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PRESS RELEASE

For Immediate Release
April 26, 2023

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TALLAHASSEE—April 26, 2023—Meeting in Tallahassee on April 21st in closed session, the Florida Commission on Ethics took action on 31 matters, Chair Glenton "Glen" Gilzean, Jr. announced today. 10 of those matters were complaints considered for probable cause. 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.

The Commission considered a complaint filed against St. Johns County Airport Authority Attorney **DOUGLAS BURNETT**, finding no probable cause on six allegations that he violated ethics laws. The allegations were: that he abused his position to obtain a disproportionate benefit; misused his position as the Airport Authority Attorney by handling the review of rezoning matters within the bounds of the airport's overlay district at the staff level; misused his position by not reporting an

employee's outside employment; that he had an employment or contractual relationship that conflicted with his public duties when he represented the Airport Authority and the developer; that he used information only available to him and gained by reason of his official position; and that he violated an additional standard for government attorneys by providing legal services to a developer who was seeking approval from the Airport Authority.

No probable cause was found to believe that **JOEY FORGIONE**, former Director of Compliance for the City of Destin, abused his position to obtain a disproportionate benefit or that he misused his public position by owning and operating two private businesses, during City business hours, while he was employed by the City.

In a complaint filed against **RANDALL FINE**, District 33 State Representative, the Commission rejected the recommendation of its Advocate and found probable cause to believe that he abused his position to obtain a disproportionate benefit and that he misused his position by threatening to take away State funding over a personal feud with a Brevard County School Board member, and that he interference in a councilmember's response to a public records request for communications related to the dispute.

The Commission considered a related complaint filed against West Melbourne Beach City Council Member **JOHN DITTMORE**. No probable cause was found to believe that Mr. Dittmore abused his position to obtain a disproportionate benefit or that he misused his position by cooperating with Representative Fine to pressure other elected officials to act in a certain manner.

No probable cause was found to believe **KEN WELCH**, City of St. Petersburg Mayor, misused his position or violated the anti-nepotism law regarding the hiring of his relative to a position within the City.

The Commission considered a complaint filed against Levy County Commissioner **RUSSELL "ROCK" MEEKS, JR.** Probable cause was found on allegations he failed to file accurate 2017, 2018, 2019, 2020 and 2021 Form 6 disclosures. However, the Commission elected to take no further action based on his amending his disclosures and the particular circumstances of the matter.

In a complaint filed against **MATTHEW BROOKS**, Levy County Commissioner, the Commission found probable cause on allegations he failed to file accurate 2017, 2018, 2019, 2020 and 2021 Form 6 disclosures. However, the Commission elected to take no further action based on his amending his disclosures and the particular circumstances of the matter. Probable cause also was found on an allegation Mr. Brooks had a voting conflict on a measure that would inure to his special private gain or loss; however, the Commission will take no further action based on the recommendation of the Commission Advocate. Additional allegations that Mr. Brooks had a prohibited conflict of interest arising from doing business with his own agency or engaging in conflicting business or contractual relationship regarding the County's purchase of janitorial services from a business in which he has an ownership interest was dismissed with a finding of no probable cause.

No probable cause was found to believe that **JOSHUA MESSINGER**, Neptune Beach City Council Member, abused his position to obtain a disproportionate benefit, misused his position, and used information only available to him as a Council Member regarding discussions and approval for private parking in the City's right-of-way or

regarding information about software that would help monitor short term rentals that would be in violation of City Code in an area he owned property.

In a complaint filed against **BRANDON NEWSOM**, Holmes County Commissioner, the Commission found no probable cause on allegations he abused his position to obtain a disproportionate benefit, misused his position, or had a voting conflict regarding the County's regulation of garbage services and the need to have a franchise agreement for his roll-off dumpster service business.

A self-initiated investigation – required by statute – to determine if **MICHELLE A. LAURENT**, Broward County Public Schools Principal, willfully failed to timely file her 2018 Form 1, resulted in a finding of probable cause. However, no further action will be taken by the Commission due to the particular circumstances of the matter.

The Commission voted to grant the Advocate's Motion to Dismiss a statutorily required, self-initiated investigation concerning a willful failure to file a Form 1, Statement of Financial Interests, for the year 2017 by **ANTONY ZOGHBI**, former Office of the Governor Systems Project Analyst. Mr. Zoghbi previously filed a financial disclosure appeal with the Commission that resulted in the maximum automatic fine of \$1,500 being rescinded. The \$1,500 maximum fine is necessary to invoke and maintain the Commission's jurisdiction; therefore, the Commission on Ethics dismissed the matter based upon the lack of jurisdiction to proceed.

The Commission granted a request by the complainant to withdraw a complaint filed against **STACY MILLER**, Florida Department of Transportation Director of Transportation Development.

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: **JOHN CROSS**, Naples Planning Advisory Board; **LILLA GANAISHAL**, North Lauderdale Senior Code Enforcement Officer; **BEN EUSEF MALIK**, Cocoa Beach Mayor; **KATHERINE FERNANDEZ RUNDLE**, Miami-Dade County State Attorney; **GABRIELA MILLAN**, Miami-Dade County Assistant State Attorney; **KELLY DOWNHAM**, Jupiter Police Department Detective; **ROBERT DAVID LONG**, Delray Beach Planning and Zoning Board Vice-Chair; **DENNIS LEMMA**, Seminole County Sheriff; **SHANNON FOUNTAIN**, Holly Hill Police Officer; **WILLIAM G. PRUMMELL, JR.**, Charlotte County Sheriff; **MELISSA KILBY**, Charlotte County Sheriff's Office Professional Compliance Specialist; **TERRY COCHRAN**, Charlotte County Sheriff's, Office Professional Compliance Manager; **JOE CATIGANO**, Oak Hill City Commissioner; **DARRY LLOYD**, Eighth Judicial Circuit State Attorney Office Chief Investigator; **CHARLENE BISHOP**, Lake Helen City Commissioner; **THOMAS BURBANK**, Deltona City Commission; 2 complaints against **RON DESANTIS**, Governor of the State of Florida; **FRIENDS OF RON DESANTIS**, Political Action Committee.

PUBLIC SESSION

During its public session meeting, the Commission took final action and adopted a Joint Stipulation, prior to a finding of probable cause, between Town of Redington Shores Commissioner **JENNIE BLACKBURN** and the Commission Advocate. The Commission voted to enter a final order finding Ms. Blackburn violated the disclosure

laws by filing inaccurate 2020 and 2021 Form 1s. A total civil penalty of \$1,000 will be recommended for imposition by the Governor.

The Commission granted the Advocate's Motion to Dismiss a complaint filed against **CHARLES A. SAFDIE**, Miami-Dade County Community Council Member. The Commission agreed with the analysis that, in light of additional evidence, further pursuit of the matter would not serve the public interest.

The Commission adopted an advisory opinion requested by a City Councilmember. The opinion indicates the City Commission would have a prohibited voting conflict if the City continued with a septic-to-sewer conversion project that would include her residence.

In another opinion, the Commission provided guidance to Brevard County School District teachers and administrators who are also members and directors of the nonprofit corporation, Brevard Alliance of Black School Educators (Brevard ABSE). The Commission opined that only those Brevard County School District administrators with the authority to approve purchasing and involved in the School District's approval process for transactions with Brevard ABSE would have a prohibited conflict of interest. All other teachers and administrators who are members or directors of Brevard ABSE would not have a prohibited conflict.

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.