



John A. Carey  
Inspector General

## OFFICE OF INSPECTOR GENERAL PALM BEACH COUNTY



Inspector General  
Accredited

---

*“Enhancing Public Trust in Government”*

# Investigative Report

## 2015-0008

# Automotive Repair Discount

## November 10, 2015

---

Insight – Oversight – Foresight



John A. Carey  
Inspector General

## OFFICE OF INSPECTOR GENERAL PALM BEACH COUNTY

### INVESTIGATIVE REPORT CASE NUMBER: 2015-0008

DATE ISSUED: NOVEMBER 10, 2015



Inspector General  
Accredited

*"Enhancing Public Trust in Government"*

### AUTOMOTIVE REPAIR DISCOUNT EXECUTIVE SUMMARY

#### WHAT WE DID

On June 23, 2015, the Office of Inspector General (OIG) received a complaint from Ronald Cheston, Sr., owner of Ron Cheston's Automotive (RCA), related to allegations involving Palm Beach County (County) Environmental Resources Management Department (ERM), Sustainability and Climate Section, Environmental Analyst Rowan Hughes.

The complainant alleged that following a disagreement with Mr. Hughes concerning the price of repairs to his personal vehicle, Mr. Hughes identified himself to Mr. Cheston, Sr. and his son, Ronald Cheston, Jr., as a wellfield inspector<sup>1</sup> and made statements indicating that he may have to check the wellfield zones near RCA.<sup>2</sup> Both Mr. Cheston, Sr. and Mr. Cheston, Jr. advised the OIG that they believed that Mr. Hughes' statements to them were intended to threaten retaliatory action by

<sup>1</sup> ERM implements the Wellfield Protection Ordinance and other environmental programs. The Wellfield Protection Ordinance was developed to regulate businesses near wellfields that use, handle, store, and produce hazardous and toxic materials and to ensure safe drinking water for County residents.

<sup>2</sup> According to the ERM Wellfield Zone Map, RCA is just outside of Zone 4, which is one of the four designated zones of influence regulated by ERM. Zone 4 is inspected on an annual basis by ERM; however, complaints can generate inspections at any time that can potentially result in monetary fines.

the County if he did not discount the repairs to Mr. Hughes' personal vehicle. Based on the information provided by Mr. Cheston, Sr., the OIG initiated an investigation.

#### WHAT WE FOUND

During the OIG's preliminary interview with Mr. Cheston, Sr., he disclosed that Mr. Hughes arrived at RCA (Riviera Beach, Florida) in a County vehicle.<sup>3</sup> Based on the information provided by Mr. Cheston, Sr. and other sources, the OIG developed the following allegations and findings:

**Allegation (1):** that Rowan Hughes falsified County documents in order to use a County vehicle for personal reasons. Our investigation *supported* this allegation. Pursuant to County policies, falsification of records and/or the use of County vehicles for personal reasons is prohibited. Mr. Hughes provided three different statements to the OIG, with the last one acknowledging that he falsified the Vehicle Use Log (Log) by reporting that he conducted official business. However, he actually used the County vehicle to travel to RCA on June

<sup>3</sup> Mr. Hughes' assigned work location is 2300 Jog Road, West Palm Beach, Florida, approximately 10 miles from RCA).

22, 2015 and June 23, 2015 for personal reasons.

Mr. Hughes further admitted that there were several other occasions when he documented official business on the Log in order to use a County vehicle for personal reasons. Our investigation identified \$167.07 in questioned costs and \$44.85 in identified costs related to this allegation.

*Allegation (1) has also been referred to the County's Commission on Ethics for action as it deems appropriate.*

**Allegation (2):** that Rowan Hughes threatened or intimidated Mr. Cheston, Sr. and/or Mr. Cheston, Jr. by identifying himself as a wellfield inspector and making statements that he would have to check the wellfield zones near RCA, following Mr. Cheston, Sr.'s refusal to discount the price of repairs to Mr. Hughes' personal vehicle. Our investigation *supported* this allegation.

County policies prohibit the use of "threats, intimidation...to [the] public..." and require that County employees "...conduct themselves in a professional manner." Both Mr. Cheston, Sr. and Mr. Cheston, Jr. stated that after refusing to discount the price of repairs to Mr. Hughes' personal vehicle, Mr. Hughes, without provocation, identified himself as a wellfield inspector and made statements that he would have to check the wellfield zones near RCA. Although Mr. Hughes had no responsibilities whatsoever relating to wellfield inspections,<sup>4</sup> both Mr. Cheston, Sr. and Mr. Cheston, Jr. had

reason to believe that they may be subject to inspection by the County based on Mr. Hughes' statements, as well as the fact that Mr. Hughes made these statements after arriving at RCA in a County vehicle.

Furthermore, Mr. Hughes acknowledged that he advised Mr. Cheston, Sr. and Mr. Cheston, Jr. that "[he works] with the guys that do fuel station and wellfield inspections." Mr. Hughes was unable to explain why he falsely stated he was involved with fuel stations and wellfield inspections.

Mr. Cheston, Sr. and his son, Ronald Cheston, Jr., as well as three separate parties (ERM Director Robert Robbins, Deputy Director Daniel Bates, and Senior Site Planner Robert Kraus) independently provided corroborating information concerning Mr. Hughes asking for a discounted price for repair services. Mr. Robbins and Mr. Bates confirmed that Mr. Hughes advised them of his statements to Mr. Cheston, Sr. and Mr. Cheston, Jr.

Mr. Robbins and Mr. Bates stated that they were subsequently approached by Mr. Hughes, individually, at which time it was Mr. Hughes who advised them that he asked for a discounted price on the repairs.

Additionally, Mr. Robbins and Mr. Kraus stated that they were subsequently approached by Mr. Hughes, individually, at which time it was Mr. Hughes who advised them that he relayed to Mr. Cheston, Sr. and Mr. Cheston, Jr. that he (Mr. Hughes) worked with the wellfield inspections section.

---

<sup>4</sup> Neither Mr. Cheston, Sr. nor Mr. Cheston, Jr. were aware of this fact when Mr. Hughes made these statements.

**WHAT WE RECOMMEND**

We recommend the following corrective actions:

1. The County take appropriate personnel actions.
2. Recoup all expenses associated with Mr. Hughes use of County vehicles for personal reasons.
3. ERM considers implementing additional control methods to ensure that staff adequately document the use of County vehicles and appropriate level of supervisory review of travel documentation.

## BACKGROUND

On June 23, 2015, the Office of Inspector General (OIG) received a complaint from Ronald Cheston, Sr., owner of Ron Cheston's Automotive (RCA), regarding concerns that ERM Environmental Analyst Rowan Hughes threatened retaliatory action against RCA by the County involving wellfield inspections unless Mr. Hughes received a discount on repairs for his personal vehicle.



Rowan Hughes at RCA on 6/23/2015

A preliminary interview with Mr. Cheston, Sr. also disclosed that Mr. Hughes drove a County vehicle to RCA while conducting personal business. Mr. Cheston, Sr. stated that Mr. Hughes arrived at RCA in a County vehicle (Toyota Prius Hybrid) to discuss his personal vehicle repairs on two occasions. When Mr. Hughes disagreed with the cost of the repairs, and after both Mr. Cheston, Sr. and Mr. Cheston, Jr. refused to discount the price of repairs to Mr. Hughes' personal vehicle, Mr. Hughes, without provocation, identified himself as a wellfield inspector and made statements that he would have to check the wellfield zones near RCA. Based on this information, the OIG initiated an investigation.

## ALLEGATIONS AND FINDINGS

Based on the information provided by Mr. Cheston, Sr., the OIG developed the following allegations:

### **Allegation (1):**

***Palm Beach County Environmental Resources Management Department, Sustainability and Climate Section, Environmental Analyst Rowan Hughes falsified Vehicle Use Logs in order to use County vehicles for personal use. If supported, the allegation would constitute a violation of Palm Beach County PPM #CW-O-004 L. A. 8.; Section 7.02.D.(24) and (26) of the Palm Beach County Merit System Rules and Regulations; and the Risk Management Employee Driver Authorization Form.***

### **Finding:**

The information obtained **supports** the allegation.

Mr. Hughes provided three different statements to the OIG, with the last one acknowledging that he falsified the Vehicle Use Log (Log) by reporting that he conducted official business when he used the County vehicle to travel to RCA on June 22, 2015 and June 23, 2015 for personal reasons. Mr. Hughes further admitted that there were several other occasions that he documented official business on the Log in



order to use a County vehicle for personal reasons. *This matter has also been referred to the County’s Commission on Ethics for action as it deems appropriate.*

Mr. Cheston, Sr. stated that Mr. Hughes visited RCA on two occasions, June 22, 2015 and June 23, 2015. Mr. Cheston, Sr. provided the OIG with a copy of surveillance video from RCA for June 23, 2015; however, surveillance video from June 22, 2015 was no longer available.<sup>5</sup>



**First Statement of Rowan Hughes, Environmental Analyst, Environmental Resources Management Department, Sustainability and Climate Section**

Mr. Hughes initially stated that he drove his personal vehicle to RCA on June 23, 2015 to discuss repairs made to his vehicle the previous day (June 22, 2015). When shown photos from the surveillance video indicating that he actually arrived at RCA in a County vehicle (Toyota Prius Hybrid) on June 23, 2015, Mr. Hughes changed his statement and advised that he “must have” signed out a County vehicle on the Log to attend a meeting. Mr. Hughes stated that following the meeting, he drove to RCA. Subsequent to further questioning by the OIG, Mr. Hughes finally stated that he did not attend any meetings on June 23, 2015, and that he used a County vehicle to drive to RCA for personal reasons. Mr. Hughes further admitted that he also used a County vehicle to drive to RCA for personal reasons on June 22, 2015.

**SPARE VEHICLE USE LOG**

*THIS VEHICLE DOES NOT HAVE A SUNPASS*

Vehicle 21 Asset # 10139723  
 Month June 15 PARKING SPACE# C12

DATE	TIME		MILEAGE		Destination	Operator
	Leave	Return	Start	End		
6/19	3		11482	11482	Floor	[Signature]
6/19	8:45	11:30	11476	11476	RCA	[Signature]
6/19	9	1:30	11479	11479	RCA	[Signature]
6/23	12:00	1:00	11485	11487	RCA	[Signature]

<sup>5</sup> Although Mr. Hughes documented he used the vehicle from 1:00pm until 2:00pm, the surveillance video indicated that he arrived at RCA at 10:23am and left at 10:50am.

Mr. Hughes acknowledged that he was familiar with County vehicle policies and that he was only allowed to use County vehicles for County business. Mr. Hughes stated that he did not obtain permission, nor was anyone aware, including ERM Environmental Supervisor Julie Mitchell (his immediate supervisor), of his use of County vehicles for personal business. Mr. Hughes confirmed that on both June 22, 2015 and June 23, 2015, he documented in the Logs associated with Vehicle 21 and 17, respectively, that he was going “downtown,” even though he was actually going to RCA for personal reasons and that he had no official County business necessitating the use of a County vehicle on either of those days. Mr. Hughes subsequently admitted that there were occasions that he did not have a personal vehicle available and that he had previously used County vehicles occasionally for personal reasons to drive “home to pick up something or stop at the store.”

VEHICLE USE LOG							
Vehicle # 17 Asset # 10198052 Year/Make/Model 2015 Toyota Prius Hybrid							
Month of <u>JUNE 2015</u>							
Date	TIME		MILEAGE		Destination	Fuel	Operator
	Leave	Return	Start	End			
6/2	8:50	9:57	812	837	Cal West State		[Signature]
6/3	4:00	5:45	837	872	Bryant Ph	X	Chap
6/5	9:00	2:00	872	903	Singer Island		Admitt
6/10	9:00	9:40	907	907	Visa - SS		W. Risher
6/10	12:00	1:54	907	956	Downtown		[Signature]
6/11	8	5		1024	RCCA		Rates
6/12	11	11	624	624	Field		Ed
6/15	6:30	3:00	1028	1065	PBYC		W. Doughty
6/17	9:15	12:00	1065	1107	NJF		Zach B
6/23	1:00	2:00	1131	1187	downtown		[Signature]

Based on Mr. Hughes’ admission that he used County vehicles for personal reasons, the OIG initiated a review of all the Logs<sup>6</sup> associated with Mr. Hughes’ use between July 1, 2014 through July 31, 2015.

According to the OIG’s review of the Logs provided by ERM, Mr. Hughes documented County business on the following occasions:

Date	Vehicle	Departure Time	Return Time	Destination	Total Miles
July 22, 2014	Toyota Prius Hybrid #12	4:30pm	5:00pm	Downtown	21
September 8, 2014	Toyota Prius Hybrid #12	3:00pm	5:15pm	Downtown	14
September 9, 2014	Toyota Prius Hybrid #12	9:30am	11:00am	Lantana	35
October 20, 2014	Ford Escape Hybrid #20	12:00pm	1:30pm	Field	36
October 21, 2014	Ford Escape Hybrid #23	12:00pm	1:00pm	Field	37
November 20, 2014	Toyota Prius Hybrid #5	10:15am	11:45am	Facilities	3
December 17, 2014	Toyota Prius Hybrid #5	10:30am <sup>7</sup>	11:30am	Facilities	4
February 18, 2015	Ford Escape Hybrid #18	12:00pm	12:50pm	Downtown	20

<sup>6</sup> The use of County vehicles is documented on an individual Log that is associated with each vehicle.

<sup>7</sup> Mr. Hughes mistakenly documented December 17, 2014 as his travel date. The correct date of travel was December 18, 2014.

March 16, 2015	Ford Escape Hybrid #21	7:15am	6:07pm	Miami	135
May 4, 2015	Toyota Prius Hybrid #12	12:15pm	1:00pm	Downtown	34
May 19, 2015	Toyota Prius Hybrid #15	12:00pm	1:00pm	Downtown	48
June 10, 2015	Toyota Prius Hybrid #17	12:00pm	1:54pm	Downtown	49
June 22, 2015	Ford Explorer #21	12:00pm	1:05pm	Downtown	22
June 23, 2015	Toyota Prius Hybrid #17	1:00pm	2:00pm	Downtown	56
July 8, 2015	Toyota Prius Hybrid #17	11:30am	12:30pm	Downtown - Field	48
July 9, 2015	Toyota Prius Hybrid #17	12:00pm	1:00pm <sup>8</sup>	FDO	6
July 29, 2015	Toyota Prius Hybrid #17	2:00pm	2:30pm	HR	14
July 30, 2015	Toyota Prius Hybrid #17	10:00am	11:00am	HR	15

- The OIG was able to confirm that 8 of the 18 trips (highlighted in white) were related to official County business. (226 Total Miles)
- Mr. Hughes confirmed that 2 of the 18 trips (highlighted in orange) were not related to official County business and were solely for personal reasons. (78 Total Miles)
- The remaining 8 trips (highlighted in blue) were unable to be confirmed by either the OIG, ERM, or Mr. Hughes as related to official County business. (293 Total Miles)

### Second Statement of Rowan Hughes

Mr. Hughes stated that after a review of the Logs provided to him by the OIG, "I simply at this time can't recall the circumstances surrounding my use of the vehicle on these days. I have access to the vehicles every working day and these random dates [do] not demonstrate any pattern or consistency to help me verify or recall the use." Mr. Hughes reconfirmed that he had previously documented County business on the Logs even though he was using a County vehicle solely for personal reasons. However, Mr. Hughes stated that he was unable to recall or find documentation related to the seven trips during lunch hours. Mr. Hughes acknowledged that he had previously provided misleading or deceptive statements to the OIG regarding his use of County vehicles; however, Mr. Hughes continued to state that in reference to the remaining questionable trips, he could not recall what County business he had that would take place during lunch hours.

**During interviews with the OIG concerning Mr. Hughes' inappropriate use of County vehicles, ERM Director Robert Robbins, Deputy Director Daniel Bates, Environmental Director Bonnie Finneran, Environmental Program Supervisor**

<sup>8</sup> The time documented by Mr. Hughes is inconsistent with his Outlook calendar.



**Julie Mitchell (Mr. Hughes' immediate supervisor) and Senior Site Planner Robert Kraus<sup>9</sup> stated the following:**

- Mr. Robbins, Mr. Bates, Ms. Finneran, Ms. Mitchell and Mr. Kraus all stated that they had no knowledge of Mr. Hughes' use of County vehicles for personal reasons.
- County vehicles are not permitted for personal use; however, it is acceptable for employees to stop to use the restroom or purchase lunch in the vicinity of their work assignment.
- All employees must document in the Log the date and time they use a County vehicle for County business, their destination, and the mileage incurred during each use.
- When employees document "downtown" as their destination in the Log, the understanding is that they are referring to the Palm Beach County Government Center, located at 301 North Olive Avenue in West Palm Beach, FL.
- Mr. Robbins, Ms. Finneran, and Ms. Mitchell stated that Mr. Hughes' position as an Environmental Analyst does not require a lot of field work. Mr. Hughes primarily uses County vehicles to attend meetings that take place out of the office.
- Ms. Mitchell stated that she does not review the Log for accuracy as she trusts her employees. However, Ms. Mitchell stated that employees have been directed to complete a sign-out book (separate from the Log) whenever they leave the office. Mr. Hughes has not previously complied with that request.

**Allegation (2):**

***Palm Beach County Environmental Resources Management Department, Sustainability and Climate Section, Environmental Analyst Rowan Hughes threatened or intimidated members of the public by falsely identifying himself as a wellfield inspector and making statements that he would have to conduct a wellfield inspection following a business' refusal to reduce the price of repairs to his personal vehicle. If supported, the allegation would constitute a violation of Section 7.02 D. (21) and (32) of the Palm Beach County Merit System Rules and Regulations.***

**Finding:**

The information obtained ***supports*** the allegation.

County policies prohibit the use of "threats, intimidation...to [the] public..." and require that County employees "...conduct themselves in a professional manner." Both Mr.

<sup>9</sup> During Ms. Mitchell's absence, Mr. Kraus served as the acting supervisor.

Cheston, Sr. and Mr. Cheston, Jr. stated that after refusing to discount the price of repairs to Mr. Hughes' personal vehicle, Mr. Hughes, without provocation, identified himself as a wellfield inspector and made statements that he would have to check the wellfield zones near RCA. Although Mr. Hughes had no responsibilities whatsoever relating to wellfield inspections,<sup>10</sup> both Mr. Cheston, Sr. and Mr. Cheston, Jr. had reason to believe that they may be subject to inspection by the County based on Mr. Hughes' statements, as well as the fact that Mr. Hughes made these statements after arriving at RCA in a County vehicle. Furthermore, Mr. Hughes acknowledged that he advised Mr. Cheston, Sr. and Mr. Cheston, Jr. that "[he works] with the guys that do fuel station and wellfield inspections." Mr. Hughes was unable to explain why he falsely stated he was involved with fuel stations and wellfield inspections.

Mr. Cheston, Sr. and his son, Ronald Cheston, Jr., as well as three separate parties (ERM Director Robert Robbins, Deputy Director Daniel Bates, and Senior Site Planner Robert Kraus) independently provided corroborating information concerning Mr. Hughes. Mr. Robbins, Mr. Bates, and Mr. Kraus each advised that it was Mr. Hughes who relayed to each of them that he asked for a discounted price for repair services and/or that he identified himself as working with the wellfield inspections section.

#### **Statement of Ronald Cheston, Sr., Owner, Ron Cheston's Automotive**

Mr. Cheston, Sr. stated that on June 22, 2015, Mr. Hughes arrived at RCA<sup>11</sup> to pay for the installation of a new fuel injector on his (Mr. Hughes') personal vehicle. Although Mr. Hughes had been previously notified of the invoice amount (\$3,622.01) and authorized the repair work to be initiated, after review of the invoice, Mr. Hughes expressed his displeasure with the charges, at which time Mr. Hughes identified himself as the "[County's] head inspector"<sup>12</sup> and indicated that he may have to check the wellfield zones near RCA. Mr. Cheston, Sr. believed that this statement by Mr. Hughes was intended to threaten retaliatory action by the County if the price was not reduced as Mr. Hughes wanted. Mr. Cheston, Sr. refused to discount the price, Mr. Hughes provided payment in full, and left RCA. Later that same evening, Mr. Hughes returned to pick up his personal vehicle.<sup>13</sup>

On the morning of June 23, 2015, Mr. Hughes returned to RCA in a County vehicle and advised that his personal vehicle was not running properly, and declared again that he was the "head of [County] inspectors" with access to information pertaining to businesses near wellfield zones. Mr. Hughes disputed the price of the fuel injector installed in his personal vehicle and requested \$400.00 off of his bill. Mr. Cheston, Sr. stated to Mr. Hughes "I'm not taking your threats," and that he planned to file a complaint against Mr. Hughes with the County.

---

<sup>10</sup> Neither Mr. Cheston, Sr. or Mr. Cheston, Jr. were aware of this fact when Mr. Hughes made these statements.

<sup>11</sup> According to Mr. Hughes' statement, he drove to RCA to pay for repairs to his personal vehicle in a County vehicle.

<sup>12</sup> It is noted, during Mr. Hughes third statement, he denied identifying himself as the "County's head inspector".

<sup>13</sup> According to Mr. Hughes' statement, he returned in another personal vehicle with his wife to pick up his personal vehicle.

According to the OIG's review of the MasterCard International Expedited Billing Dispute Resolution Form filed by Mr. Hughes on July 7, 2015, Mr. Hughes requested a full refund for "Fuel Injector pump not received by 06/22/2015."<sup>14</sup>

On July 9, 2015, Mr. Cheston, Sr. received notification that Mr. Hughes requested his credit card company to stop payment for the repairs. Mr. Cheston, Sr. was asked by the credit card company to review Mr. Hughes' dispute claim and provide a written statement to the credit card company regarding the transaction for their review and determination. Mr. Cheston, Sr. stated that Mr. Hughes' claim to his credit card company was false and confirmed that the fuel injector was installed in Mr. Hughes' personal vehicle and subsequently paid for in full on June 22, 2015.

Later that same day (July 9, 2015), Mr. Cheston, Sr. stated that after being asked for a statement from Mr. Hughes' credit card company, he received a telephone call from Mr. Hughes who advised that he planned to return the fuel injector for a refund because he was able to find a fuel injector for a lower price. Mr. Cheston, Sr. responded by explaining that the repairs were under warranty, which meant RCA would re-service Mr. Hughes' personal vehicle free of charge; however, the fuel injector could not be returned as it was now considered a used part since Mr. Hughes had now been in possession of his personal vehicle for almost three weeks. Mr. Cheston, Sr. stated that it was at this point that he advised Mr. Hughes that he would be filing a complaint "with the County" concerning Mr. Hughes' actions.

Mr. Cheston, Sr. reported that the credit card company initially refunded the full amount of the repairs (\$3,622.01) to Mr. Hughes based on Mr. Hughes' original statement that he did not receive the fuel injector. On July 20, 2015, Mr. Cheston, Sr. submitted his rebuttal, which included the OIG's notification<sup>15</sup> that an investigation would be initiated, to Mr. Hughes' credit card company. Based on that rebuttal, the credit card company denied Mr. Hughes' claim and RCA was re-credited the full amount. Mr. Cheston, Sr. advised that to date, Mr. Hughes had not been discounted and/or refunded any monies paid for repairs.

Expedited Billing Dispute Resolution Process Form		MasterCard International	
Dispute Information- for specific requirements for each reason code, please refer to the Chargeback Guide.			
Reason Code 4855 – Goods or Services Not Provided			
Cardholder Information	Account Number [REDACTED] Name Rowan O Hughes	Member ID/ ICA Number [REDACTED]	
Transaction Information	Acquirer's Reference Number [REDACTED] Transaction Date 06/22/2015	Transaction Amount 3622.01 Disputed Amount 3622.01	
Merchant Description RON CHESTON AUTOMOTIVE Westpalmbch, FL 33412 USA			
Did the cardholder participate in transaction? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Give a reasonably specific description of the good or services not received (required for Secure Code transactions). Fuel Injector pump			
What was the original delivery date of the merchandise or service? 06/22/2015			
Was delay in delivery date of the merchandise communicated to the cardholder? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If the delivery was delayed, what was the delayed delivery dates?			
If the cardholder cancelled the delivery of the goods or services, indicate the cancellation:			
Additional information: Please issue full credit for Fuel Injector pump not received by 06/22/2015			
"I certify that the facts were obtained from my discussion with the cardholder or [REDACTED] (who is the company representative or government agency representative on behalf of the corporate card or government cardholder) and the facts are accurate to the best of my knowledge."			
Woody, Annie Customer Service/Chargeback Representative		07/07/2015 Date	

<sup>14</sup> This form was certified by the MasterCard International representative that "the facts were obtained from [the representative's] discussion with the cardholder."

<sup>15</sup> Following the receipt of a complaint by the OIG, a written letter is provided to the Complainant advising them of how their complaint will be handled, one of which includes that a complaint will be handled by the Investigative Unit.

**Statement of Ronald Cheston, Jr., Senior Technician, Ron Cheston's Automotive**

Mr. Cheston, Jr. corroborated Mr. Cheston, Sr.'s statement that Mr. Hughes visited the shop on June 22, 2015 to pay his bill, and again on June 23, 2015 to dispute the automotive charges. Mr. Cheston, Jr. stated that on June 23, 2015, Mr. Hughes approached him outside RCA, without the knowledge of Mr. Cheston, Sr., concerning the price of the repairs to his personal vehicle. Mr. Cheston, Jr. stated that although it was unrelated to the discussion, Mr. Hughes questioned what wellfields were near RCA and displayed what he believed to be an ERM business card. Mr. Cheston, Jr. stated that he advised Mr. Hughes that RCA was in Zone 4, to which Mr. Hughes replied that he could obtain information regarding wellfield certification and would "look into it." Mr. Cheston, Jr. believed that Mr. Hughes' statements were intended to threaten retaliatory action by the County if he did not discount the repairs to Mr. Hughes' personal vehicle.



**During separate interviews by the OIG concerning the allegation, ERM Director Robert Robbins, Deputy Director Daniel Bates, and Senior Site Planner Robert Kraus provided the following pertinent information:**<sup>16</sup>

*It is noted that on Thursday, July 9, 2013, Mr. Cheston, Sr. advised Mr. Hughes that he would be making a complaint to the County concerning Mr. Hughes' actions.*

- Mr. Bates stated that sometime around the week of July 13, 2015, Mr. Hughes approached him and advised him of the unsatisfactory vehicle repairs he received at RCA. Mr. Bates stated that Mr. Hughes told him that he had asked Mr. Cheston, Sr. to decrease the price of the repairs and opined that since the fuel injector was unsuccessfully installed in his personal vehicle, he should receive a discount for the inconvenience. Mr. Bates stated that it was Mr. Hughes who specifically advised him (Mr. Bates) that he (Mr. Hughes) asked if RCA provided "government discounts." Following their conversation, Mr. Bates stated that Mr. Hughes appeared to have realized that he should not have asked for a discount and then advised him (Mr. Bates) that he was reporting the incident in case Mr. Cheston, Sr. should make a complaint. Mr. Hughes followed this explanation by saying that he "was not being threatening or specific, [he] was just looking for any kind of a discount [he] could get." Mr. Bates had no prior knowledge of this incident.

<sup>16</sup> Ms. Mitchell was interviewed by the OIG concerning this allegation; however, she advised that Mr. Hughes never approached her to discuss the incident.

*It is noted that on August 4, 2015, Mr. Hughes notified the OIG that he was aware of the ongoing investigation and had learned of such through his credit card company on August 3, 2015.<sup>17</sup>*

- Mr. Robbins stated that on August 4, 2015, Mr. Hughes approached him to notify him about an incident involving unsatisfactory repairs to his personal vehicle. According to Mr. Robbins, Mr. Hughes reported that after leaving RCA, he returned to RCA and “tried to get them to lower the price, or take back the fuel injector.” Mr. Hughes further explained that because he could not reach a resolution with RCA, he contacted his credit card company to stop payment. Mr. Robbins stated that during this conversation with Mr. Hughes, Mr. Hughes spontaneously relayed that Mr. Cheston, Sr. and/or Mr. Cheston, Jr. observed that he was wearing a County shirt<sup>18</sup> and confirmed to them that he was a County employee and that “he works with some of the wellfield [inspectors].” Mr. Robbins stated that for Mr. Hughes to mention a wellfield inspection “whether it is meant to be intimidating or not, it could be intimidating, and it has nothing to do with [Mr. Hughes’] job [responsibilities].”
- Mr. Kraus stated that Mr. Hughes approached him on August 4, 2015 to notify him about an incident involving unsatisfactory repairs to his personal vehicle and that he planned to have his personal vehicle repaired for a second time by another mechanic. Mr. Hughes stated that he and Mr. Cheston, Sr. disagreed about the repair amount, to which Mr. Cheston, Sr. relayed to Mr. Hughes that he was going to make a report the County. Mr. Kraus, like Mr. Robbins, reported that Mr. Hughes spontaneously offered that Mr. Cheston, Sr. observed him (Mr. Hughes) wearing a County shirt and inquired as to which department he worked for. According to Mr. Kraus, Mr. Hughes stated that he responded to Mr. Cheston, Sr.’s question, “Our department is involved in wellfield regulation and tag regulation.” Mr. Hughes further advised him (Mr. Kraus) that he received a copy of the OIG complaint letter<sup>19</sup> referencing alleged threats involving the wellfields. Mr. Kraus explained that while ERM is in part, involved in wellfield and tag regulation, Mr. Hughes is not involved in that section at all and that he (Mr. Kraus) could not understand why Mr. Hughes did not mention his actual responsibilities.

### **Statement of Rowan Hughes, Sustainability & Climate Environmental Analyst, Environmental Resources Management**

Mr. Hughes stated that after retrieving his personal vehicle and paying for the repairs completed by RCA on June 22, 2015, he returned to RCA the following day (June 23, 2015) to explain that his personal vehicle was still not driving properly. Although Mr. Cheston, Sr. advised him that additional repairs would be covered under warranty, he (Mr. Hughes) did not want RCA to perform work on his personal vehicle a second time. Mr. Hughes stated that Mr. Cheston, Sr. volunteered to remove the fuel injector, to which Mr. Hughes initially agreed; however, after Mr. Cheston, Sr. advised him of the

<sup>17</sup> It was determined that Mr. Hughes’ credit card company forwarded him a copy of Mr. Cheston, Sr.’s rebuttal.

<sup>18</sup> The OIG was unable to ascertain from the available surveillance video as to whether or not Mr. Hughes was wearing a County shirt.

<sup>19</sup> According to OIG records, on July 1, 2015, the OIG notified Mr. Cheston, Sr., in writing, that his complaint had been assigned to the Investigative Unit for review.



additional costs (labor costs), Mr. Hughes decided to have his personal vehicle serviced at another automotive shop. Mr. Hughes further stated that he advised Mr. Cheston, Sr. that he found replacement fuel injectors from certified rebuilders at a cheaper rate, Mr. Cheston, Sr. indicated that RCA only purchases parts from automotive dealers and not certified rebuilders. Mr. Hughes stated that although he believed that the price of the repairs was “shocking,” he repeatedly denied threatening to conduct a wellfield inspection unless he was given a discount.

When asked by the OIG as to how either Mr. Cheston, Sr. or Mr. Cheston, Jr. became aware of his County employment, Mr. Hughes initially stated that Mr. Cheston, Sr. and Mr. Cheston, Jr. may have observed that he was wearing his County work shirt when he visited RCA. After being shown photographs from RCA’s surveillance videos that did not show Mr. Hughes in a County shirt, Mr. Hughes then stated that Mr. Cheston, Sr. and Mr. Cheston, Jr. may have come to that conclusion since he arrived at RCA in a County vehicle. Mr. Hughes stated that it was Mr. Cheston, Jr. who asked him which Department he (Mr. Hughes) was assigned, to which Mr. Hughes stated that he advised Mr. Cheston, Jr., “I work with the guys that do fuel station and wellfield inspections.” When asked to describe his actual job responsibilities to the OIG, Mr. Hughes stated that his work responsibility was within the Sustainability & Climate change section. Mr. Hughes acknowledged that he had no responsibilities dealing with fuel stations and/or wellfield inspections, other than the fact that the section was also a part of ERM. Other than to say that he chose a relatable section, Mr. Hughes was unable to explain why he did not divulge his actual responsibilities to Mr. Cheston, Sr. and/or Mr. Cheston, Jr. and chose to claim that his responsibilities involved “fuel station and wellfield inspections.”

Mr. Hughes stated that during his last conversation with Mr. Cheston, Sr. via telephone (unknown date), Mr. Cheston, Sr. advised him that he was going to submit a complaint to the County concerning Mr. Hughes’ retaliatory threats involving wellfield inspections since he (Mr. Hughes) was not given a discount. Mr. Hughes stated that Mr. Cheston, Sr.’s complaint to the OIG is “completely false.” He said that he never threatened retaliatory ERM action in the form of a wellfield inspection to Mr. Cheston, Sr. and/or Mr. Cheston, Jr. in exchange for a discount towards the repair work, nor did he advise Mr. Cheston, Sr. and/or Mr. Cheston, Jr. that he was an ERM wellfield inspector. Mr. Hughes, however, re-confirmed that he advised Mr. Cheston, Sr. and/or Mr. Cheston, Jr. that his responsibilities involved “fuel station and wellfield inspections.”

Mr. Hughes was advised by the OIG that in addition to Mr. Cheston, Sr.’s and Mr. Cheston, Jr.’s (each of which had separate interactions with Mr. Hughes) corroborating statements, his chain of command (Mr. Robbins, Mr. Bates, and Mr. Kraus) provided statements that also supported Mr. Cheston, Sr.’s and Mr. Cheston, Jr.’s claims. When asked by the OIG how five different individuals, having five separate interactions, with him (Mr. Hughes), could have similar or corroborating statements, Mr. Hughes stated that everyone was inaccurate in their statements and that they must have misunderstood him. Mr. Hughes categorically denied any of the statements made by Mr. Cheston, Sr. or Mr. Cheston, Jr. to be true or accurate. Mr. Hughes categorically denied advising any of his command staff (Mr. Robbins, Mr. Bates, and Mr. Kraus) that

he asked for a discount. Although Mr. Hughes confirmed that he state to Mr. Cheston, Sr. and/or Mr. Cheston, Jr. that his responsibilities involved “fuel station and wellfield inspections,” he categorically denied that this false statement was done in order to threaten regulatory authority.

After being asked repeatedly during the interview with the OIG if at any time while at RCA if he indicated he wanted a discount for services, Mr. Hughes stated, “I [didn’t] want a discount at that point, I already paid for it.”

### RECOMMENDED CORRECTIVE ACTIONS

Based on the supported findings in [Allegation \(1\)](#) and [Allegation \(2\)](#), the OIG recommends the following correctives actions:

1. Take corrective personnel action deemed appropriate.
2. Recoup all expenses associated with Mr. Hughes’ use of a County vehicle for personal purposes.
3. Consider implementing additional control methods to ensure that all County staff adequately document their use of County vehicles, to include a brief description of the nature and location of the County business taking place (i.e., Travel to 301 N. Olive Ave., West Palm Beach for County Commission meeting), as well as an appropriate level of supervisory review and authorization of travel-related documentation.

### IDENTIFIED, QUESTIONED, AND AVOIDABLE COSTS

**Identified Costs:** \$44.85<sup>20</sup>

**Questioned Costs:** \$167.07<sup>21</sup>

### ARTICLE XII, SECTION 2-427

Pursuant to Article XII, Section 2-427 of the Palm Beach County Code, on October 27, 2015, the County and Mr. Hughes were provided the opportunity to submit a written explanation or rebuttal to the OIG’s findings within ten (10) calendar days. On November 2, 2015 and November 6, 2015, the County and Mr. Hughes, respectively, provided written responses (both responses are attached).

<sup>20</sup> Costs associated with Mr. Hughes’ use of a County vehicle on June 22, 2015 and June 23, 2015 (78 miles x \$0.575 per mile).

<sup>21</sup> Costs associated with Mr. Hughes’ use of a County vehicle that could not be accounted for (94 miles at \$0.56 per mile [old rate] and 199 miles x \$0.575 per mile [current rate]).

***The County concurred with the OIG's Recommended Corrective Actions and advised the following:***

- The County agreed with taking corrective personnel action it deemed appropriate.
- The County agreed to recoup all expenses associated with Mr. Hughes' use of a County vehicle for personal purposes.
- The County agreed to implement additional control methods to ensure that all County staff adequately document their use of County vehicles and stated "the department will periodically audit vehicle logs to help ensure their accuracy."

***ERM Environmental Analyst Rowan Hughes submitted his response to the OIG's Report. While his response did not provide any significant information that would change the OIG's Findings, the following is noted:***

- Mr. Hughes stated "let me categorically state that I did not either directly or indirectly try to use my position as an employee of Palm Beach County to intimidate Ronald Cheston Sr. or Ronald Cheston Jr."
- His response made no mention of his use of County vehicles for personal use.

***This Investigation has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for Investigations.***



Department of Environmental  
Resources Management  
2300 North Jog Road, 4<sup>th</sup> Floor  
West Palm Beach, FL 33411-2743  
(561) 233-2400  
FAX: (561) 233-2414  
www.pbcgov.org/crm



Palm Beach County  
Board of County  
Commissioners

Shelley Vana, Mayor  
Mary Lou Berger, Vice Mayor

Hal R. Valeche

Paulette Burdick

Steven L. Abrams


Melissa McKanlay

Priscilla A. Taylor

County Administrator  
Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

**TO:** Jeff Himmel, Director of Operations  
Office of the Inspector General

**FROM:**  Robert Robbins, Director  
Environmental Resources Management

**DATE:** October 31, 2015

**RE:** OIG Case Number 2015-0008

---

This memo is written in response to the Draft Investigative Report.

As to the findings:

The Department of Environmental Resources Management concurs with the Draft Investigative Report.

As to the corrective actions:

- 1) The County take appropriate personnel actions.  
Response: AGREED. THE DEPARTMENT WILL CONSULT WITH THE COUNTY'S HUMAN RESOURCES DEPARTMENT TO ENSURE THAT ANY PERSONNEL ACTION TAKEN IS IN ACCORDANCE WITH COUNTY POLICIES.
- 2) Recoup all expenses associated with Mr. Hughes use of County vehicles for personal reasons.  
Response: AGREED
- 3) ERM considers implementing additional control methods to ensure that staff adequately document the use of County vehicles and appropriate level of supervisory review of travel documentation.  
Response: AGREED. THE DEPARTMENT WILL PERIODICALLY AUDIT VEHICLE LOGS TO HELP ENSURE THEIR ACCURACY.

Please feel free to contact me if any additional information is required.



ROWAN HUGHES  
19980 Skyhawk Lane  
Loxahatchee, FL 33470

November 6, 2015

RE: OIG Case Number: 2015-0008

### RESPONSE TO OIG DRAFT INVESTIGATIVE REPORT

This is being submitted in response to the Office of Inspector General Investigative Report #2015-0008. My name is Rowan Hughes and I am employed as an Environmental Analyst in the Sustainability & Climate section in Environmental Resources Management (ERM), Palm Beach County. I have received a draft copy of the report and wish to challenge certain allegations in the report. First let me categorically state that I did not either directly or indirectly try to use my position as an employee of Palm Beach County to intimidate Ronald Cheston Sr. or Ronald Cheston Jr.

I did have Ron Chester Automotive do repairs on my personal vehicle he called me the afternoon of June 19, 2015, but I was too far away to get there on time to pick it up and they are not open on weekends. On Monday June 22, 2015, I went to his shop and said that I am here for the green truck and he reached for the paper work and said "I thought I bought a truck". I replied "can I see it?" He said the keys are in it and I walked out to the vehicle. I tried starting the vehicle and it did not start and a young man walked over to me. He said turn on the key but don't start it yet, so we waited until a light came on and he said crank it and it started. I was happy and so I opened the hood to see what was done and I noticed some wires running out of the fuse box and the box will not close. I said I usually work on my vehicles and I don't want it modified. He said I have the same truck and he walked me over to see his truck. He showed me a lot of things he changed that are not original and we were down on the floor having conversation when he asked me where I worked. I told him, I worked with the guys who do fuel tanks and well field inspections. He told me he lived in Loxahatchee and I said I do too. I also asked him if he do any worked at home and he told me that the business was him and his Dad. I had no conversation with Ron Cheston Sr.

I then went inside to pay the bill and when I saw that he charged me over \$2700.00 for the Fuel Injector Pump, I then asked him, why is the pump so high. He said to me " I go directly to Mopar, I don't buy junk". I said to him, " I am not a shop and I can buy this pump all day long for \$1200.00 and they will take the old one as a core". I paid the bill in



full and he said to me "now you can go out and tear it up and bring it back and we will fix it" again. I then left.

It is inaccurate to state that I asked for a discount. I disputed the bill. I told Mr. Cheston that it should not cost that much for a fuel injector pump and that his bill was very high. He informed me that's his charge. I paid the bill in full once he advised me that was the amount he was charging. For me that would have been the end of the matter except that when I went back later to pick up my vehicle I could not drive it home, as the vehicle was not working when put under a load, I could not get up to 20 miles per hour.

I returned on June 23, 2015 and advised Mr. Chester that the injector was not working. He wanted to charge me to remove the injector and I advised him I would have someone else remove it and return it to him. He would not agree to this and I left.

Further attempts to resolve this matter was unfruitful and on or about July 7, 2015 I contacted my credit card company to dispute the charge for the pump. On or about July 9, 2015 I contacted Mr. Cheston to make arrangement to return the injector. He advised me he would not take it back and that he was going to file a complaint against me with the county.

A review of the draft report indicates that Mr. Cheston filed his complaint on June 23, 2015. I do not believe that to be accurate. Mr. Cheston's own statement on page 11, paragraph #1 said he told me on July 9, 2015 that he was going to file a complaint with the county against me. I strongly believe Mr. Cheston filed this false complaint against me because I challenged the bill with the credit card company.

(In conversation with individuals not familiar with ERM it is sometimes difficult to explain what a sustainability & climate environmental analyst is) AT NO TIME DID I TELL THEM I DID FUEL STATION AND WELL FIELD INSPECTION. AT NO TIME DID I CLAIM TO BE A HEAD INSPECTOR. AT NO TIME DID I MAKE ANY CLAIMS ABOUT LOOKING INTO ANYTHING TO DO WITH WELL FIELDS OR FUEL STATIONS. The Chestons claim I presented my business card to them which would have clearly shown what my title was.

The statements of Mr. Bates, Robbins and Kraus do not in any significant way vary from my statement.

The draft report has two (2) footnotes that are not clear. Footnote #4 and #10 states "Neither Mr. Cheston, Sr. or Mr. Cheston, Jr were aware of this fact when Hughes made these statements." I would appreciate some clarification.

Most Respectfully



Rowan Hughes