

**STATE OF FLORIDA  
COMMISSION ON ETHICS**

**Friday, October 21, 2022**

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

**PUBLIC SESSION MINUTES**

At 8:40 a.m. Chair John Grant called the meeting to order with the following members present:

WILLIAM CERVONE  
DON GAETZ  
GLENTON GILZEAN, JR.  
JOHN GRANT  
WILLIAM MEGGS  
WENGAY NEWTON, SR.  
JIM WALDMAN

Michelle Anchors and Ed Moore were absent from the meeting.

The presence of a quorum was noted.

Chair Grant introduced new Commission Member, Wengay Newton, Sr.

**Commissioner Gilzean, seconded by Commissioner Gaetz, moved to approve the minutes of the September 9, 2022, Public Session meeting. By unanimous vote, the motion carried.**

**CONSIDERATION OF FINAL ACTION – DOAH RECOMMENDED ORDER**

**Complaint No. 18-185, In re JEFFREY M. SISKIND**

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the Recommended Order of the Administrative Law Judge.

**Commissioner Gaetz, seconded by Commissioner Gilzean, moved to approve a draft Final Order. By unanimous vote, the motion carried.**

**Complaint Nos. 20-060, 20-073, 20-103 (cons.), In re DOUGLAS UNDERHILL**

Present were Mark Herron, Attorney for the Respondent; David M. Bear, Complainant; Rick Figlio, Attorney for the Complainant; and Elizabeth A. Miller, Commission Advocate.

Commissioner Gaetz disclosed that he is acquainted with David Bear, one of the Complainants.

Ms. Miller summarized her exceptions to the Recommended Order of the Administrative Law Judge.

Mr. Herron was heard by the Commission.

Ms. Miller was heard in rebuttal.

**Commissioner Gaetz, seconded by Commissioner Gilzean, moved to approve the draft Final Order, but reject the Administrative Law Judge's conclusion that the Respondent did not violate Section 112.3148(3), Florida Statutes, and increase the total civil penalty to \$35,000.**

**Commissioner Waldman made a substitute motion to adopt the draft Final Order. The motion died for lack of a second.**

**Commissioner Gaetz amended his original motion to further modify the penalty to include a recommendation that the Respondent be removed from office. The motion carried, with Commissioner Waldman voting no.**

#### **CONSIDERATION OF FINAL ACTION – PRE-PROBABLE CAUSE JOINT STIPULATION**

##### **Complaint No. 22-022, In re ROGER BROOKS**

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

There was a handout provided to the Commission.

Mr. Herron was heard by the Commission.

**Commissioner Cervone, seconded by Commissioner Gaetz, moved to approve the Motion to Withdraw the Joint Stipulation. By unanimous vote, the motion carried.**

Ms. Miller recommended that the Commission find no probable cause, regarding the allegations that the Respondent violated Section 112.313(6), Florida Statutes. She recommended that the Commission find probable cause, regarding other allegations that the Respondent violated Section 112.313(6), Florida Statutes, and Article II, Section 8(g)(2), Florida Constitution.

Mr. Herron was heard by the Commission.

**Commissioner Gaetz, seconded by Commissioner Cervone, moved to approve the Advocate's Recommendation, but take no further action. By unanimous vote, the motion carried.**

#### **CONSIDERATION OF FINAL ACTION – JOINT STIPULATION**

**Complaint No. 20-116, In re CHANDLER WILLIAMSON**

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of violation of Section 112.313(6), Florida Statutes, with a recommendation of public censure and reprimand, and a civil penalty of \$4,500.

**Commissioner Meggs, seconded by Commissioner Waldman, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.**

**Complaint No. 21-204, In re RODNEY J. BRADEN**

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of violation of Section 112.3145, Florida Statutes, with a recommended civil penalty of \$3,000.

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

**Complaint No. 22-060, In re ROBIN HATCHER**

Present were Robin Hatcher, Respondent; and Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of violation of Article II, Section 8(g)(2), Florida Constitution, and Section 112.313(6), Florida Statutes, with a recommendation of public censure and reprimand, and a civil penalty of \$2,000.

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

**Complaint No. 21-236, In re RICHARD NELSON**

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed joint stipulation calling for a finding of violation of Sections 112.313(3), 112.313(6), and 112.313(7)(a), Florida Statutes, with a recommended civil penalty of \$4,000.

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

**CONSIDERATION OF ADVOCATE'S MOTION TO DISMISS**

**Complaint No. 22-008, In re REGINALD H. JOHNSON**

Present was Melody A. Hadley, Commission Advocate.

Ms. Miller summarized her recommendation calling for the complaint to be dismissed.

**Commissioner Cervone, seconded by Commissioner Newton, moved to approve the Advocate's Motion to Dismiss Complaint. By unanimous vote, the motion carried.**

**CONSIDERATION OF ORDER DECLARING FINANCIAL DISCLOSURE FINES UNCOLLECTIBLE**

**In re PAUL BORROTO-GARCIA, 2018 CE FORM 1**

**In re FRANCIS CAGAN, JR., 2018 CE FORM 1**

**Commissioner Waldman, seconded by Commissioner Meggs, moved to declare these fines uncollectible. 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 updated the Commission that a new staff attorney was hired, and that Intern Alexa Ravencroft's internship was ending. She mentioned that the Ballard litigation appeared to be over. She also updated the Commission on the upcoming COGEL conference. The Commission expressed its support for the Commission's continued participation in COGEL and attendance at the conference.

Executive Director Kerrie Stillman updated the Commission on the relaunch of e-filing.

**ADJOURNMENT**

With no further items on the agenda, the Public Session adjourned at 11:42 a.m.

Respectfully submitted,

Approved:

\_\_\_\_\_  
Diana Westberry, *Secretary*

\_\_\_\_\_  
John Grant, *Chair*

\_\_\_\_\_  
Date