

**TO:** Larry Jones; Sidney Noyes  
**FROM:** Gary Wheeler  
**DATE:** November 14, 2017  
**RE:** Investigative Report

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## **I. Summary of Complaint and Investigative Background**

On October 6, 2017, Dede Hinote's attorney, Jennifer Sullivan, wrote a letter to you alleging that she has been subjected to several instances of discrimination and harassment based on sex. On October 16, 2017, Ms. Hinote amended or supplemented her allegations by writing a letter to you and Sidney Noyes, Walton County Attorney, stating that she was exercising her rights under Section 112.3187, Florida Statutes, to report "suspected violations of law, gross mismanagement and malfeasance on behalf of Walton County and, specifically, Cecilia Jones, Chairwoman of the Walton County Board of County Commissioners."

On or about October 11, 2017, Gary R. Wheeler, Esq. of Constangy, Brooks, Smith & Prophete LLP, was retained to conduct an investigation into Ms. Hinote's allegations.<sup>1</sup> This document is a report of that investigation. During the course of the investigation, the following individuals were interviewed:

**Larry Jones**, County Administrator  
**Cecilia Jones**, Chairwoman of the Walton County Board of County Commissioners  
**Dede Hinote\***, Assistant County Administrator  
**Ella Mae Walters**, Human Resources Director  
**Stan Sunday**, Assistant County Administrator  
**Evelyn Strickland**, Executive Assistant

\*Ms. Hinote's interview on October 16, 2017, was very brief. She met with this investigator and provided her letter dated October 16, 2017. But Ms. Hinote explained that she was not comfortable responding to the investigator's questions without her attorney present.

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<sup>1</sup> In Ms. Hinote's letters, she complains that Jerry Jones (Commissioner Jones' husband) has harassed her, in part, by making several unfounded complaints against her to the State Attorney, Property Appraiser, and Supervisor of Elections. The facts concerning those allegations are outside of the scope of this investigation as they relate to other agencies. Ms. Hinote's attorney has been contacted by the County Attorney and informed that her allegations concerning Mr. Jones and the other agencies should be directed to those agencies.

## **II. Findings and Recommendation**

Three policies from the Walton County Personnel and Policy Manual are at issue in this matter:

- 1) Americans with Disabilities Act Statement, Harassment Policy and Equal Opportunity Policy. Specifically, Section B of that policy prohibits discrimination and harassment based on any protected status, including sex.
- 2) Whistleblower Protection Policy. Under this policy, anyone who has reason to believe the County is violating or not complying with state or federal statutes, rules or regulations is encouraged to report the concern to the County Administrator, any member of County management, or to a County Commissioner. Those reporting problems pursuant to this policy are protected against retaliation.
- 3) Authority of Commissioners. The policy provides: "No commissioner, acting on his or her own individual authority, may hire, transfer, raise the pay of, demote or terminate the employment of any county employee other than their respective aides or executive assistants. Such actions can only be accomplished after the approval of the appropriate Division Director or the County Administrator in accordance with established personnel policy."

Many of Ms. Hinote's allegations share the common assertion that Cecilia Jones has been interfering with the day-to-day operations of the County government, including injecting herself into employment decisions and directing county personnel to carry out various tasks at her discretion. No County policy expressly prohibits County Commissioners from becoming involved any of the County's day-to-day operations. The County's policy does prohibit commissioners from taking certain personnel actions (set out above). Essentially, the "Authority of Commissioners" policy prohibits County Commissioners from taking any tangible employment action (such as hiring, terminating, demoting, or promoting).

No violation of any of the three policies set out above was found as a result of the investigation, nor was there any evidence of gender discrimination or harassment, as alleged by Ms. Hinote. However, Ms. Hinote is protected against retaliation for having reported perceived discrimination and having utilized the County's Whistleblower Protection Policy.

While there was no indication that Commissioner Jones violated the Authority of Commissioners policy, facts were revealed that indicate Ms. Jones does sometimes become involved in certain day-to-day personnel matters. It is recommended that the County take steps to clarify the role of a Commissioner and to discuss best practices.