

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, December 6, 2024

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

PUBLIC SESSION MINUTES

At 8:35 a.m. Commissioner Ashley Lukis called the meeting to order with the following members present:

PAUL D. BAIN
JAMES BUSH, III
FREDDIE FIGGERS
ASHLEY LUKIS
LINDA STEWART

Tina Descovich, Luis M. Fusté, and Laird A. Lile were absent from the meeting.

The presence of a quorum was noted.

Commissioner Bain, seconded by Commissioner Stewart, moved to approve the minutes of the October 25, 2024, Public Session meeting. By unanimous vote, the motion carried.

Commissioner Lukis introduced new Commissioners: James Bush and Linda Stewart.

CONSIDERATION OF PROBABLE CAUSE

Complaint No. 24-162, In re JEFF BERGOSH

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley recommended that the Commission find no probable cause regarding the allegation that the Respondent violated Section 112.313(6), Florida Statutes.

Commissioner Bain, seconded by Commissioner Figgers, moved to approve the Advocate's Recommendation. By unanimous vote, the motion carried.

SELECTION OF VICE CHAIR

Commissioner Lukis, seconded by Commissioner Bain, moved to nominate Commissioner Tina Descovich as Commission Vice Chair. By unanimous vote, the motion carried.

CONSIDERATION OF PETITION FOR COSTS AND FEES

Complaint Nos. 23-262, 23-264, 23-270, 23-278 (cons.), In re MICHELE MYERS

Present were Susan Smith Erdelyi, Attorney for the Respondent; Michele Myers, Respondent; Kev To, Complainant; Christopher "Doc" Bailey, Complainant, and Melody A. Hadley, Commission Advocate.

General Counsel Steven Zuilkowski recommended that the petition is legally sufficient, and that it be referred to the Division of Administrative Hearings (DOAH) for a hearing before an Administrative Law Judge.

Ms. Erdelyi was heard by the Commission.

Mr. To and Mr. Bailey were heard by the Commission.

Commissioner Bain, seconded by Commissioner Figgers, moved to find the petition legally sufficient and refer the petition to DOAH. By unanimous vote, the motion carried.

File 2815. GIFT ACCEPTANCE AND DISCLOSURE: COUNTY PROPERTY APPRAISER ACCEPTING PROCEEDS OF A CHARITABLE AUCTION

Present was Sydney Rodkey on behalf of the Requestor.

Staff Attorney Amelia Naomi explained the basis of the draft advisory opinion and the rationale behind its conclusion.

Commissioner Bush, seconded by Commissioner Figgers, moved to approve the draft opinion, with minor amendments. By unanimous vote, the motion carried.

CONSIDERATION OF RULEMAKING

Rule Hearing on amendments to Chapter 34-5, F.A.C.

Assistant General Counsel Gray Schafer explained the changes in the ethics complaint process incorporated by reference in the rule being amended.

The Chair asked whether there was anyone present who wished to be heard on the proposed rule changes. There was no one.

Commissioner Stewart, seconded by Commissioner Bush, moved to approve the consideration of the proposed rule amendment. By unanimous vote, the motion carried.

Rule Hearing on amendments to Chapter 34-17, F.A.C.

Assistant General Counsel Gray Schafer explained the changes in the ethics referral process incorporated by reference in the rule being amended.

The Chair asked whether there was anyone present who wished to be heard on the proposed rule changes. There was no one.

Commissioner Stewart, seconded by Commissioner Figgers, moved to approve the consideration of the proposed rule amendment. By unanimous vote, the motion carried.

Rule Hearing on amendments to Chapter 34-6, F.A.C.

Staff Attorney Amelia Naomi explained the changes in the advisory opinion process incorporated by reference in the rule being amended.

The Chair asked whether there was anyone present who wished to be heard on the proposed rule changes. There was no one.

Commissioner Bain, seconded by Commissioner Stewart, moved to approve the consideration of the proposed rule amendment. By unanimous vote, the motion carried.

CONSIDERATION OF PROPOSED FY 2025-2026 BUDGET

Commissioner Bush, seconded by Commissioner Figgers, moved to approve the proposed budget. By unanimous vote, the motion carried.

REPORTS

The Chair had no report.

Executive Director Kerrie Stillman elaborated on her written Executive Director's report previously provided to the Commissioners. She also introduced new staff attorney Stephanie Novenario, new investigator Michael Wiederspahn, and new Commission Advocate Joseph Burns.

Executive Director Kerrie Stillman elaborated on her written legislative report previously provided to the Commissioners.

Executive Director Kerrie Stillman updated the Commission on the e-filing system.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:18 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

Luis M. Fusté, *Chair*

Date