

# REPORT OF INVESTIGATION



Complaint Numbers 25-261

## NOTICE CONCERNING CONFIDENTIALITY


This report of investigation concerns an alleged violation of Chapter 112, Part III, Florida Statutes, or other breach of public trust under provisions of Article II, Section 8, Florida Constitution. The Report and any exhibits may be confidential (exempt from the public records law) pursuant to Section 112.324, Florida Statutes, and Chapter 34-5, F.A.C., the rules of the Commission on Ethics. Unless the Respondent has waived the confidentiality in writing, this report will remain confidential until one of the following occurs: (1) the complaint is dismissed by the Commission; (2) the Commission finds sufficient evidence to order a public hearing; or (3) the Commission orders a public report as a final disposition of the matter. \*See Section 112.3215, Florida Statutes, regarding executive branch lobbying matters and confidentiality.

STATE OF FLORIDA  
COMMISSION ON ETHICS  
Post Office Drawer 15709  
Tallahassee, Florida 32317-5709

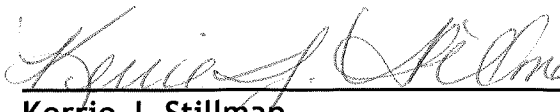
## REPORT OF INVESTIGATION


TITLE: RANDAL ANDREWS  
Bradford County Zoning Director  
Starke, Florida

COMPLAINT NO.: 25-261  
Exhibits A through D

INVESTIGATED BY:   
John D. Cizmadia

Distribution: Commission on Ethics  
Respondent  
Advocate  
File

Releasing Authority:   
Kerrie J. Stillman  
Executive Director

  
Date

\* \* \* \*

**REPORT OF INVESTIGATION  
COMPLAINT NO. 25-261**

- (1) The complaint in this matter was filed by Scott Belford of Keystone Heights, Florida, who alleges that Bradford County Zoning Director Randal "Randy" Andrews violated the Code of Ethics for Public Officers and Employees.
- (2) The complaint alleges that the Respondent used his County-issued email on multiple occasions to discuss and arrange activity regarding his personal land sales. The complaint also alleges that the Respondent signed these emails using his official title and "contact block" information.
- (3) The Executive Director of the Commission on Ethics noted that, based upon the information provided in the complaint, the above-referenced allegations are sufficient to warrant a preliminary investigation to determine whether the Respondent's actions violated Article II, Section 8(h)(2), Florida Constitution, (Abuse of Position to Obtain Disproportionate Benefit), and Section 112.313(6), Florida Statutes (Misuse of Public Position).
- (4) The Complainant alleges that in September 2017 and August 2019, the Respondent used his County-issued email (randal\_andrews@bradfordcounty.com) to send or respond to matters that were personal and unrelated to County business. Pursuant to Section 112.3231, Florida Statutes, this investigation will address only the allegations of conduct on or after September 22, 2020, due to the five-year Statute of Limitations.
- (5) The Complainant stated that on January 25, 2021, the Respondent received an email from realtor Julie Morrow, sent to his County-issued email address, who informed the Respondent that a potential buyer was inquiring about whether an 18-acre parcel owned by the Respondent could be divided. On January 26, 2021, the Respondent responded to Ms. Morrow, confirming that the property could be divided into one-acre lots through a "Family Lot Application," at a cost of \$75.00. The Complainant noted that the Respondent also attached a flood map, stating, "Good news about my parcel, just keep me in touch." (Exhibit A)
- (6) Additionally, the Complainant stated that on June 22, 2022, the Respondent used his County-issued email to initiate contact with a prospective buyer concerning his personal property. The Respondent, he said, attached maps and zoning details for two of the parcels he owned (Exhibit B).
- (7) Finally, the Complainant alleges that between October 26 and 27, 2022, the Respondent used his County-issued email to communicate with a prospective buyer, Ms. Linda Trembly, proactively, about the sale of 18 acres of land that he owns. The Complainant noted the Respondent attached flood maps and discussed zoning, flood evaluation requirements, livestock permissibility, and his ownership of adjacent lands. The Complainant stated that the Respondent also used his official County-title contact block: "Randy Andrews, Zoning Director, Bradford County, Florida, (904) 966-6213." (Exhibit C)

(8) Ms. Amanda Brown, Executive Assistant to the Bradford County Manager, stated by telephone that, in accordance with the County's 2013 through 2024 "Email, Internet, and Technology" policies and procedures, employees are permitted limited, personal use of the County email (Exhibit D, pages 1 through 4).

(9) Ms. Brown explained the "Use of Electronic Mail" section on page 13 of the County policy (Exhibit D, page 3), under Section b, states, "The purpose of email is to facilitate inter-office and inter-agency transmittal of information. Email shall be used for matters of concern to County operations. Any incidental emails of personal, private, or non-business nature shall be kept to a minimum in both number and brevity." Ms. Brown stated that personal use of County email is "neither encouraged nor discouraged."

(10) A review of the "Use of Electronic Mail" section of the policy indicates, under Section d, that "The email system shall not be used to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations."

(11) The Respondent stated that he currently serves as Bradford County Zoning Director, overseeing land use codes, zoning regulations, and the Comprehensive Plan. The Respondent said his duties include assisting residents and, occasionally, real estate agents, with matters related to zoning.

(12) The Respondent confirmed that on January 25, 2021, he received an unsolicited email at his County email address from Ms. Morrow about a potential buyer inquiring about dividing an 18-acre parcel of property he owns, and that, on January 26, 2021, he responded to the email from his County email providing pertinent zoning and permitting information (Exhibit A).

(13) Furthermore, the Respondent confirmed that, on June 22, 2022, he used his County-issued email to initiate contact with a prospective buyer and provide details about the property he owns (Exhibit B).

(14) Finally, the Respondent confirmed, on October 26 and 27, 2022, he used his County-issued email to initiate communication with Ms. Linda Trembley about the potential sale of an 18-acre parcel he owns (Exhibit C, pages 1 through 3). The Respondent stated that he does not believe his position with Bradford County made the buyer feel more compelled to purchase his property because of his County-issued email. He explained that the Realtor had previously informed the recipients of his public position.

(15) The Respondent maintains that, according to Bradford County's "Email, Internet, and Technology" policies and procedures, employees are permitted limited personal use of County email (Exhibit D, pages 1 through 4). The Respondent stated that he only used his County-issued email because it was convenient during work hours. He noted that when he replies using his office email account, his official Bradford County position title and contact information are displayed.

(16) Mr. Scott Kornegay, the Bradford County Manager, was contacted about the Respondent's alleged use of the County email for personal matters. Mr. Kornegay referred this matter to the County's legal counsel, Bradley, Garrison & Komando.

(17) Mr. Richard Komando, Counsel for Bradford County, stated by telephone that he had spoken with County Manager Kornegay in response to questions posed to him (Kornegay) by this investigator relative to the Respondent's personal use of County email. Mr. Komando advised that he has reviewed the emails in question and the County policies. He stated that the County's "Email, Internet, and Technology" policies and procedures permit the limited personal use of County email under Section b of the policy (Exhibit D, page 3). The emails in question, he opined, were "incidental" and permitted under current County policy.

**END OF REPORT OF PRELIMINARY INVESTIGATION**

# **EXHIBIT A**

**EXHIBIT A**

10

**Amanda Brown**

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**From:** Julie Morrow <juliejmorrow@gmail.com>  
**Sent:** Tuesday, January 26, 2021 8:22 AM  
**To:** Randal Andrews  
**Subject:** Re: Parcel

Will do you are the best. Have a great day!

Julie Morrow

On Tue, Jan 26, 2021 at 8:18 AM Randal Andrews <[randal\\_andrews@bradfordcountyfl.gov](mailto:randal_andrews@bradfordcountyfl.gov)> wrote:

Good morning,

It can be split via a Family Lot Application. This permit cost \$75 and acreage has to be at least One (1) acre each. Attached you should also the Flood Map for this area. Fill free to contact me with any additional questions. Good news about my parcel, just keep me in touch.

Randy

**From:** Julie Morrow <juliejmorrow@gmail.com>  
**Sent:** Monday, January 25, 2021 9:19 AM  
**To:** Randal Andrews <[randal\\_andrews@bradfordcountyfl.gov](mailto:randal_andrews@bradfordcountyfl.gov)>  
**Subject:** Parcel

Good morning, Parcel 02013-0-00000 the owner wants to sell 18 acres of the 22.....new buyer wants to have a family compound of 3/5 homes. Can it be split that many times? You can call me or email me back. Thank you sir, hope all is well. O and your property is getting a lot of activity. I'll keep you posted but I'm getting calls and questions hopefully will have you an offer soon.

Julie Morrow

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**Amanda Brown**

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Julie Morrow

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**EXHIBIT B**

**EXHIBIT B**

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**Amanda Brown**

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**From:** Randal Andrews  
**Sent:** Wednesday, June 22, 2022 3:13 PM  
**To:** Travisjulmis@signatureflorida.com  
**Subject:** Randy Andrews personal property  
**Attachments:** doc00230220220622152245.pdf

Thank you for accepting my text and supplying your contact information. The attached maps are of Two (2) parcels I own here in Bradford County. You should also find a survey of said parcels combined. Real quick here is some back ground info:

- 1) Julie Morrow, owner/operator, Premier Realty, Starke, Fla. (904)-964-4663, has it listed for me. And I believe the asking price is \$190,000.00. But EVERYTHING is negotiable!!
- 2) These parcels have never been developed and currently has scattered hard woods and bamboo on it;
- 3) There is roughly Eighteen (18) acres when both parcels are combined;
- 4) Roughly Four (4) to Five (5) acres, along the most Westerly portion, lies within Flood Zone AE and the rest lies within Flood Zone X;
- 5) There is City Power, Water and Fire hydrants located along the Southerly boundary of the R/W of Butler Road (a City paved road);
- 6) There is a City sewer connect approximately 200 feet East, lying also within the R/W of Butler Road;
- 7) Both parcels are currently zoned R-1C, Single Family, Medium Density;
  - a. Minimum lot size = 7500 square feet;
  - b. Minimum lot width = 75 feet;
  - c. Minimum yard setbacks are as follows;
  - d. Front/Road = 20 feet;
  - e. Side, each = 10 feet;
  - f. Rear = 10 feet

I hope this helps and look forward to hearing from you. If you are interested, I will gather information from my Brother in regards to a shopping center we own in the City of Perry, Taylor County Florida. Thank you again,

Randy Andrews  
Zoning Director  
Bradford County, Fla.  
(904)-966-6213

B1

# **EXHIBIT C**

**EXHIBIT C**

7

Randy

**From:** Linda Trembley <linda\_trembley@outlook.com>  
**Sent:** Wednesday, October 26, 2022 11:28 AM  
**To:** Randal Andrews <randal\_andrews@bradfordcountyfl.gov>  
**Subject:** Re: Bradford County Apprasier's Map and Flood Map

Thank you Randy, much appreciated!

Respectfully,  
Linda Trembley

Get [Outlook for iOS](#)

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**From:** Randal Andrews <randal\_andrews@bradfordcountyfl.gov>  
**Sent:** Wednesday, October 26, 2022 11:25:16 AM  
**To:** linda\_trembley@outlook.com <linda\_trembley@outlook.com>  
**Subject:** Bradford County Apprasier's Map and Flood Map

As per your request.

Randy Andrews  
Zoning Director  
Floodplain Adm.  
Bradford County, Fla.  
(904)-966-6213

This email is intended for the addressee(s) indicated above only. It may contain information that is privileged, confidential, or otherwise protected from disclosure. Any dissemination, review, use of the email, or its contents by persons other than the addressee is strictly prohibited. If you have received this email in error, please delete it immediately.

This email is intended for the addressee(s) indicated above only. It may contain information that is privileged, confidential, or otherwise protected from disclosure. Any dissemination, review, use of the email, or its contents by persons other than the addressee is strictly prohibited. If you have received this email in error, please delete it immediately.

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Yes, these two parcels are being sold as one. Attached is the Flood Map for Bradford County showing the two parcels. As you can see there is a Flood Zone AE in the Westerly parcel. This is due to a drainage ditch running from North to South on this parcel. You can build in Flood Zone AE, but will be required to elevate the structure as well as have a Flood Elevation Certificate prepared. This land "falls" East to West. These two parcels are currently zone Residential, but due to its location on the "outskirts" of the City limits, I do not see anyone complaining about livestock or horses. This location is roughly 1.5 miles from the property I discussed with you yesterday. If you have any additional questions you can reach my Realtor Julie Morrow at [juliejmorrow@gmail.com](mailto:juliejmorrow@gmail.com).

I own the land directly South of these two parcels and my family owns the lands to the West of said parcels. I would prefer to sell to a family instead of having a "subdivision" on this land!

Randy

**From:** Linda Trembley <[linda\\_trembley@outlook.com](mailto:linda_trembley@outlook.com)>  
**Sent:** Thursday, October 27, 2022 12:23 PM  
**To:** Randal Andrews <[randal\\_andrews@bradfordcountyfl.gov](mailto:randal_andrews@bradfordcountyfl.gov)>  
**Subject:** Re: Info for Linda Trembley

Hi Randy,

Again, thank you for forwarding.

From the first two pages, it appears that it is two parcels being sold as one? One shows 8 acres and the other shows 9 acres. I did not see any wetlands or flood zone areas on either of these maps. Are there any? I did like that it was AG, and not Residential, and of course that it is a larger property.

Is it in Starke, or in another area? I am trying to stay within an hour's commute of downtown Jacksonville.

Respectfully,  
Linda Trembley

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**From:** Linda Trembley <[linda\\_trembley@outlook.com](mailto:linda_trembley@outlook.com)>  
**Sent:** Thursday, October 27, 2022 11:39 AM  
**To:** Randal Andrews <[randal\\_andrews@bradfordcountyfl.gov](mailto:randal_andrews@bradfordcountyfl.gov)>  
**Subject:** Re: Info for Linda Trembley

Not being forward at all Randy, I appreciate you reaching out. Let me take a look at the information you forwarded and I will let you know if it meets what we are looking for.

Respectfully,  
Linda Trembley

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**From:** Randal Andrews <[randal\\_andrews@bradfordcountyfl.gov](mailto:randal_andrews@bradfordcountyfl.gov)>  
**Sent:** Thursday, October 27, 2022 11:32 AM  
**To:** [linda\\_trembley@outlook.com](mailto:linda_trembley@outlook.com) <[linda\\_trembley@outlook.com](mailto:linda_trembley@outlook.com)>  
**Subject:** FW: Info for Linda Trembley

Good morning Ms. Linda,

I have 18 acres here in Bradford County I am interested in selling. I have attached some maps for your review. I hope I am not seeming to "forward" in reaching out to you?

C2

**Amanda Brown**

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**From:** Linda Trembley <linda\_trembley@outlook.com>  
**Sent:** Saturday, November 5, 2022 9:22 AM  
**To:** Randal Andrews  
**Subject:** Re: Info for Linda Trembley

Good Day Randy,

I wanted to reach out personally to say I hope we did not offend you with our \$100k offer on your land. As you directed, we have been gathering bits and pieces of information through your listing agent as she had time to respond.

Please know that because I am a disabled veteran, the VA is handling our build-to-perm loan. In today's market with raising interest rates and inflation, this was the maximum we are allowed to spend on land.

We were glad to hear from your agent that you are getting lots of interest, traffic and showings. Hopefully, the right family will be able to purchase, so you do not have a subdivision across the street.

We wish the best to you!

Respectfully,  
Linda Trembley

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**From:** Randal Andrews <randal\_andrews@bradfordcountyfl.gov>  
**Sent:** Thursday, October 27, 2022 2:11 PM  
**To:** Linda Trembley <linda\_trembley@outlook.com>  
**Subject:** RE: Info for Linda Trembley

Yes mam, no worries!

**From:** Linda Trembley <linda\_trembley@outlook.com>  
**Sent:** Thursday, October 27, 2022 1:29 PM  
**To:** Randal Andrews <randal\_andrews@bradfordcountyfl.gov>  
**Subject:** Re: Info for Linda Trembley

Much appreciated Randy, let me discuss with my husband!

Respectfully,  
Linda Trembley

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**From:** Randal Andrews <randal\_andrews@bradfordcountyfl.gov>  
**Sent:** Thursday, October 27, 2022 1:20 PM  
**To:** Linda Trembley <linda\_trembley@outlook.com>  
**Cc:** juliejmorrow@gmail.com <juliejmorrow@gmail.com>  
**Subject:** RE: Info for Linda Trembley

# **EXHIBIT D**

**EXHIBIT D**

## **I. E-MAIL, INTERNET AND TECHNOLOGY**

All staff members shall strictly comply with all written policies and procedures relating to e-mail and use of the Internet. Access to the Internet will be provided to personnel via desktop computers and other means when there is a necessity and access has been specifically approved for authorized users to support the business purposes of the County. No use of the Internet shall conflict with the primary business purpose of the County or with applicable laws and regulations. Each user is personally responsible to ensure that these regulations are followed. Questions regarding any of the policy regulations listed herein shall be directed to the staff member's department head/supervisor or Information Technology.

- **RIGHT TO PRIVACY**

A staff member's right while accessing the Internet through the use of County property and equipment does not include the right to privacy. The County reserves the express right to monitor, in any way, the activities of personnel while accessing the Internet. Violation of County policy regarding Internet may result in disciplinary action up to and including termination. The County may monitor usage of the Internet by staff, including reviewing a list of sites accessed by a staff member. No personnel shall have any expectation of privacy in terms of his or her usage of the Internet. In addition, the County may restrict access to certain sites that it deems to be unnecessary for business purposes.

- **WORKSTATION FOR STAFF MEMBER PERSONAL USE**

The County at its sole discretion may provide in the staff lounge a workstation with Internet access for personal use. In the event a staff member has an established account with a private Internet Service Provider, the staff member may use the designated workstation to log into that service and check personal e-mail and conduct personal business. This privilege in no way exempt's personnel from any of the policies, regulations or guidelines as applied to use of the Communications Network and Internet for County business.

- **ENCRYPTING OF FILES**

Staff members are prohibited from encrypting files on their computers or taking any steps that block access to files, other than the use of County passwords, or approved encryption programs. Staff members shall not change their passwords or logon codes without notifying Information Technology.

- **ASSIGNMENT AND USE OF E-MAIL PASSWORDS**

Each staff member shall be responsible for and in control of access to his or her e-mail. Each e-mail user will choose an e-mail password. Each user shall keep his or her password secret from all others. Each user may change his or her e-mail password at any time. The only individual with the power to change another's password is Information Technology, who shall have the authority to do so only at the request of the user involved (i.e., in the event that a user should forget his or her password and be unable to gain access to his or her own e-mail account.)

D/



- **PROHIBITION OF CERTAIN USES**

The County's connection to the Internet SHALL NOT be used for any of the following activities:

- a. To access, create, transmit, print or download material that is derogatory, defamatory, obscene, or offensive, such as slurs, epithets, or anything that may be construed as harassment or disparagement based on race, color, national origin, sex, sexual orientation, age, disability, or religious or political beliefs.
- b. To access, send, receive, or solicit sexually oriented messages or images.
- c. Downloading or disseminating of copyright material that is available on the Internet is an infringement of copyright law. Permission to copy such material must be obtained from the publisher. It is possible that copyright law may protect some materials, even if the copyright notice is not shown with the material. For assistance with copyrighted material, contact the County Library.
- d. Without prior approval of Information Technology, software shall NOT be downloaded from the Internet as the download could introduce a computer virus onto the County's network. In addition, copyright laws may cover the software so the downloading could be an infringement of copyright law.
- e. Staff shall safeguard against using the Internet to transmit personal comments or statements through e-mail or to post information to news groups or Public Blogs that may be mistaken as the position of the County.
- f. Staff shall guard against the disclosure of confidential information through the use of the Internet e-mail, news groups or Public Blogs.
- g. The Internet shall not be used to send or participate in chain letters, pyramid schemes or other illegal schemes.
- h. The Internet shall not be used to solicit or proselytize others for commercial purposes, causes, outside organizations, chain messages or other non-job-related purposes.
- i. The use of the Internet for political purposes is prohibited.
- j. The use of aliases while using the Internet is prohibited. Anonymous messages shall not be sent. In addition, the misrepresentation of a staff member's job title, job description, or position in the County is prohibited.

- k. The release of untrue, distorted, or confidential information regarding County business via the Internet is prohibited.

- **USE OF ELECTRONIC MAIL (e-mail)**

The purpose of this policy is to protect the organization during litigation or government investigation or audit, and to promote increased efficiency and reduced costs. Use of e-mail by means of the County Communications Network shall be subject to the following policies, regulations and guidelines:

- a. Use of e-mail and access to the County system is conditional upon each user's understanding of and adherence to this policy. **Violation of this policy will subject the staff member to discipline, up to and including termination.**
- b. The purpose of e-mail is to facilitate inter-office and interagency transmittal of information. E-mail shall be used for matters of concern to County operations. Any incidental e-mails of a personal, private or non-business nature shall be kept to a minimum in both number and brevity.
- c. Confidential and sensitive information such as performance reviews, disciplinary and/or corrective actions, attorney-client privileged information, personnel information, and health or medical information shall not be communicated via e-mail without the County Manager's express prior approval.
- d. E-mail and other information systems of the County shall not be used in a way that may be disruptive, offensive to others, or harmful to morale. For example, there **shall be no display or transmission of sexually explicit images, messages, or cartoons, or any transmission or use of e-mail communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs. The e-mail system shall not be used to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations.**
- e. In accordance with State Law, e-mail is subject to Public Disclosure. Accordingly, all e-mail messages or transmissions sent from a County workstation shall be archived in a database subject to public disclosure and scrutiny.

- **ACCESS TO MESSAGES**

Information Technology shall not be capable of viewing the passwords of e-mail users and thus shall not be able to access the messages of other staff members by using those staff member's passwords. Information Technology shall not

"unlock" an e-mail user's account by changing the user's password without a written request from the user. The only exception shall be when Information Technology receives a written request from the user's department head/supervisor or the County Manager, with a copy sent to the user involved. Such access may be requested if: (1) it is suspected that the user has used the e-mail system in a manner that violates this policy; or (2) the user is not working for an extended period of time, such as during a leave of absence.

- **WHEN A STAFF MEMBER LEAVES COUNTY EMPLOYMENT**

He or she may be required to review the contents of his or her electronic mailbox wherein e-mail is stored with a designated representative and, in the presence of the representative, delete any messages that are not relevant to business matters. If the staff member does not comply with this requirement, a designated representative shall perform the review and make the deletions. The department head/supervisor shall request Information Technology to remove the user's e-mail account on or before the day of the staff member's departure.

- **CARE IN DELIVERY REQUIRED**

To avoid confidential messages from being delivered into the wrong hands, users shall exercise extreme caution when addressing and sending messages. Many people in the system share the same last name and first initial, and it is easy to address a message to the wrong person if the message is not checked to ensure that the message is accurately addressed before sending it. Once sent, a message cannot be stopped from being delivered to the addressed recipient(s); neither the user nor Information Technology has the power to halt the delivery of a message after the user has sent it into the system.

## **J. OUTSIDE EMPLOYMENT**

What County personnel do off duty is usually a matter of personal business. However, before accepting any outside employment, you are required to receive written permission from the department head/supervisor or County Manager. The outside job must not be in violation of policies or the State's conflict of interest law. The outside employment must not affect or restrict your availability for work, reduce your efficiency on the job, or otherwise adversely affect County operations. This written permission, if granted, will become a part of your personnel file. Also, the County will not consider appointing and/or hiring anyone for a full-time position if that person already has a full-time job and plans to continue working in that position. Receiving compensation from the County for time the staff member is working in an outside job is strictly prohibited.

## **K. HOUSEKEEPING**

We are proud of the neat and businesslike appearance of all of our offices and work areas. All staff members are asked to keep their work and surrounding areas clean, neat and free of unsightly clutter.