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PRESS RELEASE

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TALLAHASSEE—September 18—Meeting in Tallahassee on September 13th in closed session, the Florida Commission on Ethics took action on 42 matters, Chair Luis M. Fusté announced today. Nine of those matters were probable cause hearings. 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 **KATHRYN E. STARKEY**, Pasco County Commissioner. No probable cause was found to believe she violated the constitutional amendment prohibiting abuse of office to obtain a disproportionate benefit and that she misused her position regarding a neighbor's stop work order from the County on the construction of a neighbor's dock.

In a complaint filed against Monroe County Planning Commissioner **JOSEPH SCARPELLI**, the Commission found no probable cause to believe Mr. Scarpelli accepted a thing of value that he knew or should have known was given to influence him when his spouse accepted donations to her dance studio to be used towards studio events.

The Commission considered a complaint filed against Union County Commissioner **MALCOLM "MAC" JOHNS**, finding no probable cause allegations that he violated three ethics laws. The allegations were: that he was doing business with his agency because his automotive repair company serviced Suwanee River Economic Council vehicles during his service on the Florida Commission for the Transportation Disadvantage Board; that he had a conflicting employment relationship that created a continuing conflict of interest because of the repair and servicing of agency vehicles; and that he misused his position when he helped to get a County signature on a "Letter of Authorization" for permitting that allowed a donated septic system at the Union County Riding Club, which is property owned by the County.

The Commission rejected the recommendation of its advocate and found no probable cause on allegations that Hillsborough County School Board Member, **KAREN PEREZ**, accepted a dining experience from a principal of a lobbyist that would be a prohibited gift valued at more than \$100 or that she failed to disclose the event as a gift that exceeded \$100 in value. No probable cause to believe Ms. Perez accepted a trip to Cuba from a principal of a lobbyist that would be a prohibited gift valued at more than \$100 or that she failed to disclose the receipt of a gift that exceeded \$100 in value.

The Commission considered a complaint filed against the State Attorney for the Fourth Judicial Circuit, **MELISSA NELSON**. The Commission rejected the recommendation of its advocate and found no probable cause on five allegations that she violated Florida's Constitution and financial disclosure laws by failing to properly disclose investments held within her investment accounts on her 2018, 2019, 2020, 2021, and 2022 Form 6, along with her 2018 Form 6X.

Former Polk County Fire Services Battalion Chief **CHARLIE TRUE** was alleged to have violated the constitutional amendment prohibiting abuse of office to obtain a disproportionate benefit and to have misused his position when he approved hours worked by staff during the emergency response deployment for a hurricane. The Commission found no probable cause on both allegations.

The Commission also considered a complaint filed against **BRANDON ARRINGTON**, Osceola County Commissioner. No probable cause was found to believe he violated the constitutional amendment prohibiting abuse of office to obtain a disproportionate benefit or misused his position when he changed his social media accounts from being privately managed to being managed by a county-contracted communications service.

A self-initiated investigation – required by statute – to determine if **UWEZO FRAZIER**, principal in the Miami-Dade County Public Schools System, willfully failed to timely file his 2020 Form 1, resulted in a finding of probable cause, but the Commission will take no further action based on the circumstances of the matter.

The Commission reviewed 34 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 STANLEY**, Industrial Pretreatment Coordinator for the City of St. Petersburg Environmental Compliance Division; **BRENDA FORMAN**, 17th Judicial Circuit Clerk of the Courts; **JACKIE RAILEY**, Coconut Creek Vice Mayor; **MARK BOGEN**, Broward County Commissioner; **ERIC LONGSHORE**, Sebring Building Official; **JARED F. MILLER**, Wakulla County Sheriff; **JACQUELINE "JACK" PORTER**, Tallahassee City Commission; six complaints against **ZANE TEETERS, JR**, Astatula Town Council Member; **DEBORAH FIGGS-SANDERS**, St. Petersburg City Councilmember; **JOHN F. MARTIN**, Nassau County Commissioner; **BRIAN D. HERRMANN**, Crystal River Planning and Development Services Director; **JEFF KINNARD**, Citrus County Commissioner; **JC CHARLETON**, Citrus County Department of Code Enforcement Supervisor; **CODY MAGUIRE**, Citrus County Department of Code Enforcement Officer; **HOPE BAIRD**, Citrus County Department of Code Enforcement Officer; **ELIZABETH GARCIA-BECKFORD**, North Lauderdale City Clerk; **MICHAEL SARGIS**, North Lauderdale City Manager; **ORITA ISSARTEL**, Astatula Town Council Member; **JEANNE QURIOS**, Astatula Town Council Member; **STEPHEN CROSS**, Astatula Vice Mayor; **GRAHAM WELLS**, Astatula Town Clerk; **JANETTE MARTINEZ**, Kissimmee City Commissioner; **EDWARD GUBALA**, write-in Candidate for Collier County Supervisor of Elections; **ERIN FORTNER**, Putnam County Planning Board Member; **TONY ANDERSON**, Walton County Commissioner; **KAREN CHASEZ**,

DeBary Mayor; **PATTI MONHOLLEN**, DeBary Neighborhood Improvement (Code Enforcement) Officer; **JAMES SATCHER**, Manatee County Supervisor of Elections; and **MATTHEW CALDWELL**, Lee County Property Appraiser.

PUBLIC SESSION

During its public session meeting, the Commission adopted a formal opinion that provides guidance to a Mayor looking to secure legal defense funds for a lawsuit by utilizing personal loans from friends and/or creating a legal defense fund on an online platform like GoFundMe.com. The opinion finds the Mayor may accept loans from personal friends regardless of the amount or interest rate. However, if the money is loaned at a preferential interest rate, the total interest paid through the life of the loan would be considered a gift and must be disclosed on a Form 9. Guidance was also provided on solicitation and acceptance of donations through the GoFundMe.com platform.

During its public session meeting, the Commission took action on appeals of automatic fines assessed for late submission of financial disclosure reports submitted by public officers and employees. Contact the Commission's office to obtain rulings (Item VII. on the September 13 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 \$20,000 per violation.