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LOCAL

# Four of five Keys county commissioners violated ethics rules, fined \$20K in total

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October 18, 2017 8:53 AM

Four of the five elected Monroe County commissioners agreed to pay a total of \$20,000 in fines to the state Commission on Ethics for misreporting income, investments and net worth on financial disclosure forms that elected officials in Florida are required to complete each year.

All four commissioners told an Ethics Commission investigator that the misreporting was done in error and not to deceive, and they each submitted amended disclosure forms before agreeing to the fines.

The complaints against them were filed by a Key West man who states in each filing he’s angry at the commission for conducting an audit of a Marathon-based animal shelter that ended the nonprofit’s contract with the county for handling animal control services in the Middle Keys.

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Richard Boettger, a Key West tax preparer and friend of the former animal shelter’s director, Linda Gottwald, filed the complaint in February after poring through the disclosure forms and finding errors. He refers to Gottwald’s accounting books as “pristine.”

“On the other hand, the same commissioners who destroyed a business and life have themselves far worse accounting accuracy, even under sworn oath on public documents, than did the virtuous non-profit,” Boettger wrote in his complaint.

He filed a complaint against Commissioner George Neugent in 2016, claiming that Neugent used his power as a commissioner to end Gottwald’s animal-control contract and award it to a friend. The Ethics Commission did not uphold that claim but did fine Neugent \$500 for not disclosing he was an honorary member of a country club golf course.

In his February complaint against the other four commissioners, Boettger blasts the fine as low, and expresses anger that Neugent’s colleagues chose him as county mayor this year, an honorary title that is passed along each year on the dais. Commissioner Sylvia Murphy, while acknowledging she “definitely made mistakes” filling out her disclosure forms for four years, said she finds Boettger’s motives “weird, but an expensive weirdness for us.”

“He’s mad at George for Linda Gottwald’s downfall, and he’s blaming us for making him mayor,” Murphy said, noting she and her colleagues had to pay for attorneys to help them amend the disclosure forms.

Among the items misreported on Murphy’s disclosure forms are listing her Tavernier home’s assessed value and not its total value. For instance, for 2015, Murphy reported the total value of her home as \$242,215 when in fact it was \$360,391. She said in an interview she thought the total value of her home was listed on her property tax bill when it’s actually listed on her Truth in Millage notice, which is mailed to homeowners to inform them about a taxing entity’s proposed property tax rate before it’s

approved.

“It actually looked very simple,” Murphy told investigator A. Keith Powell. “So, I was overconfident.”

Murphy agreed to pay \$4,000 in penalties to the Ethics Commission.

**‘Convolutd’**

County Commissioner Heather Carruthers said in an interview this week that completing the disclosure forms is a “convoluted and unclear process” and she will hire an accountant to help fill them out from now on.

“There’s absolutely no connection between any of these clerical errors and any decision that was made by the commissioners,” Carruthers said. “There’s no nexus at all.”

Carruthers agreed to pay \$5,000 in fines. Among errors investigators found in Carruthers’ forms was an investment account she reported had in it \$196,000 in 2014, which went up to \$442,704 in her amended report. There were also misreported assets from 2012 to 2015 and income from 2013 to 2015, according to Powell’s reports.

Carruthers cited the errors in her investment account disclosures to her not knowing the Ethics Commission’s rule that every company in an investment portfolio must be listed on the disclosure form.

“That changes throughout the year,” she said.

Commissioner David Rice was fined the most — \$6,000 — out of the commissioners. Some of the most notable amendments he made on the disclosure forms were to his reported rental income. For instance, Rice reported on the disclosure forms that in 2012 that his rental income was \$500. When he amended the forms for that year, his reported rental income spiked to \$88,573.

Likewise, in 2013, he reported \$12,000 in rental income. When he amended the disclosure forms, that number jumped to \$92,200.

Rice could not be reached for comment by press time, but Murphy said the discrepancy was likely due to him being confused about what the disclosure forms were actually asking for. She thought originally the forms asked for total rental profit, but a landlord is actually required to report the total rent collected.

Commissioner Danny Kolhage was fined \$5,000. He failed to disclose assets and income. He told investigators that even though he filled out similar forms in his decades of public service, he “recently had not been reading the instructions prior to completing them because he assumed he knew exactly what was required.”

He added, “I intend to change that.”

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**Ed Lewis**

And all the editors and publishers of all the Florida Keys rag newspapers endorsed every one of them.

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**Kenneth Mortenson** · University of Michigan

Is this another swamp to drain???

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Just wondering... was the old animal shelter that was closed some kind of no-kill outfit?

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**Di Lundy**

so entertaining, when the "lawmakers" have to abide by the laws they make (like the rest of us)! And, Rice's "\$500 profit on \$88,000+ rental income" - I SERIOUSLY doubt it!

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**Geema Auten**

Omg... and one is even the former Clerk of Court , Kolhage!

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Yup. Can't follow basic instructions or do simple math.

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**Geema Auten**

Margaret Blank

But woe be to the employees that don't follow policy. Now ( actually have been for years) wondering about the former commishes and what they did - and wasn't revealed.

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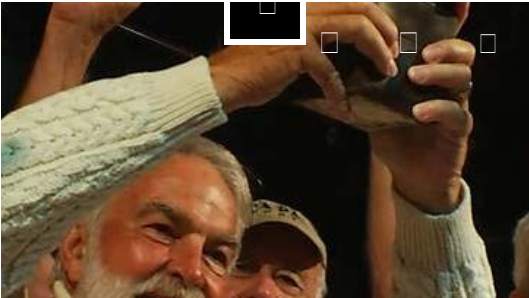


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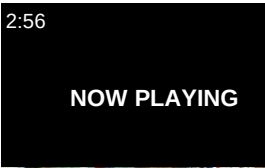
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