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TALLAHASSEE— January 26, 2022—Meeting in Tallahassee on January 21st in closed session, the Florida Commission on Ethics took action on 26 matters, Chair JoAnne Leznoff 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.

The Commission found no probable cause on all allegations in a complaint filed against the Division of Emergency Management's (FDEM) former Bureau Chief **JASON WHEELER**. The allegations stemmed from his work in the private sector related to Hurricane Irma grants and contracts which were allegedly part of his responsibilities as a public employee. Mr. Wheeler was alleged to have solicited or accepted a thing of value in exchange for his official action; accepted a thing of value when he knew or should have known it was given to influence him; and misused his public position for his

personal benefit or the benefit of another person. It was also alleged that after leaving public employment, he went to work for a business entity in connection with a contract in which he participated personally and substantially while employed with FDEM and that he worked for a business entity on a contract which was within his area of responsibility while he was employed with FDEM.

No probable cause was found to believe Florida Chief Financial Officer **JIMMY PATRONIS** misused his official position to offer support of a candidate for appointment to the office of the Commissioner of the Florida Office of Financial Regulation (OFR) in exchange for a campaign contribution. Allegations Mr. Patronis solicited or accepted the contribution in exchange for his support or that he accepted the donation when he knew or should have known it was given to influence the appointment process were dismissed with a finding of no probable cause. No probable cause was found to believe Mr. Patronis misused public funds to settle or defend a federal sex discrimination lawsuit. The Commission also found no probable cause to believe he issued a press release disclosing confidential information, not available to public and gained by reason of his official position, to pressure the resignation of the OFR Commissioner and no probable cause regarding an allegation he released confidential information about a sexual harassment complaint investigation to DFS personnel without the victim's consent.

The Commission rejected the recommendation of the Advocate and found no probable cause to believe Howey-in-the-Hills Town Councilmember **MATTHEW T. MCGILL** violated Florida's financial disclosure laws by failing to properly disclose a primary source of income on his 2018 Form 1 disclosure. An allegation he misused his

position regarding code enforcement and permitting were dismissed with a finding of no probable cause.

No probable cause was found to believe **HERBERT R. THOMAS**, Chief of Police for Howey-in-the-Hills, misused his position for his and/or another's benefit.

JEFFREY C. NEAL, while serving as a member of the Town of Redington Shores Planning and Zoning Board was alleged to have a prohibited business relationship with the Town of Redington Shores and misused his position to do business with the town. The Commission voted to find no probable cause on both allegations. An additional allegation that Mr. Neal, while serving as a member of the Town Commission of Redington Shores, misused his position to direct Town business to a friend and business partner also was dismissed with a finding of no probable cause.

No probable cause was found to believe Titusville-Cocoa Airport Authority Manager of Finance and Grant Administration **ALEXANDRIA ASHLEY CAMPBELL** misused her position during the application process resulting in the hiring of her romantic partner.

ALAN HOWARD, who served on the Board of Directors for the Jacksonville Electric Authority, was alleged to have solicited or accepted a promise of future employment in exchange for his official action; misused his position to secure a benefit to his law firm; had a conflicting contractual relationship that created a continuing or frequently recurring conflict between his private interests and the performance of his public duties; used confidential information not available to the general public for his personal benefit; voted on a matter that would benefit his law firm; and participated in a discussion without first disclosing his conflict. The Commission voted to find no probable cause on all six allegations.

In a complaint filed against former Wausau Mayor **BERNA PALMER**, the Commission found no probable cause to believe she misused her public position or violated the constitutional amendment prohibiting an abuse of office to receive a disproportionate benefit when she authorized milled asphalt be spread to repair her and her daughter's driveway following a hurricane. The Commission found probable cause on an allegation Ms. Palmer failed to complete mandatory ethics training for the calendar year 2020. However, the Commission will take no further action on the allegation based on the particular circumstances of the matter.

No probable cause was found to believe City of Archer Deputy Clerk **DEANNA ALLTOP** violated the constitutional amendment prohibiting an abuse of office to receive a disproportionate benefit concerning an allegation that she disregarded paperwork timelines and zoning regulations to benefit a family member's lot placement. No probable cause was found on an allegation that Ms. Alltop misused her public position to approve a verification of zoning and setbacks to allow a mobile home be placed where mobile homes were not allowed. In a similar allegation, no probable cause was found to believe Ms. Alltop misused her office by allowing a family member's mobile home to be placed on family property, prior to completing all the necessary paperwork.

The Commission rejected the recommendation of its Advocate and found probable cause on an allegation that **SHERRI MACDONALD**, Town Clerk, Administrator/Clerk to the Special Master Judge, and Public Records Custodian for the Town of Yankeetown, misused her position by amending her employment contract to provide for greater benefits than originally bargained for and being involved in the decision not to properly present the contract amendment to the Town Council for a vote.

No probable cause was found on an allegation Ms. MacDonald amended her employment contract in a manner contrary to the public's interest while being involved in the decision not to properly present the contract amendment to the town council for vote. An additional allegation Ms. MacDonald misused her position by writing vague headings for agenda items in order to discourage public comment and ensure that the items proceeded in accordance with the Mayor's preferences was dismissed with a finding of no probable cause.

A self-initiated investigation – required by statute – to determine if Florida Workers' Compensation Joint Underwriting Association Board of Governors Member **CYNTHIA LYNN HOWARD** willfully failed to timely file her 2018 Form 1 resulted in a finding of probable cause.

The Commission reviewed 12 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: **EUGENE JEFFERSON**, City Councilmember and Member of the Community Redevelopment Agency, Lake City; **JERALD BRYANT**, Clerk of the Circuit Court and Comptroller, Okeechobee County; **DEBBIE JORDAN**, School Board, Lee County; **STEPHEN B. RUSSELL**, State Attorney, 20th Judicial Circuit; **RICKEY CALLAHAN**, City Council Member, City of Bonifay, Chair of the Holmes County Development Commission, and Chair of the Downtown Development Commission; **ESTEBAN BOVO**, Mayor, City of Hialeah; **JULI CASALE**, Board of Commissioner,

Delray Beach Community Redevelopment Agency; **JEANNINE RACINE**, City Finance Director and City Manager, City of Fruitland Park; **LARRY BARLETT**, Property Appraiser, Volusia County; **OFFICER GREBINGER**, Police Officer, Jacksonville Sheriff's Office; **OFFICER MANRIQUEZ**, Police Officer, Jacksonville Sheriff's Office; and **WILL ROBERTS**, Tax Collector, Volusia County.

PUBLIC SESSION

During its public session meeting, the Commission considered the Recommended Order of an Administrative Law Judge (ALJ) from the Division of Administrative Hearings in a complaint filed against **WILLIAM SPAUDE**, Bushnell Mayor. The Commission took final action, finding Mr. Spaupe violated Florida's Code of Ethics by misusing his position and public resources to obtain and attempt to obtain City materials and have them delivered to his home for his personal use and by using the City's charge account and tax exempt status to purchase plumbing supplies for use on his personal property. A civil penalty of \$5,000 and public censure and reprimand will be recommended to the Governor for imposition.

A settlement agreement, in a complaint filed against **JOSEPH KILSHEIMER**, former Mayor of Apopka, was adopted by the Commission. The agreement finds Mr. Kilsheimer misused his position to improperly bill the City for travel expenses incurred by him and his spouse on a trip to Washington, D.C. and by failing to report gift(s) they received. Restitution payable to the City of Apopka for \$668, plus a civil penalty of \$2,500 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission also adopted a stipulated settlement agreement regarding **ANDREANA JACKSON**, former Vice Mayor of North Bay Village. The agreement finds she misused her position to request and obtain free admission for herself and a friend to a charity event. A civil penalty of \$1,500 and public censure and reprimand will be recommended for imposition by the Governor.

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. (Item VI. on the January 21 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 \$10,000 per violation.