

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, July 24, 2026

*First Floor Meeting Room, First District Court of Appeal
2000 Drayton Drive
Tallahassee, Florida*

PUBLIC SESSION MINUTES

At 8:39 a.m. Chair Jon M. Philipson called the meeting to order with the following members present:

MICHAEL H. HELLMAN
MARTY KERNER
JOSEPH OGLESBY
JON M. PHILIPSON
JEREMY M. RODGERS
ABBIE L. STEWART
JOSHUA C. WEBB

The presence of a quorum was noted.

Chair Philipson introduced new Commissioners Marty Kerner and Joshua C. Webb, and he thanked former Commissioners Laird A. Lile and Linda Stewart for their time on the Commission.

Commissioner Rodgers, seconded by Commissioner Stewart, moved to approve the minutes of the June 5, 2026 Public Session meeting. By unanimous vote, the motion carried.

Nicholas X. Duran arrived at 8:43 a.m.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 25-304, In re JENNIFER LIOTTA

Commissioner Webb disclosed that St. Johns County is a former client.

Present were Mark Herron, Attorney for the Respondent; and Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed pre-probable cause joint stipulation calling for a finding of violations of Section 112.313(7)(a), Florida Statutes, and a total civil penalty of \$2,000.

Mr. Herron was heard by the Commission.

Commissioner Hellman, seconded by Commissioner Rodgers, moved to approve the proposed pre-probable cause joint stipulation. By unanimous vote, the motion carried.

Complaint No. 23-255, In re LYNN STONER

Present were Matthew T. Hatfield, Attorney for the Respondent; and Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed pre-probable cause joint stipulation calling for a finding of violation of Section 112.313(6), Florida Statutes, and a recommended penalty of public censure and reprimand, and a total civil penalty of \$2,500.

Mr. Hatfield was heard by the Commission.

Commissioner Rodgers, seconded by Commissioner Oglesby, moved to approve the proposed amended pre-probable cause joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF ADVOCATE'S MOTION TO DISMISS COMPLAINT

Complaint No. 23-231, In re JONATHAN L. OWENS

Present were Dennis D. Green, Attorney for the Respondent; and Melody A. Hadley, Commission Advocate.

Ms. Hadley presented her Motion to Dismiss.

Mr. Green was heard by the Commission.

Commissioner Hellman, seconded by Commissioner Stewart, moved to grant the Advocate's Motion to Dismiss Complaint. By unanimous vote, the motion carried.

CONSIDERATION OF DISMISSAL OF COMPLAINT FOR LACK OF JURISDICTION

Complaint No. 25-064, In re ROD LINCOLN

Commissioner Philipson abstained from the consideration of this matter, as disclosed in the CE Form 8A Memorandum of Voting Conflict, which is incorporated in these minutes.

Present were Mark Herron, Attorney for the Respondent; and Melody A. Hadley, Commission Advocate.

Staff Attorney Amelia Naomi summarized the proposed order calling for the dismissal of the complaint for lack of jurisdiction based on the rationale contained in the draft order previously provided to Commissioners.

Mr. Herron was heard by the Commission.

Commissioner Duran, seconded by Commissioner Stewart, moved to approve the staff's recommendation. The motion carried, with Commissioner Philipson abstaining.

CONSIDERATION OF LEGAL SUFFICIENCY

**Complaint No. 26-127, In re JACKIE ESPINOSA
Complaint No. 26-127, In re JANETTE MARTINEZ**

Staff recommended that these complaints be dismissed as legally insufficient based on the rationale contained in the written recommendations previously provided to Commissioners.

Commissioner Rodgers, seconded by Commissioner Oglesby, moved to approve the staff's recommendation. By unanimous vote, the motion carried.

CONSIDERATION OF DOAH RECOMMENDED ORDER – COSTS AND FEES PETITION

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; Kimberly J. Fernandes, Attorney for Complainant Kevin To; and Mark Herron, Attorney for Complainant Christopher "Doc" Bailey.

Staff Attorney Amelia Naomi summarized the background of the matter, including the Recommended Order from the DOAH ALJ.

Ms. Fernandes, Mr. Herron, and Ms. Erdelyi were heard by the Commission.

Commissioner Rodgers, seconded by Commissioner Duran, moved to approve the recommended order. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINIONS

File 2836. POST-OFFICEHOLDING RESTRICTIONS: FORMER DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION ATTORNEY REPRESENTING CLIENTS BEFORE THE CONSTRUCTION INDUSTRY LICENSING BOARD AND THE OFFICE OF GENERAL COUNSEL

Present was Zeyna Kafrouni, Requestor.

Commissioner Oglesby disclosed that his wife is the Deputy Secretary of DBPR.

Assistant General Counsel Gray Schafer explained the basis of the draft advisory opinion and the rationale behind its conclusion.

Ms. Kafrouni was heard by the Commission.

Commissioner Rodgers, seconded by Commissioner Stewart, moved to approve the draft opinion. By unanimous vote, the motion carried.

File 2837. CONSTITUTIONAL REPRESENTATION RESTRICTIONS FOR STATE LEGISLATORS: APPLICATION OF THE CONSTITUTIONAL IN-OFFICE REPRESENTATION BAN TO STATE LEGISLATOR

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

Commissioner Duran, seconded by Commissioner Hellman, moved to approve the draft opinion. By unanimous vote, the motion carried.

CONSIDERATION OF ORDER ON REQUEST FOR EXTENSION

Extension Request 26-13, In re MAURICE D. SUTTON

Commissioner Hellman, seconded by Commissioner Webb, moved to approve the proposed order. By unanimous vote, the motion carried.

CONSIDERATION OF RULEMAKING

Rule Hearing on amendments to Rule 34-7.025, F.A.C.

Assistant General Counsel Gray Schafer explained the changes to the minimum training course content for certain public officers with an annual ethics training requirement.

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

Commissioner Rodgers, seconded by Commissioner Webb, moved to approve the consideration of the proposed rule changes. By unanimous vote, the motion carried.

CONSIDERATION OF 2027 LEGISLATIVE RECOMMENDATIONS

The Chair asked whether there was anyone present who wished to be heard on the legislative recommendations. There was no one.

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.

The Commission discussed the proposals and its desire to consider the recommendations further at the August meeting.

DISCUSSION OF LEGAL SUFFICIENCY REVIEWS AND RULES

The Chair asked whether there was anyone present who wished to be heard on the rules. Mark Herron was heard by the Commission.

Executive Director Kerrie Stillman and General Counsel Steve Zuilkowski explained the current legal sufficiency process to the Commission.

CONSIDERATION OF PROPOSED 2027 MEETING SCHEDULE

Executive Director Kerrie Stillman explained the proposed 2027 Meeting Schedule.

The Commission requested to table the consideration of this matter until the August meeting.

CONSIDERATION OF EXPENDITURES

Executive Director Kerrie Stillman asked the Commission's approval on four items. She explained her spending authority is limited to \$10,000 and requested the approval of the second year of the three-year contract with Westlaw, and the fourth year of the 6-year lease for our office space. She asked for spending authority on the contract for the Attorney General's Office for the services of two Assistant Attorneys General to serve as Commission Advocates, and one paralegal specialist, along with the Office of the Attorney General's representation of the Commission in the *President of Town Council Elizabeth A. Loper v. Lukis* and *Town of Briny Breezes v. Lukis* litigation.

Commissioner Oglesby, seconded by Commissioner Stewart, moved to approve the expenditures. By unanimous vote, the motion carried.

REPORTS

The Chair thanked the Commission staff. He also thanked Joseph C. Burns for his time as Commission Advocate.

Executive Director Kerrie Stillman elaborated on her written Executive Director's report previously provided to the Commissioners. She also introduced new part-time clerk, Simon Atchley.

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

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 11:04 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

Jon M. Philipson, *Chair*

Date

FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Philipson, Jon M.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Florida Commission on Ethics
MAILING ADDRESS P.O. Drawer 15709		NAME OF STATE AGENCY Florida Commission on Ethics
CITY Tallahassee	COUNTY Leon	MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE
DATE ON WHICH VOTE OCCURRED July 24, 2026		

WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

* * * * *

APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, Jon M. Philipson, hereby disclose that on July 24, 20 26 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
☐ inured to the special gain or loss of my business associate, _____;
☐ inured to the special gain or loss of my relative, _____;
☒ inured to the special gain or loss of Rod Lincoln, by
whom I am retained; or
☐ inured to the special gain or loss of _____, which
is the parent, subsidiary, or sibling organization of a principal which has retained me.

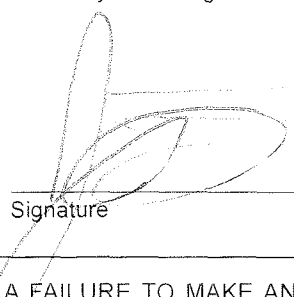
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I have a professional relationship with Mr. Lincoln pertaining to a matter unrelated to the vote before the Commission.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

July 24, 2026

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

State of Florida Commission on Ethics
Public Session Meeting – Friday, July 24, 2026, 8:30 a.m.
First District Court of Appeal, 2000 Drayton Drive, Tallahassee, Florida

Pursuant to Section 286.0114, Florida Statutes, members of the public have the opportunity to have input on proposals before the Commission other than determinations on complaints and opinions. If you wish to be heard on anything on today's agenda other than an opinion or a complaint, please complete this form and return it to a member of the Commission's staff.

NAME: MARK HERRO

ORGANIZATION (if applicable): Self

ADDRESS: P.O. Box 1701, Tallahassee, FL 32302

PERSON SPEAKING
ON YOUR BEHALF (if applicable): Self

AGENDA ITEM: Item 13 - Legal Sufficiency Review

- ☐ SUPPORT
☐ OPPOSE
☐ NEUTRAL