

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

#K13-016

Date Opened: 02/15/13

Date Closed: 03/5/13

Investigator: Sylvia Batista

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On February 14, 2013, the COE received an e-mail from Frances Neuhut (Neuhut), a resident of the Town of Bay Harbor Islands. In her e-mail, Neuhut complained that the Town's Clerk, Marlene Marante (Marante), did not provided her with the records that she requested in her public records request and, for that reason, she was unprepared to speak on an agenda item at the Town Council meeting of 02/11/13.

The COE's issue relates to a possible violation of Florida Statutes, Section 119.01.

**Investigation:**

**02/21/13 – Marlene Marante, Clerk of the Town of Bay Harbor Islands –**

Marante was contacted by the COE and asked about Neuhut's allegation. Marante said that Neuhut requested the 2013 Density Monitoring System report, and such report has not been prepared by the Town to date. Marante added that she does not expect for the 2012 Density Monitoring System report to be ready for two to three months. Marante

explained that she gave Neuhut a copy of the 2011 report because it is the only one that is completed to date.

**Conclusion:**

In view of the fact that the document requested by Neuhut had not yet been prepared by the Town, it was impossible for Clerk Marante to comply with Neuhut's public records request. Therefore, this matter is closed without further action.