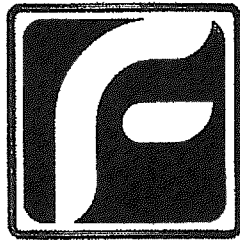


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May 5, 2016

Ms. Millie W. Fulford
Complaint Coordinator
325 John Knox Road,
Building E, Suite 200
Tallahassee, FL 32303

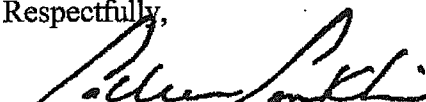
Re: Complaint No. 16-011, In re COLLEEN CONKLIN-WALSH

Dear Ms. Fulford:

Enclosed please find my response to the Complaint referenced above. In your letter dated April 20, 2016 you indicate the probable cause hearing in this complaint is tentatively scheduled to be held on Friday, July 29, 2016. Please be advised that I am scheduled to be out of town at a meeting that was scheduled prior to receiving notification of the tentative date for the hearing. Please consider this notification of unavailability as a request for the meeting, should it be necessary, to be rescheduled.

Thank you in advance for your consideration of my enclosed response. If there is anything else I can provide to you to assist in this investigation please let me know. Thank you again for the opportunity to provide this response.

Respectfully,


Colleen Conklin-Walsh
Flagler county School Board Member

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BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re COLLEEN CONKLIN-WALSH,)
)
)
 Respondent.)
_____)

Complaint No. 16-011

RESPONDENT'S RESPONSE
TO
REPORT OF INVESTIGATION

Respondent, Colleen Conklin-Walsh, hereby responds to the Report of Investigation submitted to the Commission on April 21, 2016, pursuant to Commission Rule 34-5.006, F.A.C., as follows:

CASE BACKGROUND

1. This matter arises out of the late filing of the 2013 CE Form 6, full and Public Disclosure of Financial Interest.
2. Pursuant to Florida Statute 112.3144 incumbent officials must file the Form annually by July 1. There is a grace period in effect until September 1 of the current year where no investigative or disciplinary action will be taken by the agency head or commission if the statement is filed by September 1 of the current year. If the statement is not filed by September 1 of the current year, a fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500.
3. As noted in the investigation report, the undersigned received the reminder letter on or about July 31, 2014 as well as

the courtesy postcard on or about August 14, 2014. The Form 6 had been completed prior to receiving these reminder notices. The Form 6 filing was previously provided to my husband, Christopher Conklin, for mailing in the regular U.S. Mail. At this time I believed the documents had crossed in the mail. Upon receiving the letter of September 4, 2014 inquiry was made with my husband as to whether the form was submitted. I learned that he had failed to send the form in and was unable to locate it in his truck. I was going to recreate the document for resubmission when, while cleaning out his truck the undersigned found the sealed and stamped envelope containing the Form 6. The document was sent in to the Commission on Ethics.

4. As noted in paragraph 8 of the Investigation Report, in October, 2015 (sic) (should be October, 2014) the undersigned spoke to a staff member with the Commission to advise that the document was located and the staff member advised to send the Form 6 in as quickly as possible to stop the accrual of automatic fines. The undersigned believed the document had been received by the Commission.

5. On or about March 25, 2015, Shirley A. Taylor, Program Administrator certified the mailing of the Notice of Assessment of Automatic Fine. The undersigned received this approximately five months after my last communication with the Commission staff member in October and was the first notification that the form

submitted in the fall had not been received. In accordance with Section 5d., the undersigned submitted an affidavit attesting to the filing of the financial disclosure and recollection of when and how it was filed. It should be noted, that at the time of the appeal I believed the form was located in September and submitted it during the month of September, however, reviewing the notes of the Commission staff member, the submission did not occur until October, 2014. Those portions of both my and my husband's affidavit indicating September should have been October, 2014. Also, in accordance with section 5d., where it states "a claim of having filed the CE Form 6 for the current year does not satisfy the CE Form 6 filing requirement, as such another original of the filing was submitted with the Appeal. This CE Form 6 was received on April 23, 2015. Although it was received by the Commission on Ethics in April, the Commission did not use this document as the filing and as stated in paragraph 7 of the Investigation Report, upon communication with Staff member Diane Westbury it was learned that another CE Form 6 needed to be submitted. This CE Form 6 was documented as being filed on June 29, 2015.

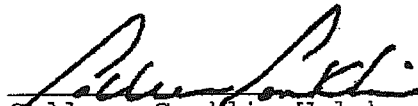
6. The appeal was denied by the Commission on December 11, 2015, and the fine was paid on January 12, 2016.

7. As noted by the Investigation Report there have been six (6) occasions (including the 2013 submission) where there have been late filings. There is certainly no excuse for the late

submissions. The undersigned has been a public official since 2000 and takes this position and all of the obligations attached to the office very serious as it is incumbent of an elected official to fulfill these obligations to maintain the respect and trust of the citizens. In the past when there has been a late submission the time has been from 1-14 days late. Certainly a late submission is not acceptable, however, the late submission in the case at hand was not willful. Upon learning in September that my Husband failed to mail in the document, the undersigned began taking corrective steps to file the document within the 60 day period (paragraph 2 of the Investigation Report). Unfortunately, the document was not received by the Commission. Upon learning of the non-submittal the undersigned followed the appeal rules and submitted the form along with the explanation of late filing.

Conclusion

Respondent respectfully requests the Commission dismiss the Complaint with no further action to be taken.



Colleen Conklin-Walsh
School Board Member, Flagler County
229 Ocean Palm Drive
Flagler Beach, FL 32136
Telephone: 386-569-9323