



Hillsborough Soil and Water Conservation District

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BOARD OF SUPERVISORS

Terri Parke, Seat 1
Elizabeth Tompkins, Seat 2
Gretchen Hoke, Seat 3
Vacant, Seat 4
Aly Sullivan, Seat 5

Executive Director
Joseph Walsh, Ph.D.

June 30, 2025

Honorable Wilton Simpson, Commissioner
Florida Dept. of Agriculture and Consumer Services
407 S. Calhoun St
Mail Station 12
Tallahassee, FL 32399-0800

Re: Hillsborough Soil and Water Conservation District

Dear Commissioner Simpson:

On June 30, 2025, the Board of Supervisors of the Hillsborough Soil and Water District voted to write asking for guidance and advice on an important matter affecting the ability of the board to carry out the duties assigned to it by Chapter 582, Florida Statutes. We come to you in the absence of the Soil and Water Conservation Council which was created by section 582.06 and is afforded the power, among others, to act upon requests from a district for a recommendation, to be made to the governor, that a district supervisor be removed, "after notice, hearing, and thorough review, for neglect of duty or malfeasance." The issue on which the District seeks guidance involves the qualification for office of a recently elected supervisor, Betty Jo Tompkins.

Ms. Tompkins previously served several terms as an elected supervisor. She resigned that office in 2015 to take the paid position of district executive director. She served as executive director until 2023, when a previous board terminated her based on a review of district operations by an outside investigator. A copy of that report is attached to this letter. In 2024, Ms. Tompkins qualified as a candidate for supervisor by executing the affidavit required by section 532.19, verifying that she met the statutory conditions.

Because Ms. Tompkins was the only candidate to qualify, the general election for that office was cancelled, resulting in Ms. Tompkins winning the office without appearing on the ballot. No challenge was filed to Ms. Tompkins' election, the lack of filing perhaps being attributable to the fact that no voter saw Ms. Tompkins name on a ballot. Soon after she took office, however, a member of the public appeared at a public meeting and complained that Ms. Tompkins in fact did not qualify to hold the office. The Board took the allegation seriously as there had been concerns with the lack of qualifications of at least one commissioner who had served on the board during Ms. Tompkins' term as executive director. The Board asked Ms. Tompkins for her position on whether she was in fact qualified to serve as supervisor. She agreed to provide proof of her qualifications and requested additional time to gather verification. She was allowed two months. The proof Ms. Tompkins has provided is the unsworn

statement, in the form of an undated resume unsupported by financial statements or personal/professional references, which is attached to this correspondence.

The Board had no power to compel Ms. Tompkins to produce this document. She therefore was within her rights to refuse to answer any clarifying questions; but it is the opinion of the majority of the board supervisors, that the activities identified in the resume do not qualify Ms. Tompkins for her office. Specifically, section 582.19 requires a person seeking to qualify as a candidate for the office of district supervisor to be an eligible voter who resides in the district and:

1. Is actively engaged in, or retired after 10 years of being engaged in, agriculture as defined in s. 570.02;
2. Is employed by an agriculture producer; or
3. Owns, leases, or is actively employed on land classified as agricultural under s. 193.341.

Ms. Tompkins is not, nor was she at the time she qualified for office, actively engaged in agriculture, been employed by an agricultural producer, nor a documentable owner of land classified as agricultural.¹ It would therefore appear to the board that Ms. Tompkins could only be qualified to be a district supervisor if she is retired after 10 years of being engaged in agriculture as defined by statute.

Section 570.02(1) defines “agriculture” as:

The science and art of production of plants and animal useful to humans, including to a variable extent the preparation of these products for human use and their disposal by marketing or otherwise, and includes aquaculture, horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bees, and any and all forms of farm product.

The Board is concerned that Ms. Tompkins is not legally qualified to hold the office of district supervisor. Because the time for contesting Ms. Tompkins election has passed, the District has consulted with the Secretary of State Division of Elections, which informs that it will consider a sworn complaint, but no current board member has sufficient personal knowledge to sign that affirmation. The current board and the executive director have been unable to find anyone who can provide supporting evidence for Ms. Tompkins’ affirmation. The only person on the board known to have that knowledge is Ms. Tompkins who will not provide any other information. We have no authority to compel an answer. We therefore turn to you and ask for whatever advice and counsel you might give.

¹ Counsel for the district has opined that to support a candidate’s eligibility, the employment by a producer and ownership or leasing of agriculture land must be current (“*is* employed by,” “owns, leases, or *is*”). So too is the “active engagement” but there is a stated alternative to that condition and that condition only; retirement “after 10 years” of covered activity.

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This board is committed to carrying out the obligations imposed on it by law. We believe that any assistance you can provide will greatly allow us to do so. Specifically, if someone from the department could meet with Ms. Tompkins and ask her to provide factual support for her contention that she is qualified and provide an opinion to this board, it would be appreciated.

Thank you for your attention to this request.

Respectfully Yours,

A handwritten signature in black ink, appearing to read "Terri Parke". The signature is fluid and cursive, with a large initial "T" and a long, sweeping underline.

TERRI PARKE
Chair, Board of Supervisors

TP/tmg