

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, September 8, 2023

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

PUBLIC SESSION MINUTES

At 8:45 a.m. Vice Chair Don Gaetz called the meeting to order with the following members present:

MICHELLE ANCHORS
WILLIAM CERVONE
TINA DESCOVICH
FREDDIE FIGGERS
LUIS M. FUSTÉ
DON GAETZ
ASHLEY LUKIS
ED MOORE
WENGAY NEWTON, SR.

The presence of a quorum was noted.

Vice Chair Gaetz introduced the two newly-appointed Commissioners, Tina Descovich and Luis Fusté.

SELECTION OF CHAIR AND VICE CHAIR

Commissioner Figgers, seconded by Commissioner Descovich, moved to nominate Commissioner Ashley Lukis as Commission Chair.

Commissioner Cervone, seconded by Commissioner Anchors, moved to nominate Commissioner Don Gaetz as Commission Chair.

After a roll call vote, the motion for Ashley Lukis as Chair carried, with Commissioner Descovich, Commissioner Figgers, Commissioner Fusté, Commissioner Lukis, and Commissioner Moore voting for Commissioner Lukis, and Commissioner Anchors, Commissioner Cervone, Commissioner Gaetz, and Commissioner Newton voting for Commissioner Gaetz.

Commissioner Newton, seconded by Commissioner Moore, moved to approve the minutes of the July 28, 2023, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – AMENDED JOINT STIPULATION

Complaint No. 15-085, In re COLLEEN REILLY

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed amended joint stipulation calling for a finding of violation of Section 112.313(6), Florida Statutes, with a recommended penalty of public censure and reprimand, and a civil penalty of \$10,000.

Commissioner Newton, seconded by Commissioner Cervone, moved to approve the proposed amended joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 22-065, In re OREN MILLER

Present were Mark Herron, Attorney for the Respondent; and Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of three violations of Section 112.3148(8), Florida Statutes, and a recommended civil penalty of \$3,000.

Mr. Herron was heard by the Commission.

Commissioner Gaetz, seconded by Commissioner Fusté, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – ADVOCATE'S MOTION TO DISMISS COMPLAINT

Complaint No. 17-180, In re WOODROW J. LATVALA

Commissioner Gaetz recused himself from the consideration of this matter. Commissioner Newton disclosed that he is acquainted with the Respondent.

Commissioner Gaetz denied the Respondent's Motion to Disqualify as moot because he already recused from the matter.

Present were Ryan Andrews, Attorney for the Respondent; and Elizabeth A. Miller, Commission Advocate.

Ms. Miller presented her Motion to Dismiss.

Commissioner Newton, seconded by Commissioner Fusté, moved to grant the Motion to Dismiss.

Mr. Andrews was heard by the Commission.

Commissioner Cervone made a substitute motion to reject the Motion to Dismiss. The substitute motion failed for lack of a second.

The original motion to grant the Motion to Dismiss carried, with Commissioner Cervone and Commissioner Moore voting no, and Commissioner Gaetz abstaining.

CONSIDERATION OF FINAL ACTION – ADVOCATE'S MOTION

Complaint No. 21-229, In re EDDIE MARTINEZ

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed motion calling for a finding of violation of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, with a recommended penalty of public censure and reprimand, and a civil penalty of \$5,000.

Commissioner Moore, seconded by Commissioner Cervone, moved to approve the Advocate's Motion. By unanimous vote, the motion carried.

CONSIDERATION OF 2024 LEGISLATIVE RECOMMENDATIONS

The Chair asked whether there was anyone present who wished to be heard. No one requested the opportunity to be heard.

Executive Director Kerrie Stillman explained that the Commission is statutorily required to make recommendations for legislation, and gave a brief explanation of the memo provided to Members.

Commissioner Gaetz, seconded by Commissioner Newton, moved to grant Commissioner Lukis authority to serve as liaison, and speak on the Commission's behalf. By unanimous vote, the motion carried.

Commissioner Cervone, seconded by Commissioner Newton, moved to accept the proposed legislative recommendations as written. By unanimous vote, the motion carried.

Commissioner Anchors, seconded by Commissioner Moore, moved to grant Commissioner Gaetz authority also to serve as liaison, and speak on the Commission's behalf. By unanimous vote, the motion carried.

REPORTS

The Chair had no report.

Executive Director Kerrie Stillman elaborated on her written report previously provided to the Commissioners. She introduced new Commission Executive Secretary Branden Garner, new part-time Clerk Jeremy Pennington, and the Advocate's new assistant, Victoria Johnson.

Executive Director Kerrie Stillman updated the Commission on the relaunch of e-filing, and updated the Commission with the financial disclosure compliance numbers for the current filing year.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:27 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

Ashley Lukis, *Chair*

Date