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"A Public Office is a Public Trust"

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PRESS RELEASE

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TALLAHASSEE—January 27, 2016— Meeting in Tallahassee on January 22nd in closed session, the Florida Commission on Ethics took action on 21 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.

No probable cause was found to believe that MIKELL STUART THOMPSON, Hardee County Commissioner, had a voting conflict by voting on measures that inured to the special private gain or loss of Orange Enterprises, Inc., or Mosaic Fertilizer, LLC (Mosaic). The Commission also found no probable cause to believe that there was a conflicting employment or contractual relationship with Mosaic. No probable cause also

was found to believe that Mr. Thompson failed to disclose Mosaic as a secondary source of income on his Form 6 disclosures for 2012 and 2013.

The Commission found no probable cause to believe that JANET HOOPER, Safety Harbor City Commissioner, had conflicting employment via her private position with the Mattie Williams Neighborhood Family Center. No probable cause also was found to believe that she had a prohibited business relationship with the City Commission.

No probable cause was found on four allegations in a complaint filed against Collier County School Board Member KELLY LICHTER. The allegations were that she had a prohibited business relationship as a member of the board of directors of a charter school that does business with the Collier County School Board; that she had a conflicting employment or contractual relationship with a charter school that was subject to the regulation of or doing business with the school district; that she misused her position to benefit a charter school where she serves on the board; and that she had a voting conflict when she voted on a matter that inured to the special private gain of a charter school where she serves on its board.

The Commission considered a complaint filed against Midway City Councilmember CHARLES "CHUCK" WILLIS. Allegations that he solicited or accepted a thing of value with the understanding that his actions or judgment would be influenced and that he accepted a thing of value intended to influence his actions as a city official were dismissed with a finding of no probable cause. The Commission also found no probable cause to believe that Mr. Willis misused his position to secure a special privilege or benefit for himself or a City vendor. No probable cause also was found to

believe that he solicited a gift from a City vendor in violation of the gift law; that he accepted a prohibited gift from a vendor; and that he failed to report a gift valued in excess of \$100 as required by law.

The Commission found probable cause to believe that JOHN M. McLEOD, Ocala City Councilmember, failed to properly complete his 2011, 2012, 2013, and 2014 Form 1 disclosure forms. However, the Commission voted to take no further action on the matter because he acknowledged his failure and took steps to remedy the deficiencies.

The Commission considered a complaint it initiated against STEVEN J. WILLIAMS, Principal of Driftwood Middle School. Probable cause was found to believe that Mr. Williams willfully failed to file his 2013 Form 1 disclosure. However, in light of all the circumstances, including Mr. Williams ultimately filing his form and paying the automatic fine that had accrued, the Commission will take no further action on the complaint.

The Commission granted the Advocate's Motion to Dismiss in a complaint against ROBERT W. HOLLAND, Miami-Dade Expressway Authority Board Member, for his failure to file his 2013 Form 6 disclosure. The self-initiated complaint was dismissed because Mr. Holland already had resigned from the Expressway board, depriving the Commission of jurisdiction under the language of the willful statute.

The Commission voted to dismiss a complaint concerning EDWARD BRADDY, Mayor of Gainesville. The complaint was dismissed because the law does not provide for an individual to file a complaint against himself outside of a petition for hearing under a specific and limited set of circumstances, which were not present in this complaint.

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: MARLON BROWN, City of Sarasota Deputy City Manager; ROBERT FOURNIER, Sarasota City Attorney; KAREN GAGLIARDI, South Fork East Community Development District Vice Chair; KEVIN JORDAN, Lowell Correctional Institution Warden; DARLENE LUMPKIN, Lowell Correctional Institution Assistant Warden; EMILIE KEELING, Colonel of the Women's Reception Center at the Lowell Correctional Institution; MARIE BOAN, Warden of the Homestead Correctional Institution; MICHAEL HARFORD, Osceola County Commissioner; CAMERON FRENCH, Assistant State Attorney for the 4th Judicial Circuit; REGINALD CARTER, Value Adjustment Board Special Magistrate in Northeast Florida; GARY BELLE, Sarasota Residential Plans Examiner; LARRY MURPHY, Sarasota Building Official; and LARRY EGER, Public Defender for the 12th Judicial Circuit.

PUBLIC SESSION

PHILLIP J. BRUTUS, while a candidate for the Florida House of Representatives, violated the financial disclosure laws by failing to disclose his net worth, liabilities, and two real properties on his 2013 Form 6 disclosure. The Commission recommended to the Governor a civil penalty of \$1,500 and public censure and reprimand for the violation.

The Commission voted to dismiss a petition for costs and attorney's fees filed by

Escambia County Sheriff DAVID MORGAN against Gene Valentino, the complainant in a previously dismissed complaint against Sheriff Morgan.

Also dismissed was a fees petition filed by Flagler County Attorney ALBERT HADEED against John Ruffalo, the complainant in a previously dismissed complaint filed against Mr. Hadeed.

Flagler County Commissioner NATHAN McLAUGHLIN also filed a petition for costs and attorney's fees against the complainant in a previously dismissed complaint. The Commission voted to dismiss the petition, filed against Dennis McDonald.

An advisory opinion was adopted concerning the gifts law. The Commission determined that a school board member may not accept a gift with a value of more than \$100 from a friend who is a partner in a law firm that provides bond counsel to the school district. Vendors and partners and firms of lobbyists of the district are prohibited from giving gifts valued at more than \$100. Additionally, under the law, the friend or firm must disclose any gifts to the board member when the gifts are valued between \$25 and \$100. However, if the member and friend equally share the costs of travel, meals, lodging, and entertainment, the board member has not received a gift.

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 VII. on the January 22nd 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.