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State Rep. David Zimmerman ordered to pay \$14,000 for ethics violations



SAM JANESCH | Staff Writer Dec 3, 2018



State Rep. David Zimmerman addresses the crowd at the Lancaster County GOP election night headquarters at Spooky Nook Sports in Manheim on Tuesday, Nov. 6, 2018.

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The Pennsylvania State Ethics Commission has ordered a state lawmaker from East Earl Township to pay \$14,000 in fines after an investigation found he used his previous position as a township supervisor to advance a land deal in which he and his brother had a financial stake.

State Rep. David Zimmerman, a Republican who was just elected last month to his third two-year term, violated the state's ethics laws when he failed to disclose his conflicts of interest, the commission announced Monday.

In a statement to LNP, Zimmerman said he accepted responsibility and the penalties.

The conflict involved the project known as Wildflower Ridge, which Zimmerman bought into in 2006 when plans were made to build a development of 51 single-family homes, duplexes and townhouses.

The then-township supervisor did not publicly disclose his 50 percent stake, which he ultimately sold in its entirety — and mostly to his brother — by August 2010, according to Ethics Commission report.

Zimmerman also did not disclose, through required statements of financial interest, the sale of his stake to a member of his immediate family.

And while the investigation found no evidence he was involved in the development after August 2010, Zimmerman maintained a financial interest in the project and didn't share that information with the public or his fellow supervisors, according to the report.



LOCAL NEWS

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SAM JANESCH | Staff Writer

By the time the board of supervisors was finalizing its approval of the project in 2012, Zimmerman was owed \$150,000 from an individual, Stephen J. Martin, to whom he had sold some of his stake two years earlier.

Zimmerman, as chairman of the board, approved the project's final plans in early 2012, and Martin began paying Zimmerman his owed share later that year when homes were being completed and sold, the investigation found.

It was unclear whether Martin had paid back the entire \$150,000 to date. The report notes Martin paid Zimmerman \$81,195 by Jan. 5, 2015 — income Zimmerman should have disclosed on the annual statements of financial interest.

In all, Zimmerman did not disclose around \$450,000 in income that came from selling his share between 2009 and 2014, according to the report.

Meanwhile, Zimmerman's brother, Ivan H. Zimmerman, remained an owner invested in the project.

'Active role' in approval

The commission detailed Zimmerman's "active role" in arranging for the final township approval — and how he never revealed his conflicts to his colleagues or the public.

In one documented email exchange, supervisors Joe Shriver and Earl Kreider discussed how Zimmerman had told the township solicitor he had conferred with the rest of the board when he really had not.

"Dave did not speak to me about this, did he speak to you? Dave has not spoken to me on any of the latest issues of Wildflower. These kinds of statements are very disappointing," Shriver wrote.

Zimmerman, who was also a township employee as roadmaster, served as a supervisor from 1993 until his election to the state House in 2014. He was chairman for the final nine years.

The commission wrote that "Zimmerman used the authority of his public position as supervisor/roadmaster for East Earl Township to advance and/or expedite Township approvals of the Wildflower Ridge LLC development, a business with which a member of his immediate family was associated."

Zimmerman's response

Zimmerman said Monday he did "not make myself adequately familiar with the requirements regarding the reporting of investments."

"Although I regularly reported all personal investments that were sources of income, the Wildflower investment resulted only in financial losses," he said in a written statement.

"I now understand I should have reported all investments, regardless of whether they were profitable, and recused myself from taking official actions as a township supervisor. I apologize, I have accepted the sanctions, and I will not make such mistakes again."

Read the full report from the State Ethics Commission below and a summary of the violations below that.

[Zimmerman Ethics Commission Report](#) by [LancasterOnline](#) on Scribd