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PRESS RELEASE

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TALLAHASSEE—July 31, 2019—Meeting in Tallahassee on July 26 in closed session, the Florida Commission on Ethics took action on 25 matters, Chair Kim Rezanka announced today. A finding of probable cause is not a determination 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 Milton City Council Member **MARGARET M. "PEGGI" SMITH** violated Florida's ethics laws by misusing her position to benefit a political supporter by terminating a City employee.

In a complaint filed against former Senator **DAPHNE CAMPBELL**, the Commission found probable cause to believe she violated Florida's financial disclosure laws by filing an inaccurate 2013, 2015, and 2017 Form 6.

No probable cause was found to believe Hendry County School Board Member **STEPHANIE BUSIN** misused her position or public resources to promote a personal business venture. The Commission dismissed a voting conflict allegation finding the public interest would not be served by further proceedings because of the particular facts of the situation, including her repeatedly seeking advice on the issue from the school board attorney.

Probable cause was found in a complaint filed against a Candidate for District 47 of the Florida House of Representatives. The allegation was that **STOCKTON REEVES** filed an inaccurate 2017 Form 6 when he qualified for office.

In a complaint filed against Holmes County Property Appraiser **BRYAN A. BELL**, the Commission found no probable cause to believe he misused his position or used inside information to attempt to rent or purchase land for himself or his son.

The Commission considered the results of an investigation – required by statute – based on the findings of a random audit of **CARLTON, FIELDS, JORDEN, BURT, P.A.**, an Executive Branch Lobbying Firm. No probable cause was found to believe the lobbying firm failed to report a reimbursement as compensation on its 2017 first quarter compensation report.

The Commission reviewed 19 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: **GLORIA R. HAYWARD**, Sumter County Clerk of Circuit Court; **WILLIAM O.**

"BILL" FARMER, JR., Sumter County Sheriff; **ANGIE LEWIS**, Judicial Assistant or Deputy Clerk in the 5th Judicial Circuit; **PHYLLIS LOVETT**, Sumter County employee; **ALAN HAMILTON, SR.**, Deputy Sheriff/Corporal, Sumter County Sheriff's Office; **R. MATA**, Deputy Sheriff, Sumter County Sheriff's Office; **C. SMITH**, Deputy Sheriff, Sumter County Sheriff's Office; **J. HOLLOWAY**, Deputy Sheriff, Sumter County Sheriff's Office; **LINETTE MATHENY**, St. Cloud City Council Member & Osceola County Employee; **MTICHELL WILLS**, Hendry County Commissioner; **CARSON TURNER**, Hendry County Commissioner; **MICHAEL SWINDLE**, Hendry County Commissioner; **EMMA BYRD**, Hendry County Commissioner; **DARRELL HARRIS**, Hendry County Commissioner; **FRANK MARTZ**, Altamonte Springs City Manager; **LEE CONSTANTINE**, Seminole County Commissioner; **CAREY BAKER**, Lake County Property Appraiser; **ANNIE M. MURPHY** Taylor County Clerk of Courts; and, **PHILIPPE BIEN-AIME**, Mayor of North Miami.

PUBLIC SESSION

The Commission adopted the Recommended Order of the Administrative Law Judge from the Division of Administrative Hearings awarding former Flagler County Commissioner **GEORGE HANNS** \$11,149.17 for appellate attorney fees and costs from his former complainant, Dennis McDonald.

The Commission adopted a Joint Stipulation filed prior to consideration of probable cause, between the Commission Advocate and **CHARLES C. PESANO**, former Executive Director of the Florida State Fair Authority. The Commission found Mr. Pesano had a prohibited business relationship by authorizing contracts renting fairground vendor space to his family-owned business; accepted things of value when he knew or should have known they were given to influence him; misused or attempted

to misuse fair property or resources to secure special privileges and benefits for himself and others; had a contractual relationship with an exclusive vendor of his agency; failed to file accurate Form 1s for calendar years 2012-2014; and accepted prohibited gifts from a vendor(s) doing business with his agency. A civil penalty of \$7,500 and public censure and reprimand have been recommended to the Governor.

In another stipulation filed prior to consideration of probable cause, **WILLIAM KRUSE** agreed to a finding of a violation that he failed to file an accurate Form 6 when he qualified to run as a write-in candidate for Nassau County Commission. The Commission recommended a civil penalty of \$250 to the Governor for the violation.

A pre-probable cause settlement regarding write-in candidate for Walton County Commission **BARBARA HULSE BROOKE** was considered by the Commission. The settlement was adopted by the Commission with a recommendation of a \$500 civil penalty for failing to file an accurate 2017 Form 6 when she qualified for office. The civil penalty will be recommended for the Governor to impose.

Marion County Commission candidate **JARED BRICE REDDICK** also entered into a stipulation with the Commission Advocate, agreeing to a civil penalty of \$500 for filing an inaccurate or incomplete 2017 Form 6. The Commission adopted the settlement and will send the penalty recommendation to the Governor for imposition.

The Commission rejected a proposed settlement in a complaint filed against **BRUCE GREENLEE**, former Levy County School Board Director of Transportation. Mr. Greenlee may choose to reach terms of another settlement agreement or request a full evidentiary hearing.

The Commission considered a Motion to Dismiss filed by its Advocate in two investigations concerning whether there was a willful failure to file annual financial

disclosure forms. **WENDY POWELL**, who served as a Boca Raton Housing Authority Commissioner, and **JOHN VAUGHAN**, Member of the Board of Trustees for Boyette Springs Special District, both are no longer in a public position, so the Commission lacks the jurisdiction to proceed. The holding of a public office or position is required for the Commission to retain jurisdiction in willful investigations.

The Commission denied a request for withdrawal by a complainant, Carlos Slay, of a complaint he previously filed against **CATHERINE DREW**, a former Nassau County School District employee. The Commission denied the request because good cause was not shown to allow for the withdrawal of the complaint.

The Commission adopted an opinion regarding potential conflicts of interest for a city council member arising from business of his public relations services company.

An opinion regarding the appointment or employment of relatives of school superintendents also was adopted by the Commission. The opinion concerned the application of a recently enacted amendment within state education statutes.

The Commission also approved language for a rule connected to Amendment 12 to the Florida Constitution, a portion of which amendment addresses abuses of public position.

Contact the Commission's office to obtain rulings on appeals of automatic fines imposed for late submission of financial disclosure reports submitted by public officers and employees. (X. on the July 26th 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 including removal from office or employment and fines up to \$10,000 per violation.