

BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS

In re: Barbara Sue Revels,  
Respondent.

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Complaint No. 15-126

**PRE-PROBABLE CAUSE  
JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER**

Respondent, Barbara Sue Revels, and Advocate for the Florida Commission on Ethics enter into this Pre-Probable Cause Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled Complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

**STIPULATED FINDINGS OF FACT**

1. Respondent serves as a member of the Board of County Commissioners of Flagler County, and therefore is subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.
2. On June 8, 2015, a sworn Complaint was filed with the Commission on Ethics alleging that Respondent violated the Code of Ethics.
3. Pursuant to Section 112.322, Florida Statutes, the Executive Director of the Commission on Ethics found that the Complaint was legally sufficient and ordered a preliminary investigation of the Complaint for a probable cause determination of whether Respondent had violated the Code of Ethics. The Report of Investigation was released on October 5, 2016.
4. The allegations are:
  - I. Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, by failing to accurately disclose her net worth,

income, and liabilities on her 2012 CE Form 6, "Full and Public Disclosure of Financial Interests."

II. Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, by failing to accurately disclose her net worth, income, assets, and liabilities on her 2013 CE Form 6, "Full and Public Disclosure of Financial Interests."

III. Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, by failing to accurately disclose her net worth, income, assets, and liabilities on her 2014 CE Form 6, "Full and Public Disclosure of Financial Interests."

5. On October 14, 2016, Advocate filed her Recommendation requesting that the Commission find probable cause as to Allegations I, II, and III as follows, respectively:

There is probable cause to believe that Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, by failing to accurately disclose her net worth, income, and liabilities on her 2012 CE Form 6, "Full and Public Disclosure of Financial Interests."

There is probable cause to believe that Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, by failing to accurately disclose her net worth, income, assets, and liabilities on her 2013 CE Form 6, "Full and Public Disclosure of Financial Interests."

There is probable cause to believe that Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, by failing to accurately disclose her net worth, income, assets, and liabilities on her 2014 CE Form 6, "Full and Public Disclosure of Financial Interests."

6. Respondent admits the facts as set forth in the Report of Investigation as to Allegations I, II, and III as incorporated by reference in this Joint Stipulation.

#### **STIPULATED CONCLUSIONS OF LAW**

7. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

8. The Commission on Ethics has jurisdiction over the Complaint as filed in this proceeding and over Respondent.

9. Respondent admits Allegations I, II, and III as set forth in paragraph four (4) of the Stipulated Findings of Fact above.

**STIPULATED RECOMMENDED ORDER**

10. Advocate accepts Respondent's admission in this proceeding.

11. Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings in this cause.

12. Therefore, the parties request and Advocate recommends that:

(a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties;

(b) The Commission on Ethics enter a Final Order and Public Report finding probable cause as to the Allegations I-III;

(c) The Commission on Ethics enter a Final Order and Public Report finding that Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes for the years 2012-2014;

(d) The Commission's Final Order and Public Report include a recommendation for the imposition of:

(1) Public censure and reprimand of Respondent; and

(2) A civil penalty of :

\$1,500.00 for Allegation I,

\$1,500.00 for Allegation II,

\$1,500.00 for Allegation III,

Total: \$4,500.00.

### **FURTHER STIPULATIONS**

13. Respondent and Advocate stipulate and covenant that they have freely and voluntarily entered into this Pre-Probable Cause Joint Stipulation of Fact, Law, and Recommended Order with full knowledge and understanding of its contents. Respondent and Advocate further stipulate and covenant that this Joint Stipulation constitutes the full agreement of the parties and that there are no oral or written understandings between the parties other than those contained in this Pre-Probable Cause Joint Stipulation of Fact, Law, and Recommended Order.

14. Respondent and Advocate stipulate and covenant that, in consideration of the provisions of this Pre-Probable Cause Joint Stipulation of Fact, Law, and Recommended Order, they accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

15. Respondent and Advocate stipulate that this Pre-Probable Cause Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this document shall be of no purpose and effect and shall not be deemed an admission by Respondent.


16. Respondent enters into this Joint Stipulation with the understanding of the seriousness of the allegations and gives her assurance that this proceeding has affected the manner in which she conducts herself as a public official in a positive way.

17. Effective upon approval of this Pre-Probable Cause Joint Stipulation of Fact, Law, and Recommended Order by the Commission on Ethics, Respondent waives for all time, notice, hearing rights, requirements, and entitlements, as to all subsequent hearings in this

proceeding. By her signature hereto, Respondent waives any and all confidentiality with respect to these proceedings.

Signed, dated and entered into:


this 8<sup>th</sup> day of December, 2016.

  
Elizabeth A. Miller  
Advocate for the Florida  
Commission on Ethics  
Florida Bar No. 578411  
Office of the Attorney General  
The Capitol, PL-01  
Tallahassee, Florida 32399-1050  
(850) 414-3300, Ext. 3702

this 8<sup>th</sup> day of December, 2016.

**Mark Herron**  
Digitally signed by Mark Herron  
DN: cn=Mark Herron, o=Messer Caparello, ca, email=mherron@lawfla.com, c=US  
Date: 2016.12.08 13:42:02 -0500  
**Mark Herron, Esq.**  
Attorney for the Respondent  
Florida Bar No. 199737  
Messer Caparello, P.A.  
2618 Centennial Place  
Tallahassee, FL 32308-0572  
(850) 222-0720

this 7<sup>th</sup> day of Dec., 2016.

  
Barbara Sue Revels  
Respondent