

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, June 9, 2017

*Third Floor Courtroom, First District Court of Appeal
2000 Drayton Drive
Tallahassee, Florida*

PUBLIC SESSION MINUTES

At 8:32 a.m. Chair Matt Carlucci called the meeting to order with the following members present:

MICHELLE ANCHORS
JASON BERGER
DANIEL BRADY
MATTHEW CARLUCCI
MATTHEW CARSON
MICHAEL COX
GUY NORRIS
KIMBERLY REZANKA
STAN WESTON

The presence of a quorum was noted.

Commissioner Berger, seconded by Commissioner Weston, moved to approve the minutes of the April 21, 2017, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – DOAH RECOMMENDED ORDER

Complaint No. 15-239, In re CARY PIGMAN

Present were D. Ty Jackson, Attorney for the Respondent; Alison Mawhinney, Attorney for the Respondent; Cary Pigman, Respondent; Libby Pigman, Spouse of the Respondent; and Melody A. Hadley, Commission Advocate.

Commissioner Carson recused himself from the consideration of this matter due to the fact that he was General Counsel for the House of Representatives during the Respondent's service as a Representative.

Commissioner Berger recused himself from the consideration of this matter due to the fact that he supervised the Respondent's wife while at the State Attorney's Office and has maintained a friendship with her.

Commissioner Norris, seconded by Commissioner Rezanka, moved to adopt the Recommended Order of the ALJ, recommending that the Commission find that the Respondent did not violate Section 112.313(6), Florida Statutes, and recommending

dismissal of the matter. The motion carried, with Commissioner Brady voting no, and with Commissioner Carson and Commissioner Berger abstaining.

Complaint No. 16-032, In re MILTON WEST

Present were Mark Herron, Attorney for the Respondent; Clavette Donnell, Court Reporter; and Melody A. Hadley, Commission Advocate.

Mark Herron was heard by the Commission.

Ms. Hadley recommended that the Commission find a violation of Section 112.313(7)(a), Florida Statutes, and recommend public censure and reprimand, and a civil penalty of \$10,000, in accord with the Recommended Order of the ALJ.

Commissioner Weston, seconded by Commissioner Cox, moved to adopt the Recommended Order. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 16-196, In re JEFFREY "DOC" SOLOMON

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed stipulation calling for the finding of violation of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, and recommendation of public censure and reprimand, and a civil penalty of \$750.

Commissioner Brady, seconded by Commissioner Rezanka, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINIONS

File 2693. POSTEMPLOYMENT RESTRICTIONS: FDOT FORMER EMPLOYEE EMPLOYED BY OR CONTRACTING WITH SPACE FLORIDA

The requestor of the opinion was present.

Senior Attorney Betsy Daley explained the basis of the draft advisory opinion and the rationale behind her conclusion.

Commissioner Cox, seconded by Commissioner Anchors, moved to approve the opinion as drafted. By unanimous vote, the motion carried.

File 2689. CONFLICT OF INTEREST: CITY COMMISSIONERS CO-OWNING INTERNET COMPANY WHICH RAISES ADVERTISING REVENUE FROM CITY VENDORS

Senior Attorney Gray Schafer explained the basis of the draft advisory opinion and the rationale behind his conclusion.

Commissioner Brady, seconded by Commissioner Anchors, moved to approve the opinion as drafted. By unanimous vote, the motion carried.

File 2694. VOTING CONFLICTS: APPLICABILITY OF VOTING CONFLICTS LAW TO BOARD MEMBER OF THE FLORIDA HOUSING FINANCE CORPORATION

Staff Attorney John Knight explained the basis of the draft advisory opinion and the rationale behind his conclusion.

Commissioner Cox, seconded by Commissioner Norris, moved to approve the opinion as drafted. By unanimous vote, the motion carried.

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

HEARING

FD16-056, In re WILLIAM DOTSON

Present was William Dotson, Appellant.

Staff Attorney John Knight explained his recommendation not to waive or reduce the \$1,425 fine.

Mr. Dotson was heard by the Commission.

Commissioner Cox, seconded by Commissioner Norris, moved to reduce the fine to \$500. By unanimous vote, the motion carried.

**FD16-011, In re MATTHEW ALFORD
FD16-054, In re KATISHA MCKELVIN**

Commissioner Norris, seconded by Commissioner Weston, moved to approve the staff recommendations regarding the above-referenced appeals. By unanimous vote, the motion carried.

NO HEARING

**FD16-032, In re HAROLD BROWN
FD16-039, In re DANIEL STARR
FD16-041, In re RICHARD BRYANT
FD16-051, In re MICHELLE KLIGMAN
FD16-055, In re TERENCE DAVIS
FD16-057, In re JEFFREY CAMPBELL
FD16-059, In re ELKA PEREZ**

FD16-060, In re JEFFREY GIBSON
FD16-061, In re MICHAEL HANSON
FD16-062, In re KARLA WHITE
FD16-063, In re STEVEN BURGHART
FD16-065, In re PATRICK CURE
FD16-066, In re TODD SCHERMERHORN
FD16-069, In re MICHELLE WHITE
FD16-070, In re KETLEY JOACHIM
FD16-071, In re SHARON KRANTZ
FD16-072, In re TODD MORROW
FD16-073, In re LINDSAY HILLSTROM
FD16-074, In re DIANE WALKER

Commissioner Weston, seconded by Commissioner Cox, moved to approve the staff recommendations regarding the above-referenced appeals. By unanimous vote, the motion carried.

CONSIDERATION OF SECOND ORDER ON REQUEST FOR EXTENSION

Extension Request 17-02, In re THOMAS (TOM) LEE

Commissioner Rezanka, seconded by Commissioner Anchors, moved to approve the proposed order. The motion carried, with Commissioner Cox voting no.

CONSIDERATION OF FINAL ORDERS ON FINANCIAL DISCLOSURE FINES WHERE THERE HAS BEEN NO TIMELY APPEAL AND NO PAYMENT

Commissioner Brady, seconded by Commissioner Cox, moved to approve the entry, as put forth by the Commission staff, of Final Orders on financial disclosure fines where there has been no timely appeal and no payment. By unanimous vote, the motion carried.

CONSIDERATION OF EXPENDITURES

Executive Director Virlindia Doss asked the Commission's approval on two items. Ms. Doss explained her spending authority is limited to \$10,000 and requested the approval to renew the contract with Westlaw. She also asked for spending authority dealing with the contracts for the Attorney General's Office for the services of two Assistant Attorneys General to serve as Commission Advocates, and one paralegal specialist.

Commission Weston, seconded by Commissioner Cox, moved to approve the requested spending authority. By unanimous vote, the motion carried.

REPORTS

The Chair had no report.

Executive Director Virlindia Doss elaborated on her written report previously provided to the Commissioners. She updated the Commission on the Financial Disclosure progress.

Executive Director Virlindia Doss elaborated on the legislative update previously provided to the Commissioners.

Commissioner Anchors presented Commissioner Carlucci with a plaque and thanked him for his public service with the Commission.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:31 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

XXX, *Chair*

Date