

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, January 22, 2016

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

PUBLIC SESSION MINUTES

At 8:34 a.m. Chair Stan Weston called the meeting to order with the following members present:

DANIEL BRADY
MATT CARLUCCI
MICHAEL COX
TOM FREEMAN
WILEY HORTON
GUY NORRIS
KIMBERLY REZANKA
STAN WESTON

Commissioner Michelle Anchors was absent from the meeting.

The presence of a quorum was noted.

Commissioner Weston introduced the three new Commissioner Members – Daniel Brady, Guy Norris and Kimberly Rezanka.

Commissioner Cox, seconded by Commissioner Horton, moved to approve the minutes of the December 11, 2015, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 14-119, In re PHILLIP J. BRUTUS

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed stipulation calling for the finding of a 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 \$1,500.

Commissioner Cox, seconded by Commissioner Horton, moved to approve the joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – FEES PETITION

Complaint No. 14-182, In re DAVID MORGAN

Present were Robert E. Larkin, III, Attorney for the Respondent, Matthew D. Stefany, Attorney for the Respondent, Gene M. Valentino, Complainant, and Elizabeth A. Miller, Commission Advocate.

Staff Attorney Caroline Klancke explained her recommendation that the Commission dismiss the petition for fees.

Robert E. Larkin, III, Attorney for the Respondent, and Gene M. Valentino, Complainant, were heard by the Commission.

Commissioner Cox, seconded by Commissioner Freeman, moved to approve the staff recommendation. By unanimous vote, the motion carried.

Complaint No. 15-134, In re ALBERT (AL) HADEED

Present were Mark Herron, Attorney for the Respondent, and Albert (Al) Hadeed, Respondent.

General Counsel Chris Anderson explained his recommendation that the Commission dismiss the petition for fees.

Mark Heron, Attorney for the Respondent, was heard by the Commission.

Commissioner Horton, seconded by Commissioner Cox, moved to accept the staff's draft order dismissing the petition. By unanimous vote, the motion carried.

Commissioner Horton, seconded by Commissioner Norris, moved to grant the request to amend the petition. The motion failed, with Commissioner Horton and Commissioner Norris voting in favor.

Complaint No. 15-145, In re NATHAN MCLAUGHLIN

Present was Mark Herron, Attorney for the Respondent.

General Counsel Chris Anderson explained his recommendation that the Commission dismiss the petition for fees.

Mark Heron, Attorney for the Respondent, was heard by the Commission.

Commissioner Freeman, seconded by Commissioner Cox, moved to accept the staff's draft order dismissing the petition. By unanimous vote, the motion carried.

Commissioner Cox, seconded by Commissioner Brady, moved to deny the request to amend the petition. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINION

File 2670. GIFT PROHIBITIONS AND DISCLOSURE

DISTRICT SCHOOL BOARD MEMBER EXCHANGING GIFTS AND TRAVELING WITH FRIEND WHOSE FIRM PROVIDES BOND COUNSEL TO DISTRICT

Staff Attorney Susan Herendeen explained the basis of the draft advisory opinion and the rationale behind her conclusion.

Ron Meyer, Requestor's Attorney, was heard by the Commission.

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

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

NO HEARING

**FD12-106, In re PAUL MORROW
FD13-035, In re JAMES NYQUIST
FD13-115, In re RICHARD JAMES (DICK) RYAN
FD13-119, In re THOMAS ROBERT GILL
FD13-120, In re NOVELL L. CHESTNUT
FD14-068, In re PHIL HOFFMAN
FD14-073, In re MONICA ELLIOTT
FD14-077, In re BERTHA PADILLA
FD14-078, In re WAYNE SALTER
FD14-079, In re JAMES NYQUIST**

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

CONSIDERATION OF FOURTH ORDER ON REQUEST FOR EXTENSION

Extension Request 14-04, In re MICHAEL BADARACK

Commissioner Carlucci, seconded by Commissioner Horton, moved to approve the extension request, with an adjustment in language from that of the draft order. By unanimous vote, the motion carried.

CONSIDERATION OF ORDER DECLARING FINANCIAL DISCLOSURE FINE UNCOLLECTIBLE

Commissioner Carlucci, seconded by Commissioner Horton, moved to write off the uncollectible fine. By unanimous vote, the motion carried.

CONSIDERATION OF 2015 ANNUAL REPORT

Mark Herron was heard by the Commission.

Commissioner Cox, seconded by Commissioner Horton, moved to approve the adoption of the Annual Report. By unanimous vote, the motion carried.

REPORTS

The Chair had no report.

Executive Director Virlindia Doss elaborated on her written report that was previously provided to the Commissioners. She introduced new staff member Brittany Pace, and she mentioned the Sunshine Law, Public Records, and Ethics Seminar that will take place on March 11, 2016.

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

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 11:29 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

Stanley M. Weston, *Chair*

Date