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Stanley M. Weston

Virindia Doss
Executive Director

C. Christopher Anderson, III
*General Counsel/
Deputy Executive Director*

State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

(850) 488-7864 Phone

(850) 488-3077 (FAX)

www.ethics.state.fl.us

325 John Knox Road
Building E, Suite 200
Tallahassee, Florida 32303

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PRESS RELEASE

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CONTACT PERSON:

Virindia Doss or
Kerrie J. Stillman
850.488.7864

May be accessed on the Internet at www.ethics.state.fl.us

TALLAHASSEE—August 2, 2017— Meeting in Tallahassee on July 28th in closed session, the Florida Commission on Ethics took action on 16 matters, Chair Michelle Anchors 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.

Probable cause was found to believe that former Jacksonville City Councilmember and current Representative **KIMBERLY DANIELS** filed inaccurate Form 6 - Full and Public Disclosure of Financial Interests for 2012, 2013, and 2014.

No probable cause was found on an allegation that Osceola County Commissioner and West 192 Development Authority Member **PEGGY CHOUDHRY** had a voting conflict on a February 5, 2015 measure. The Commission also found no probable cause to believe that she had a prohibited business relationship with her public

agency or that she had employment or a contractual relationship that was in conflict with her public duties.

The Commission considered the results of an investigation in a complaint filed against **JOHN M. DREW**, Nassau County Tax Collector. No probable cause was found regarding seven allegations of a misuse of office. The allegations were that he stored his camper on his office property; stored his boat on office property; convinced school district officials to hire his wife; convinced the school board to enter into contracts with companies he co-owns with his wife; made inappropriate remarks and solicitations to a subordinate employee; used public funds to pay the terms of a settlement agreement and associated legal fees arising from a harassment claim brought forward by an employee; and used his position to expedite a sexual harassment claim in an effort to obtain personal protection from the allegations.

The Commission found no probable cause to believe that Senator **AARON BEAN** misused his position to receive a \$7.76 reimbursement for mileage. The Commission also determined there was no probable cause to believe that Senator Bean misused his position to secure an appropriation in the State budget for a business venture in which he was personally involved, and dismissed the allegation. Similarly, the Commission voted to dismiss an allegation that he had a voting conflict when he voted to approve a line item appropriation for the business venture. No probable cause was found to believe that the Senator misused his position to ask a fellow legislator to include a request for the business appropriation in the Florida State University budget.

The Commission found no probable cause to believe that Cypress Cove Community Development District Vice Chair **YVETTE WEEKES** conspired with other

board members to remove the board chair to ensure the continued employment of the District Manager, who allegedly arranged for the district to pay to have a tree removed from Ms. Weekes' property. The Commission also found no probable cause that Ms. Weekes accepted the tree removal when she knew or should have known it was given to influence her official action. An allegation that she solicited or accepted the tree removal in exchange for her support of the employment of the District's manager also was dismissed with a finding of no probable cause.

Probable cause was found to believe that New Smyrna Beach Planning and Zoning Board Member **STEPHEN P. SATHER** had a contractual relationship that created a conflict between his private interests and the performance of his public duties, or that impeded the full and faithful discharge of his public duties when he submitted applications on behalf of clients. However, the Commission voted to take no further action on the allegation.

The Commission found no probable cause to believe that Madeira Beach Mayor **TRAVIS PALLADENO** retaliated against an employee by having her volunteer employment terminated because she called law enforcement to intercede in a matter involving Mr. Palladeno.

In a complaint filed against Deerfield Beach City Commissioner **GLORIA BATTLE**, the Commission found no probable cause to believe that she misused her position to meet with certain constituents, defame a developer, and influence other City Commissioners to vote against a development project that she opposed because of its potential effects on property owned by her and her family members.

In an investigation required of the Commission based on findings in a random audit of Executive Branch lobbying firm **DDARLING CONSULTING**, the Commission found no probable cause to believe that the firm lobbied on behalf of a principal without properly registering to lobby. The Commission also found no probable cause to believe that DDarling Consulting reported compensation received from a principal for the second and third quarters, while not properly registered to lobby on behalf of the principal.

In another investigation required of the Commission based on findings in a random audit of Executive Branch lobbying firms, probable cause was found to believe that the lobbying firm of **KATHY TILL & ASSOCIATES, INC.** overstated compensation for the 2015 fourth quarter reporting period.

The Commission dismissed two complaints because the public interest would not be served by further proceedings. The complaints were filed against **SHAWN HINCHEY**, an employee of the Miami-Dade County Communications Department, and **J.D. ELLIS**, a Correctional Officer at the Santa Rosa Correctional Institution.

The Commission reviewed four 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: **SAM ST. JOHN**, Suwannee County Sheriff; **MICHAEL J. RACHEL**,

Assistant State Attorney, 15th Judicial Circuit; **BRENDA FORMAN**, Broward County Clerk of Court; and **MARTY KIAR**, Broward County Property Appraiser.

PUBLIC SESSION

Former Department of Juvenile Justice employee **KENT RINEHART** entered into a Joint Stipulation with the Commission Advocate that was adopted by the Commission. The agreement finds that he violated the ethics law by becoming employed with a business entity in connection with a contract which was within his responsibility while he held public employment. A civil penalty of \$1,500 will be recommended to the Governor for the violation.

The Commission dismissed a matter concerning **ANTWON McNEIL**, former member of the Planning & Zoning Board for the City of Midway. The investigation – required by law – was undertaken to determine if his failure to file the annual financial disclosure form was willful. Mr. McNeil recently resigned his position on the board and therefore the Commission lacks jurisdiction to proceed.

The Commission dismissed a complaint against **JEAN ROBB**, former Mayor of Deerfield Beach, due to her death.

The Commission adopted a formal advisory opinion that determined a former chief inspector general would not be prohibited from working as a consultant in connection with a contract where she was involved in a whistleblower report.

Under another formal opinion adopted by the Commission, a former chief of staff with a state agency is not restricted in his present employment with a software company that is a party to certain agency contracts.

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. (See Item IX. on the July 28th 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.