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PRESS RELEASE

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TALLAHASSEE—April 20, 2016— Meeting in Tallahassee on April 15th in closed session, the Florida Commission on Ethics took action on 18 complaints, Chairman Stanley Weston announced today. A finding of probable cause is not a determination that a violation has occurred. Such a determination is made only after a full evidentiary hearing on the allegations.

The Commission adopted the recommendation of Special Advocate George T. Reeves, in two separate complaints filed against DICKSTEIN SHAPIRO, LLP, and BERNIE NASH. No probable cause was found to believe that the law firm of Dickstein Shapiro, LLP, or Mr. Nash, violated the executive branch lobbying law by making prohibited expenditures to the Office of the Attorney General (AG) and its employees.

The Commission also found no probable cause to believe that Mr. Nash lobbied the AG without being registered as a lobbyist.

The Commission found no probable cause to believe that ADRIANNE DILLON, Cocoa Beach City Commissioner, had a prohibited business relationship with the City while simultaneously serving as president of a company seeking a licensing agreement with the City during her term of office. The Commission also found no probable cause to believe that Ms. Dillon had a conflicting contractual or employment relationship with an entity doing business with the City. Allegations that Ms. Dillon misused her position to obtain a contract for the company with the City and that she failed to follow disclosure requirements after abstaining on an August 2014 vote were dismissed with a finding of no probable cause.

The Commission considered separate complaints filed against five Flagler County officials. No probable cause was found to believe that Commissioners NATE McLAUGHLIN and FRANK J. MEEKER, and County Attorney ALBERT J. HADEED, misused their positions or official resources by participating in discussions in violation of the Sunshine Law or other conduct regarding the appointment of the County Attorney as the attorney for the Canvassing Board, in order to manipulate Canvassing Board members or to carry out a planned agenda for the benefit of particular candidates or others. The Commission also found no probable cause to believe that Flagler County Commissioner and Canvassing Board Member CHARLES ERICKSEN, JR., misused his position by participating in discussions in violation of the Sunshine Law, or related conduct, to place the County Attorney as the attorney for the Canvassing Board, against the wishes of the Supervisor of Elections and having an unlawful connection as a

Canvassing Board member to a candidate during the election, and participating in other related conduct for the benefit of particular candidates or others. No probable cause was found on allegations that Flagler County Commissioner and Canvassing Board member GEORGE HANNS misused his position by participating in discussions in violation of the Sunshine Law, and other conduct, in order to manipulate the Canvassing Board members relating to the appointment of the County Attorney as attorney for the Canvassing Board. No probable cause also was found on an allegation that he misused his position to retaliate against the Supervisor of Elections for her efforts to remove two County Commissioners from the Canvassing Board.

No probable cause was found to believe that ROBERT WEINROTH, Boca Raton Deputy Mayor, violated the voting conflict law when he participated in a vote in May 2015 for his appointment to the Boca Raton Airport Authority (BRAA).

The Commission found no probable cause to believe that Boca Raton Deputy City Manager and former BRAA member GEORGE BROWN had a conflicting employment or contractual relationship due to his public duties on the BRAA board coupled with his employment with the City.

The Commission considered a self-initiated complaint to determine whether or not there was probable cause to believe the Heron Heights Elementary School principal KENNETH J. KING willfully failed to file his 2013 Form 1 financial disclosure. Based on the facts revealed during the investigation, the Commission found probable cause to believe that Mr. King willfully failed to file his 2013 disclosure, but will take no further action.

The Commission dismissed a complaint filed against OFFICER RADFORD, employee of the Florida Department of Corrections, finding that the public interest would not be served by further proceedings.

The Commission reviewed a number of complaints for legal sufficiency. These reviews are limited to questions of jurisdiction and determinations as to whether the contents of the complaint are adequate to allege a violation of the Code of Ethics or other laws within the Commission's jurisdiction. As no factual investigation precedes the reviews, the Commission's conclusions do not reflect on the accuracy of the allegations made in these complaints. The Commission dismissed the following complaints for lack of legal sufficiency: DAVID RYAN SILVERS, former Candidate for the Florida House of Representatives, District 89; RICK GONZALEZ, Florida Historical Commission and Florida's National Register Review Board member; KATHY BURNS, Nassau County School Board member and Candidate for Superintendent; WILLIAM "BILL" HARDMAN, Sergeant in the St. Lucie County Sheriff's Office; KEN MASCARA, St. Lucie County Sheriff; and, TOM O'NEILL, Port Richey City Manager.

PUBLIC SESSION

The Commission adopted the Recommended Order of an Administrative Law Judge of the Division of Administrative Hearings, finding that JAMES L. MANFRE, Flagler County Sheriff, misused his office credit card and that he failed to timely report a gift of lodging valued at more than \$100. For the violations, a civil penalty of \$6,200 and public censure and reprimand will be recommended to the Governor.

The Commission voted to dismiss a self-generated complaint against STEVEN ARNOLD, former member of the Fellsmere Building Board of Appeals (FBBA). Because

the only penalty for a willful failure to file a financial disclosure form is removal from office, the Commission dismissed the complaint, as Mr. Arnold was removed from the FBBA by the City in February 2016.

An advisory opinion was adopted, concerning the expenditure ban in the executive branch lobbying law and concerning the gift law, as it applies to executive branch agency officials and employees who file financial disclosure. The Commission determined that executive branch reporting individuals subject to the expenditure ban, as well as reporting individuals and procurement employees subject to the gift law, are not prohibited from attending, at no cost, purely informational briefings and gatherings at which the only thing of value they receive is the oral and written information distributed, hosted by companies which are the principals of executive branch lobbyists.

The Commission adopted an opinion that determined a conflict is created if a county advisory board member contracts to provide consulting services to a company that contracts with the county. However, an exemption in the law allows for the appointing body to provide a waiver of the conflict as long as certain requirements are met. The advisory board member must also comply with the requirements of the voting conflict statute.

Another opinion adopted by the Commission determined that an employee of a private professional association which contracts to provide district medical examiner's services would not have a prohibited conflict or a conflicting employment or contractual relationship if he forms an LLC that is paid to transport bodies from the scene of death to the district office, because he is not a public officer or public employee subject to Florida's ethics laws.

Contact the Commission office to obtain rulings on appeals of automatic fines imposed for late submission of financial disclosure reports submitted by public officers and employees. (See Item VIII. on the April 15th meeting agenda posted on the Commission's website.)

The Florida Commission on Ethics is an independent nine-member commission formed in 1974 to review complaints filed under the statutory Code of Ethics and to answer questions from public officials about potential conflicts of interest through its issuance of advisory opinions.

If the Ethics Commission believes a violation of the law may have occurred, it may decide to hold a public hearing. If it concludes a violation has been committed, it may recommend civil penalties that include removal from office or employment and fines up to \$10,000 per violation.