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ARKANSAS ETHICS
COMMISSION

BEFORE THE ARKANSAS ETHICS COMMISSION BY



**In Re: Amelia Taldo
Respondent**

Case No. 2024-CO-026

FINAL ORDER

Came for a final adjudication hearing on December 20, 2024, the complaint filed in this case against the Respondent, Amelia Taldo, and based upon due consideration of the evidence presented at that hearing and the applicable law, the Arkansas Ethics Commission (hereinafter the “Commission”) hereby makes the following findings of fact and conclusions of law:

1. The Commission has jurisdiction over this matter pursuant to Ark. Code Ann. § 7-6-218.

2. The Respondent is a citizen of the State of Arkansas who, at all times relevant to this case, was Springdale City Council member - Ward 4, Position 1.

3. The Commission is charged with enforcing Ark. Code Ann. § 21-8-304(a) which provides as follows:

(a) No public servant shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or his or her spouse, child, parents, or other persons standing in the first degree of relationship, or for those with whom he or she has a substantial financial relationship that are not available to others except as may be otherwise provided by law.

4. The Commission is also charged with enforcing Ark. Code Ann. § 21-8-1002 which provides, in pertinent part, as follows:

No member of a state board or commission or board member of an entity receiving state funds shall use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others.

5. On May 23, 2024, the Commission received a complaint against the Respondent in her capacity as Springdale City Council member - Ward 4, Position 1. Briefly restated, the essential allegations of the complaint are as follows:

- (a) Local developer, Philip Taldo, bought a small parcel of land and proposed to rezone the land from A-1 to MF-12. (The City of Springdale's Master Plan designates the zone as Low-Density Residential.) It is noted that Mr. Taldo is Respondent's father.
- (b) The project went before the Springdale Planning Commission on December 5, 2023, and the Planning Commissioners denied the rezoning request.
- (c) Mr. Taldo appealed the decision to the Springdale City Council and it went before the City Council on January 9, 2024. The City Council denied the request to rezone with a vote of 5 to 2 with Respondent recusing herself from the vote.
- (d) In February of 2024, Mr. Taldo provided a revised proposal to rezone the property from A-1 to MF-4. The City of Springdale Master Plan shows the area in question to be planned as Low-Density Residential. According to the Planning Commissioner, MF-4 allows for low to medium-density residential.
- (e) On April 2, 2024, the updated rezoning request came before the Planning Commission, and this time it was approved by a vote of 5-4.
- (f) The matter came before the City Council on April 23, 2024. The Mayor, Doug Sprouse, explained that since Respondent had just returned from being out of town, she would be voting by Zoom and that a proxy would enter her vote into the computer stationed at her seat in the City Council Chamber. As the vote proceeded and reached 4 against and 3 in favor of the proposed rezoning, Respondent chose not to recuse herself and voted to support her father's project, bringing the vote to a tie. The Mayor then cast the tie-breaking vote. He voted to support his friend Philip Taldo's proposed rezoning.
- (g) Unless Respondent has been disinherited by her father, she stands to directly benefit from his endeavors to maximize the financial benefit of his projects.

6. On June 4, 2024, the Commission sent the Respondent a letter, via certified mail with a return receipt requested, to notify her that an investigation was being commenced concerning the allegations set forth above. The letter went on to state that the focus of the investigation with regard to those allegations would be whether or not she violated Ark. Code Ann.

§ 21-8-304(a) and/or Ark. Code Ann. § 21-8-1002 in her capacity as Springdale City Council member - Ward 4, Position 1 by using or attempting to use her position for special privileges or unwarranted privileges for herself or her father.

7. On June 21, 2024, staff presented the preliminary results of its investigation to the Commission at its regular monthly meeting and was instructed to complete the investigation concerning whether or not the Respondent violated Ark. Code Ann. § 21-8-304(a). At that time, the Commission made a determination that Ark. Code Ann. § 21-8-1002 applied to members of state boards and commissions and had no bearing in this case. The Respondent was notified of the Commission's foregoing decisions by letter dated June 21, 2024.

8. On November 12, 2024, the Commission sent the Respondent a letter, via first-class mail, to notify her that the results of the investigation would be presented to the Commission at its regular monthly meeting on November 22, 2024, for purposes of determining whether or not probable cause existed for the finding of a violation.

9. On November 22, 2024, the Commission considered the results of staff's investigation and found, by a vote of 3-0, with Commissioner Tolbert not present and one seat on the Commission currently vacant, that probable cause existed for finding that the Respondent violated Ark. Code Ann. § 21-8-304(a) in her capacity as Springdale City Council member - Ward 4, Position 1 by using or attempting to use her position for a special privilege for her father in connection with her participation in a motion before the Springdale City Council at its April 23, 2024, meeting to approve a rezoning request made by Taldo Properties LLC.

10. On November 25, 2024, the Commission sent the Respondent a letter, via first-class mail, which notified her of the Commission's finding of probable cause. In accordance with the Commission's Rules of Practice and Procedure, said letter contained a written Offer of Settlement

proposing the issuance of a Public Letter of Caution and the imposition of a three hundred dollar (\$300.00) fine.

11. Pursuant to the terms of the written Offer of Settlement, the Respondent had ten (10) days to either sign and return the offer or request a public hearing. The written Offer of Settlement went on to state in the event that she did neither of those things, this matter would proceed to a final adjudication hearing and that the Commission would not be bound by the terms of the written Offer of Settlement.

12. On December 10, 2024, staff sent a letter to the Respondent, via first-class mail, notifying her that the time to accept the written Offer of Settlement had expired and, therefore, a final adjudication hearing would be held on December 20, 2024. Said letter contained a separate written notice of final adjudication hearing providing the information required in Ark. Code Ann. § 25-15-208(a)(2).

13. The Respondent did not appear at the final adjudication hearing which was held during the Commission's confidential session on December 20, 2024. Said hearing was conducted in accordance with Ark. Code Ann. § 25-15-213.

14. At the hearing, the following exhibits were introduced into evidence:

- Exhibit "AEC-A" - Probable Cause Report
- Exhibit "AEC-B" - Written Offer of Settlement
- Exhibit "AEC-C" - Transmittal letters to Respondent and Complainant and enclosed Notice of Final Adjudication Hearing
- Exhibit "AEC-D" - Letters to the Respondent and to the Complainant notifying them that the time deadlines in this case had been extended by sixty (60) days, in accordance with Ark. Code Ann. § 7-6-218(b)(5)(A)(iii)

- Exhibit “AEC-E” - Agenda Packet for January 9, 2024, Springdale City Council Meeting
- Exhibit “AEC-F” - Minutes of the January 9, 2024, Springdale City Council Meeting
- Exhibit “AEC-G” - Pertinent portion of the Agenda Packet for the April 23, 2024, Springdale City Council Meeting
- Exhibit “AEC-H” - Minutes of the April 23, 2024, Springdale City Council Meeting
- Exhibit “AEC-I” - Notarized written response of Respondent
- Exhibit “AEC-J” - Video of April 23, 2024, Springdale City Council Meeting

15. The Respondent’s father is a real estate developer named Philip Taldo. He does business using an LLC named Taldo Properties.

16. Philip Taldo’s LLC owned property located at 2202 S. 40th Street in Springdale, Arkansas.

17. Philip Taldo sought to have the property in question rezoned from A-1 to MF-12.

18. The request was denied by the Springdale Planning Commission in December of 2023.

19. That decision was appealed to the Springdale City Council on January 9, 2024.

20. The Respondent recused from participating in the appeal before the Springdale City Council and it was denied by a vote of 5-2, with Respondent having recused.

21. On April 2, 2024, Philip Taldo went back before the Springdale Planning Commission with a request to rezone the property from A-1 to MF-4. The Planning Commission approved that request by a vote of 5-4.

22. On April 23, 2024, an ordinance was presented to the Springdale City Council to rezone the property from A-1 to MF-4.

23. A motion was made by Rex Bailey to pass the ordinance rezoning the property from A-1 to MF-4.

24. The Respondent seconded the motion and voted in favor of the motion which resulted in a tie vote of 4-to-4 on the motion.

25. Mayor Doug Sprouse then voted on the motion which passed the ordinance by a vote of 5-4.

26. As a result of the 5-4 vote, Ordinance No. 5953 passed, rezoning the property in question from A-1 to MF-4, which allowed the property to be developed at a higher density.

27. At the conclusion of the final adjudication hearing, the Commission conducted its deliberations and then returned to public session. When it returned to public session, the Commission voted on the following matter:

A motion was made by Commissioner Johnson and seconded by Commissioner Tolbert to find (i) that the Respondent committed a violation of Ark. Code Ann. § 21-8-304(a) in her capacity as a Springdale City Council member by seconding a motion to rezone certain property owned by her father's LLC from A-1 to MF-4 and subsequently voting in favor of that motion which passed 5-4 with the mayor having broken a 4-4 tie, and (ii) that the Respondent be issued a Public Letter of Caution and be fined five hundred dollars (\$500) for that violation.

The foregoing motion passed by a vote of 4-0, with one seat on the Commission currently vacant.

28. The Respondent committed a violation of Ark. Code Ann. § 21-8-304(a) in her capacity as Springdale City Council member - Ward 4, Position 1 by seconding a motion to rezone certain property owned by her father's LLC from A-1 to MF-4 and subsequently voting in favor of that motion which passed 5-4 with the mayor having broken a 4-4 tie.

29. With respect to the Respondent's violation of Ark. Code Ann. § 21-8-304(a), the Commission found that a Public Letter of Caution shall be issued and that a fine of five hundred dollars (\$500.00) shall be imposed and be due and payable within thirty (30) days from the entry of this Order.

IT IS, THEREFORE, CONSIDERED, DECIDED and ORDERED by the Commission that the Respondent, Amelia Taldo, shall be found to have violated Ark. Code Ann. § 21-8-304(a) in her capacity as Springdale City Council member - Ward 4, Position 1 by seconding a motion to rezone certain property owned by her father's LLC from A1 to M4 and subsequently voting in favor of that motion which passed 5-4 with the mayor having broken a 4-4 tie; that the Respondent shall be issued a Public Letter of Caution; and that the Respondent shall be fined five hundred dollars (\$500.00), with that amount due and payable within thirty (30) days from the entry of this Order.

IT IS SO ORDERED this 16th day of January, 2025.



SCOTT IRBY, Chairman
Arkansas Ethics Commission