discussion with a panel. I asked who was on this panel but was not given that information.

Palm Beach County
Board of County
Commissioners

- Burt Aaronson, Chair
Karen T. Marcus, Vice Chair
Jeff Koons
Shelley Vana
Steven L. Abrams
Jess R. Santamaria
Priscilla A. Taylor

County Administrator
Robert Weisman

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Also, Mr. Tate stated that "if this was a major offense, you would have been suspended". In addition, Mr. Tate stated that he did not believe this was something planned or intentional on my behalf or that of my father but that he was instructed to "take care of the situation".

In due diligence and in fairness the panel should have conducted interviews of me, my father and those seated at the table with him that day: Commissioner Shelly Vana, Commissioner Priscilla Taylor, Commissioner Aide, Dennis Lipp, Deputy County Administrator, Verdenia Baker, Jay Mattison, Palm Beach Community College, to determine whether any violation of County policy had occurred instead of reaching conclusions not supported by any evidence.

PPM CW-P-012 is not applicable in this case: at no time did I engage in any political activities during normal working hours, nor did I utilize public property, equipment or funds for any political activity. In reference to the corrective action recommended, Mr. Tate states that "*The employee is expected to comply with PPM CW-P-012 and ensure that at no time any political activities shall be conducted on County premises or events and/or during working hours*". However, PPM-CW-P-012 does not specifically mention "county premises or events" as part of the policy.

In conclusion, no facts have been presented to support the disciplinary allegations. I respectfully request that the disciplinary action memo and Notification and Acknowledgement of Violation Of Rules And Regulations documentation be removed from my personnel file and/or the allegation of violation be amended to read that it is **unfounded**. I further request that a copy of this rebuttal, email from Leonard Berger, County Attorney, the disciplinary action memo and Notification and Acknowledgement of Violation of Rules and Regulations be forwarded to the new Ethics Commission for review. In addition I request a written copy of the findings regarding the disciplinary actions.

In closing, please keep in mind that I have been and remain a highly respected and exemplary employee for the past nine years. I have been awarded several County Administrator's Golden Palm Awards, a National Association of Counties Award (NACO) and numerous plaques and certificates of achievement and dedication to service from local agencies and resident groups. I have never been disciplined for a violation of this policy or any other.

Memo

To: Whom it may concern
From: Vincent R. Goodman Sr.
Date: 8/2/2010
Re: REAP Graduation Ceremony

On June 12, 2010 I attended the REAP graduation as a guest of my daughter, Chrystal Goodman-Mathews (the coordinator of the graduation program). I did not attend the event as a candidate for office but as a proud supporter my daughter. No campaign material was placed on any table however, I did speak to a few people and handed them my card. Thank you for your time.

Sincerely,



Vincent R. Goodman Sr.
Vincegoodman1@msn.com

TO: ALL COUNTY PERSONNEL
FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR
PREPARED BY: HUMAN RESOURCES
SUBJECT: POLITICAL ACTIVITIES OF COUNTY EMPLOYEES
PPM #: CW-P-012

=====
ISSUE DATE
August 1, 2005
=====

=====
EFFECTIVE DATE
August 1, 2005
=====

PURPOSE:

To define the restrictions on County employees regarding involvement in political activities.

UPDATES ARE THE RESPONSIBILITY OF:

Future updates for PPM# CW-P-012 will be the responsibility of the Director of Human Resources.

POLICY:

It is the policy of the Board of County Commissioners that all County officers and employees are citizens and as such are afforded all the rights and privileges with respect to this nation's democratic process as are enjoyed by citizens not in County employment. These include such activities as contributions of funds or efforts in support of the campaign of a candidate for public office, or the display of advertising material in support of a candidate on the personal or private property of such employee.

At no time may any County employee engage in any political activities during normal working hours, nor shall any public property, equipment or funds be utilized in the conduct of such activities.



ROBERT WEISMAN
COUNTY ADMINISTRATOR

Supersession History:

1. A.O. 7-10, dated 7/18/85
2. PPM# CW-P-012, issued 7/1/88

MEMORANDUM

To: Alan S. Johnson, Esq., Executive Director
Palm Beach County Commission on Ethics

From: Chrystal Mathews, Senior Planner
Office of Community Revitalization



Date: September 12, 2010

RE: Ethics Complaint

The following complaint is based on the violation of Code Ethics Sec. 2-443. Misuse of public office or employment. An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the exercise of reasonable care will result in a financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities: Himself or herself...

On Saturday, June 12, 2010, the Office of Community Revitalization hosted a graduation ceremony at the Airport Hilton Hotel, Palm Beach County, Florida, for participants who completed a five week Resident Education to Action Program (REAP) leadership and civic engagement training. This event was held at a public venue in which all members of the Palm Beach County Commission was invited. I, Chrystal Mathews, REAP Coordinator, was in charge of program logistics as well as introducing the Keynote Speaker, Chief Deputy Michael Gauger, Palm Beach County Sheriff's Office (PBSO).

On Thursday, July 29, 2010, Office of Community Revitalization (OCR) Director, Houston Tate met with me and provided a written reprimand for violation Palm Beach County Policy and Procedures Manual (PPM-CW-P-012) and stated that he **did not** have facts to support the violation because he did not personally observe me or Vincent Goodman place any campaign literature on tables before or during the REAP Graduation. In addition, Mr. Tate stated that he did not believe this was something planned or intentional on my behalf or that of Vincent Goodman, but he was instructed to "take care of the situation".

It's apparent to me that Director, Houston Tate was influenced by Commissioner Priscilla Taylor and/or Deputy County Administrator, Verdenia Baker to take disciplinary action against me, in regards to Vincent Goodman, a candidate for County Commission District 7. As a county employee I, Chrystal Mathews had no control over the actions of any guest, candidates or Vincent Goodman at an event held in a public facility.(See attached letter from Vincent Goodman)

It is my belief that this written reprimand would not have been pursued if Vincent Goodman was not the opponent of current *County Commissioner Priscilla Taylor, County Commission District 7.* (Please also note that the District 7 seat had no primary election in August 2010). In May 2010, I approached Deputy County Administrator Verdenia Baker in reference to Vincent Goodman candidacy for County Commissioner District 7. Mrs. Baker advised me to contact County Attorney Lenny Berger. I emailed Mr. Berger to inquire about the Policy and Procedures of the Election process as a County Employee. Mr. Berger responded to my email and also copied the new Executive Director Alan Johnson of the Palm Beach County Commission on Ethics (See e-mail correspondence dated 05/26/2010).

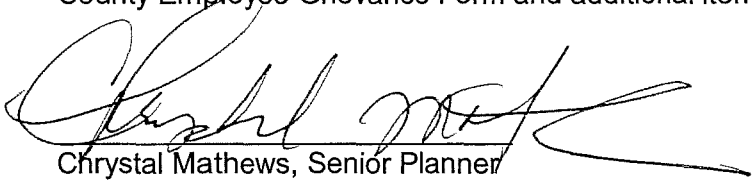
As a County employee, whose department reports directly to the County Administration, I fear direct and indirect harassment from management, which has created a hostile work environment. Also, based on the political nature and administration involved, I also fear that there will be conflicts of interest in the grievance process as well as a massive "cover up" to protect Palm Beach County District 7, County Commissioner Priscilla Taylor.

On August 4, 2010, I filed a grievance to the written reprimand at the Office of Human Resources (OHR). Based on Palm Beach County Policy and Procedures Manual (PPM-CW-P-012), *It is the Policy of the Board of County Commissioners that all County Officers and Employees are citizens and as such are afforded all the rights and privileges with respect to this nation's democratic process as are enjoyed by citizens not in county employment. These include such activities as contributions of funds or efforts in support of the campaign of a candidate for public office, or the display of advertising material in support of a candidate on the personal or private property of such employee. At no time may any county employee engage in any political activities during normal working hours nor shall any public property equipment or funds be utilized in the conduct of such activities.* During this grievance process Mr. Tate stated he has been in contact with Deputy County Administrator Baker and providing updates throughout this process. (See attached email.) When I contacted Palm Beach County, Human Resource Director, Wayne Condry in an effort to inquire about the "grievance process", I was told that Mrs. Baker was not part of this process and would be called possibly as a "witness". It is my stance from previous emails and correspondence the "grievance process" will be conducted with bias. When asked about the process for this particular matter, I was told by Mr. Condry that the "grievance committee" would not meet on this matter until after the November elections. Since this matter is directly related to an upcoming election, the "grievance process" should be made a priority due to the nature of the allegation and persons involved. Also, it would show no bearing on the outcome of the November elections.

It is my hope that the newly elected commission acts independently in looking into this matter of the violation of Code Ethics Sec. 2-443 of District 7, County Commissioner Priscilla Taylor. Misuse of public office or employment.

Note: During past REAP graduations in which I was directly involved in the program logistics, Mr. Tate has acknowledged the presence of elected officials and candidates for upcoming elections.

Enclosed for your review is the Notification and Acknowledgement of Violation of Rules and Regulations Palm Beach County form, County Memorandum from Office of Community Revitalization Director Houston Tate, County Memorandum rebuttal to the Disciplinary Action from myself, emails from County Attorney Leonard Berger, emails from Houston Tate, the Palm Beach County Employee Grievance Form and additional items directly associated to this complaint.



Chrystal Mathews, Senior Planner
Office of Community Revitalization

2010 Resident Education to Action Program Graduation Luncheon

June 12, 2010

11am

Mistress of Ceremony

Dr. Sylvia Sharps, PBC Water Utilities Department

*Opening Remarks.....Houston L. Tate, OCR Director
Office of Community Revitalization*

*Invocation..... Duane Gainer, Senior Planner
Office of Community Revitalization*

Pledge of Star Spangled Banner..... Harva Tate, Recording Artist

*Occasion.....Ella Gilbert, Steering Committee
Office of Community Revitalization*

*Greetings..... Priscilla Taylor, District 7
PBC Board of County Board of Commissioners*

*Greetings..... Shelly Vana, District 3
PBC Board of County Board of Commissioners*

*Greetings..... Mayor Steve Wilson
City of Belle Glade*

*Entertainment..... Senpai Alex and the Kyokushin Group
Lake Worth West Community Center*

*REAP Testimonial..... REAP Graduates
Walter Collins-Belle Glade
Brian Stantan-Belle Glade
Mark Parilla- Central
Anthony and Demetrius Jacques- Central*

*Introduction of Speaker..... Chrystal Mathews, REAP Coordinator
Office of Community Revitalization*

*Keynote Speaker..... Colonel Michael E. Gauger
Palm Beach County Sheriff's Office*

*Acknowledgement of Graduates
"America's Next Top Neighborhood" Award Presentations
OCR "Partnership" Awards*

*Remarks and Observations..... Chrystal Mathews, REAP Coordinator
Office of Community Revitalization*

Announcements & Upcoming Events

2010 REAP GRADUATION & LUNCHEON SEATING CHART

TABLE 1	TABLE 2	TABLE 3	TABLE 4
<input type="checkbox"/> RUTH MOGUILLANSKY <input type="checkbox"/> DE ROSE & GUEST <input type="checkbox"/> DEPUTY CHIEF GAUGER <input type="checkbox"/> GAIL VORPAGEL <input type="checkbox"/> JOANNA AIKEN <input type="checkbox"/> LYNNE HUBBARD & GUEST <input type="checkbox"/> SCOTT MAXWELL	<input type="checkbox"/> DUANE GAINER <input type="checkbox"/> WILLIAM WYNN <input type="checkbox"/> JORCELINE CADAT & GUEST <input type="checkbox"/> BENNIE ETHERAGE <input type="checkbox"/> NICOLE WALKER-RICE <input type="checkbox"/> LATOYA RICKETTS & SHELLY	<input type="checkbox"/> NATASHA MITCHELL & GUEST <input type="checkbox"/> ELLA GILBERT <input type="checkbox"/> BARBARA BELL-SPENCE & GUEST	<input type="checkbox"/> OPEN SEATING
TABLE 5	TABLE 6	TABLE 7	TABLE 8
OPEN SEATING	OPEN SEATING	<input type="checkbox"/> CHRYSTAL MATHEWS & GUESTS	<input type="checkbox"/> HOUSTON TATE & GUEST <input type="checkbox"/> COMMISSIONER PRISCILLA TAYLOR <input type="checkbox"/> COMMISSIONER SHELLY VANA <input type="checkbox"/> DR. JAY MATTESON & Guest <input type="checkbox"/> VERDENIA BAKER
TABLE 9-11	ALL OTHER TABLES ARE OPEN SEATING		
SENPAI ALEX AND THE KYOKUSHIN GROUP OF LAKE WORTH WEST			

MEMORANDUM

To: Commission on Ethics
From: Alan Johnson, Executive Director
Date: September 24, 2010
Re: Complaint C10-004

- **Recommendation**

Regarding Respondent, Priscilla Taylor, Palm Beach County Commissioner, the Staff recommends a finding of LEGALLY SUFFICIENT be entered in case number C10-004.

Legal sufficiency exists where there is an allegation of a violation of an ordinance within the jurisdiction of the Ethics Commission, purportedly committed by an individual within the authority of the Ethics Commission, based substantially on the personal knowledge of the complainant, relating to an alleged violation occurring after the effective date of the code, and filed with the Ethics Commission within two years of the alleged violation.

- **Background**

Complainant, Crystal Mathews, a county employee, filed the above referenced complaint against Respondent Commissioner Priscilla Taylor. The Complainant is the daughter of Vincent Goodman, who is running against Respondent for the position of county commissioner. On June 12, 2010, Office of Community Revitalization hosted a luncheon honoring graduates from a five week Resident Education to Action Program (REAP). The function took place at an area hotel. Members of the community attended as well as county commissioners and county staff.

County policy and procedure prohibits employees from participating in campaign activities during working hours or on public property. During the luncheon, a political advertisement was found on one of the tables promoting Mr. Goodman for county commission. According to the allegations submitted by Complainant, she was never accused of personally engaging in political activity at the luncheon but was nonetheless disciplined with a written reprimand for allowing the activity to take place. Respondent attended the luncheon and was sitting at the table containing the offensive literature. Complainant alleges that upon being disciplined, she asked her supervisor, also present at the event, who directed the disciplinary action and was told that he was instructed to "take care of the situation." The Complainant did not personally hear this directive but believed it was given by Respondent.

- **Analysis**

Pursuant to Chapter 2, Article V, Division 8, Section 2-258(a) of the Palm Beach County Code, the Commission on Ethics is empowered to enforce the county code of ethics. Article XIII, sec. 2-443(a) prohibits an official from using his or her official position to, among other things, "influence others to take or fail to take any action" that will result in a financial benefit to himself or herself.

Depending upon the factual scenario, the nexus between an official's salary and an allegation of an official action to misuse his or her position to retain that position could rise to the level of a violation of sec. 2-443(a).

- **Conclusion**

Because sufficient information accompanying the complaint, if true, could support a violation of the code of ethics, Complaint C10-004 against Respondent Priscilla Taylor is LEGALLY SUFFICIENT. Therefore, an investigation into this matter should proceed.

COMMISSION ON ETHICS

REPORT OF INVESTIGATION

Case Number: K10-001

Investigator: Alan S. Johnson

Date Opened: September 24, 2010

Date Closed: September 30, 2010

Allegation:

The Commission on Ethics received a complaint from Crystal Mathews, a county employee, who advised that she had been disciplined for allowing political literature to be distributed during a county function at a private hotel. Ms. Mathews' father, Vincent Goodman, is running for county commission against Respondent, a sitting commissioner, who was in attendance at the function. Ms. Mathews had previously discussed with supervisors whether she could be a volunteer campaign manager for her father; however, she decided not to do so. Ms. Mathews alleges that she was disciplined because Respondent instructed her supervisor to do so.

Applicable Legislation:

Art. XIII, sec. 2-443 Prohibited Conduct

- (a) Misuse of public office or employment. An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the exercise of reasonable care will result in a financial benefit, not shared with members of the general public, for any of the following persons or entities: (1) himself or herself.

Investigation:

1. **Background Information:**

- a. Complainant provided a copy of the disciplinary referral, a memorandum from Houston Tate, Director of the Office of Community Revitalization, and a memorandum from Complainant Crystal Mathews to Houston Tate in "Rebuttal to Disciplinary Actions". In addition, a program of events, seating chart and memorandum of Vincent Goodman was provided. There is no evidence to indicate that Complainant was actively aware that political material had been distributed at the function. Complainant was in charge of the function for the county.
- b. The seating chart confirmed that the following persons were seated at the table where political literature was found: Houston Tate, Commissioner Priscilla Taylor, Commissioner Shelly Vana, Dr. Jay Matteson and Verdenia Baker. Mr. Tate is Complainant's supervisor and Ms. Baker is Assistant County Administrator and supervisor to Mr. Tate.
- c. In a memorandum to Mr. Tate dated August 2, 2010, the Complainant states that on July 30, 2010 she met with Mr. Tate and was given a written reprimand for violating county policy by allowing political literature to be distributed at a county event. Ms. Mathews

alleges that Mr. Tate state that although he personally did not believe that her actions were planned or intentional; he was "instructed to 'take care of the situation'. Mr. Tate informed her that there was a discussion by a panel regarding appropriate action.

2. Interviews:

- a. On Monday, September 27, 2010, I interviewed Houston Tate. Present was Administrative Assistant, Gina Levesque. Mr. Tate was placed under oath and the interview was recorded. Mr. Tate was familiar with the events of June 12, 2010. According to Mr. Tate, there was event literature on the table at the luncheon. A copy of a political brochure was brought to his attention but he could not recall by whom. He was told to look into the matter as this was against county policy but was never told to do anything in particular or discipline anyone. Mr. Tate believed that the Complainant, knowing that her father was running a campaign, had a duty to inform him not to do so during a county function. Complainant's failure to prevent the incident was grounds for discipline. He recalled meeting with Human Resources Director, Wayne Condry about the matter and they both determined that a reprimand was warranted. At no time did Mr. Tate have a conversation on the matter with Commissioner Taylor or anyone connected with her. He did not feel compelled or pressured in any way. He was just doing his job as he saw it and was not singling Complainant out for punishment.
- b. On Wednesday, September 29, 2010, I spoke with Verdenia Baker at her office. I asked her to recount the events of June 12, 2010. She recalled being shown a political circular at the luncheon while sitting at her table. It was brought to her attention by Commissioner Taylor who asked her if political literature was permitted at a county function. Ms. Baker said it was not. At no time did Commissioner Taylor instruct her or ask her to do anything about the literature. Verdenia Baker independently requested that Houston Tate look into the matter.

3. Documents:

- a. Written reprimand
- b. Memorandum from Houston Tate to Complainant
- c. Memorandum from Complainant to Houston Tate

Summary of Investigation:

- a. A county employee filed a sworn, written complaint alleging that a county commissioner misused her authority to have subordinates punish her for allowing political literature of the commissioner's opponent to be disseminated at a county function.
- b. Interviews with Complainant's two supervisors, present at the county function, were taken to determine whether the Respondent had anything to do with the internal investigation and discipline of the Complainant.

- c. The investigation confirmed that Respondent had no involvement whatsoever in the internal county process and did not use her authority in violation of sec. 2-443(a) of the Palm Beach County Code of Ethics.

Conclusion:

The above matter has been investigated and it appears that Respondent, Commissioner Priscilla Taylor, did not violate the Palm Beach County Code of Ethics. The case is closed.

MEMORANDUM OF NO PROBABLE CAUSE

To: Commission on Ethics
From: Alan S. Johnson, Executive Director
Date: October 1, 2010
Re: Complaint C10-004

- **Recommendation**

A finding of NO PROBABLE CAUSE should be entered in the above captioned matter as to the allegations made in the Complaint. Probable Cause exists where there are reasonably trustworthy facts and circumstances for the Commission on Ethics (COE) to conclude that the Respondent, Priscilla Taylor, should be charged with violating the Palm Beach County Code of Ethics.

- **Jurisdiction**

COE has jurisdiction pursuant to Chapter 2, Article V, Division 8, section 2-258(a) of the Palm Beach County Commission on Ethics Ordinance which states in pertinent part:

Article V, Division 8, section 2-258. Powers and duties. (a) The commission on ethics shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided. The commission on ethics shall be empowered to review, interpret, render advisory opinions and enforce the;

- (1) County Code of Ethics;
- (2) County Post-Employment Ordinance, and
- (3) County Lobbyist Registration Ordinance.

Article XIII, sec. 2-443(a) prohibits a public official from using his or her office to "...take or fail to take any action, *or influence others to take or fail to take any action...*" that will result in a financial benefit to "himself or herself".

- **Background**

The instant Complaint was filed by county employee Crystal Mathews on September 13, 2010. The Complaint alleges that during a county function on June 12, 2010, campaign literature was distributed by her father, a candidate for county commission. The function was not on county property. Complainant was in charge of the function. Complainant was ultimately reprimanded for allowing inappropriate campaign material to be distributed at a county function in violation of county rules. When Complainant objected to her supervisor, he allegedly said that he knew her actions were not planned or intentional but that he was "instructed" to "take care of the situation." Complainant did not personally hear the directive. She believed that Respondent, present at the function and running against Complainant's father for county commission, misused her official position by instructing county staff to reprimand Complainant.

- **Facts**

On June 12, 2010, the Office of Community Revitalization hosted a luncheon honoring graduates from the Resident Education to Action Program (REAP) at a local hotel. In attendance were participants, guests, county employees and officials. Among the attendees were Respondent and her political opponent who is the father of Complainant. It is uncontroverted that campaign literature featuring Complainant's father was found on a table. Guests at that table included Respondent, and several other officials and employees including another county commissioner, Complainant's supervisor, Houston Tate, and his supervisor, Assistant County Administrator, Verdenia Baker.

Pursuant to an investigation, Houston Tate gave a sworn statement on September 27, 2010. At the luncheon, he was made aware of the literature but did not recall by whom. He personally felt that the literature was a violation of county rules and that Complainant, who was in charge of the event and knew her father was present, had a duty to prevent him from engaging in political activity during the county event. At no time was he ordered, pressured or otherwise advised to reprimand the Complainant by the Respondent. He did not recall speaking with Respondent about the issue.

On September 29, 2010, Verdenia Baker was interviewed. She recalled being shown a political circular at the luncheon while sitting at her table. It was brought to her attention by the Respondent who asked her if such political material was permitted at a county function. Ms. Baker told Respondent that it was not. At no time did Respondent instruct Ms. Baker or ask her to take any action regarding the material. Ms. Baker stated that she independently requested that Mr. Tate look into the matter.

- **Conclusion**

There is no probable cause to believe that Respondent has violated sec. 2-443(a) of the Palm Beach County Code of Ethics. The facts obtained during the investigation are uncontroverted that Respondent did not misuse her official position by ordering staff to reprimand the daughter of her political opponent. Therefore, there are no reasonably trustworthy facts and circumstances for the COE to conclude that Respondent should be charged with violating sec. 2-443(a) of the Palm Beach County Code of Ethics.

By: _____

Alan S. Johnson
Executive Director
Florida Bar # 223352
Commission on Ethics
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