

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, July 28, 2017

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

PUBLIC SESSION MINUTES

At 8:30 a.m. Vice Chair Michelle Anchors called the meeting to order with the following members present:

MICHELLE ANCHORS
JASON BERGER
DANIEL BRADY
MICHAEL COX
GUY NORRIS
STAN WESTON

Commissioner Carson and Commissioner Rezanka were absent from the meeting.

The presence of a quorum was noted.

SELECTION OF CHAIR AND VICE-CHAIR FOR FY 2017-2018

Commissioner Norris, seconded by Commissioner Brady, moved to nominate Commissioner Michelle Anchors as Commission Chair and Commissioner Michael Cox as Commission Vice-Chair. By unanimous vote, the motion carried.

Commissioner Anchors presented a plaque to Commissioner Weston for his service as a Commission Member.

Commissioner Brady, seconded by Commissioner Berger, moved to approve the minutes of the June 9, 2017, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 16-084, In re KENT RINEHART

Present were Wes Gay, Attorney for the Respondent; Kent Rinehart, Respondent; and Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed pre-probable cause joint stipulation calling for a finding of violation of Section 112.3185(4), Florida Statutes, and a recommendation of a civil penalty of \$1,500.

Mr. Gay was heard by the Commission.

Commissioner Weston, seconded by Commissioner Berger, moved to approve the pre-probable cause joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF ADVOCATE'S MOTION TO DISMISS DUE TO LACK OF JURISDICTION

Complaint No. 16-106, In re ANTWON MCNEIL

Present was Melody A. Hadley, Commission Advocate.

The Commission took up the Advocate's recommendation that the complaint be dismissed for lack of jurisdiction based on the rationale contained in her motion previously provided to Commissioners.

Commissioner Cox, seconded by Commissioner Weston, moved to grant the Advocate's Motion and dismiss the complaint. By unanimous vote, the motion carried.

CONSIDERATION OF ADVOCATE'S MOTION TO DISMISS DUE TO DEATH OF RESPONDENT

Complaint No. 14-193, In re JEAN ROBB

Present was Elizabeth A. Miller, Commission Advocate.

The Commission took up the Advocate's recommendation that the complaint be dismissed due to the Respondent's death based on the rationale contained in her motion previously provided to Commissioners.

Commissioner Cox, seconded by Commissioner Weston, moved to grant the Advocate's Motion and dismiss the complaint. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINIONS

File 2697. POSTEMPLOYMENT RESTRICTIONS: FORMER DMS EMPLOYEE WORKING FOR BUSINESS ENTITY CONTRACTING WITH DMS

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

File 2698. POSTEMPLOYMENT RESTRICTIONS: FORMER CHIEF INSPECTOR GENERAL IN THE EXECUTIVE OFFICE OF THE GOVERNOR CONSULTING AS TO PROVIDER OF COMMUNITY-BASED CARE FOR DCF

The requestor of the opinion was present.

General Counsel Chris Anderson explained the basis of the draft advisory opinion and the rationale behind his conclusion.

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

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

HEARING

FD16-085, In re DEJEON CAIN

Staff Attorney John Knight explained his recommendation to waive the \$1,500 fine.

Commissioner Brady, seconded by Commissioner Cox, moved to approve the staff recommendation regarding the above-referenced appeal. By unanimous vote, the motion carried.

NO HEARING

- FD16-027, In re JARRET GROSS**
- FD16-040, In re REBECCA WITONSKY**
- FD16-046, In re DREW PITTMAN**
- FD16-058, In re SONJA BURGESS**
- FD16-068, In re JEFFREY BENDER**
- FD16-075, In re PATRICK MACRAE**
- FD16-076, In re KRISTEN NYMAN**
- FD16-078, In re WENDY BOROWSKI**
- FD16-079, In re ELIZABETH EASSA**
- FD16-080, In re RON THOMPSON**
- FD16-082, In re JAMARV R. DUNN**
- FD16-084, In re RYAN BERGER**
- FD16-086, In re ERIC REID**
- FD16-088, In re ERIKA B. SCHINDLER**
- FD16-089, In re ROBERT PEARSON-MARTINEZ**

Commissioner Berger made it known that he has tried cases with Mr. Patrick MacRae.

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

CONSIDERATION OF ORDER ON REQUEST FOR EXTENSION BY THE CHAIR

Extension Request 17-03, In re MAURICE HAYNES

Commissioner Berger, seconded by Commissioner Norris, moved to approve the proposed order. By unanimous vote, the motion carried.

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

Commissioner Berger, seconded by Commissioner Norris, 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 2018 MEETING SCHEDULE

Commissioner Brady, seconded by Commissioner Cox, moved to approve the proposed 2018 meeting calendar. By unanimous vote, the motion carried.

CONSIDERATION OF PROPOSED LEGISLATION

Executive Director Virilindia Doss explained that the Commission is statutorily required to make recommendations for legislation, and gave a brief explanation of the memo provided the Members.

The Chair asked whether there was anyone present who wished to be heard as to proposed legislation; there was no one. Robert Beck filed a card, but did not speak.

There was discussion of each of the items described in the Executive Director's memorandum.

Commissioner Weston, seconded by Commissioner Cox, moved to adopt the proposals and priorities identified during the discussion. By unanimous vote, the motion carried.

Commissioner Norris, seconded by Commissioner Cox, moved to grant Commissioner Carson authority to serve as legislative liaison, and speak on the Commission's behalf, consistent with the priorities and principals adopted. By unanimous vote, the motion carried.

Commissioner Brady, seconded by Commissioner Weston, moved to grant Commissioner Cox authority to also serve as liaison, and speak on the Commission's behalf, consistent with the priorities and principals adopted, and be reimbursed for travel expenses. By unanimous vote, the motion carried.

Commissioner Brady, seconded by Commissioner Weston, moved to create a Legislative Committee, with Commissioner Carson, Commissioner Cox, and Commissioner Anchors as members. 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. Commissioner Cox requested a status inquiry on cases pending imposition of penalty.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:06 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

Michelle Anchors, *Chair*

Date

State of Florida Commission on Ethics

Public Session Meeting - Friday, July 28, 2017, 8:30 a.m.

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

Pursuant to Section 286.0114, Florida Statutes, members of the public have the opportunity to have input on proposals before the Commission other than determinations on complaints and opinions. If you wish to be heard on anything on today's agenda other than an opinion or a complaint, please complete this form and return it to a member of the Commission's staff.

NAME: Robert Beck

ORGANIZATION (if applicable): Representing Florida Association of

ADDRESS: 217 S. Adams
Tallahassee
Aging & Disability Resource Centers (AKA -
Area agencies on Aging

PERSON SPEAKING
ON YOUR BEHALF (if applicable): _____

AGENDA ITEM: _____

SUPPORT

OPPOSE

NEUTRAL

Expansion of Financial Disclosure Requirements
for ADRCs Boards of Directors