

**STATE OF FLORIDA  
COMMISSION ON ETHICS**

**Friday, September 9, 2022**

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

**PUBLIC SESSION MINUTES**

At 8:31 a.m. Chair John Grant called the meeting to order with the following members present:

MICHELLE ANCHORS  
ANTONIO CARVAJAL  
WILLIAM CERVONE  
DON GAETZ  
GLENTON GILZEAN, JR.  
JOHN GRANT  
WILLIAM MEGGS  
ED MOORE  
JIM WALDMAN

The presence of a quorum was noted.

Chair Grant introduced new Commission Members, William P. Cervone and Ed H. Moore.

**Commissioner Gaetz, seconded by Commissioner Anchors, moved to approve the minutes of the July 22, 2022, Public Session meeting. By unanimous vote, the motion carried.**

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

**Complaint No. 22-006, In re MARYBETH HENDERSON**

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 violation of Section 112.3145, Florida Statutes, with a recommendation of public censure and reprimand, and a civil penalty of \$750.

Mr. Herron was heard by the Commission.

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

**Complaint No. 22-009, In re CELSO ALFONSO**

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed pre-probable cause joint stipulation calling for a finding of violation of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, with a recommended civil penalty of \$250.

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

**CONSIDERATION OF FINAL ACTION – JOINT STIPULATION**

**Complaint No. 20-120, In re RANDALL MERRITT**

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

Ms. Hadley summarized the proposed joint stipulation calling for a finding of violation of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, with a recommendation of public censure and reprimand, and a civil penalty of \$1,000.

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

**CONSIDERATION OF FINAL ACTION – AMENDED JOINT STIPULATION AND RESCINDING FINAL ORDER**

**Complaint Nos. 20-165, 20-184 (cons.), In re OMARI HARDY**

Present was Steven J. Zuilkowski, Commission General Counsel; and Melody A. Hadley, Commission Advocate.

Mr. Zuilkowski and Ms. Hadley summarized the proposed amended joint stipulation calling for a finding of violation of Article II, Section 8, Florida Constitution and Section 112.3144, Florida Statutes, with a recommendation of public censure and reprimand, and a civil penalty of \$1,000.

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

**CONSIDERATION OF FINAL ACTION – DISMISSAL**

**Complaint No. 21-133, In re SHERRI MACDONALD**

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

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

Mr. Herron was heard by the Commission.

**Commissioner Waldman, seconded by Commissioner Carvajal, moved to approve the Advocate's Motion to Dismiss Complaint. The motion carried, with Commissioner Moore voting no.**

### **CONSIDERATION OF ADVISORY OPINION**

**File 2790. CONFLICT OF INTEREST; VOTING CONFLICT; MISUSE OF POSITION; ABUSE OF POSITION: MEMBER OF BOARD OF COMMISSIONERS OF NORTH BROWARD HOSPITAL DISTRICT PARTICIPATING IN AND VOTING ON MATTERS CONCERNING THE DISTRICT'S ELECTRONIC HEALTH RECORDS DATABASE**

Staff Attorney Katharine Heyward explained the basis of the draft advisory opinion and the rationale behind its conclusion.

**Commissioner Gaetz, seconded by Commissioner Moore, moved to approve the draft opinion, with an inserted footnote. By unanimous vote, the motion carried.**

### **CONSIDERATION OF SECOND ORDER ON REQUEST FOR EXTENSION**

**Extension Request 22-05, In re MACK PRIMM**

**Commissioner Waldman, seconded by Commissioner Carvajal, moved to approve the proposed order. By unanimous vote, the motion carried.**

### **CONSIDERATION OF RULEMAKING**

**Rule Hearing: Chapter 34-8, F.A.C.**

Assistant General Counsel Gray Schafer explained the changes in the financial disclosure forms incorporated by reference in the rule being amended.

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

**Commissioner Anchors, seconded by Commissioner Cervone, moved to adopt the proposed rule/form changes. By unanimous vote, the motion carried.**

## **CONSIDERATION OF 2023 LEGISLATIVE RECOMMENDATIONS**

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.

**Commissioner Gilzean, seconded by Commissioner Cervone, moved to adopt the 2023 Legislative Recommendations.**

## **REPORTS**

The Chair acknowledged Kerrie Stillman's one-year anniversary as Executive Director.

Executive Director Kerrie Stillman elaborated on her written report previously provided to the Commissioners. She updated the Commission on the litigation list. She also introduced new Commission Intern Alexa Ravencroft, and the Advocate's new assistant, Rakisha Everett. She recognized Keith Powell's promotion to Investigations Manager and Ron Moalli's to Senior Investigator. She also updated the Commission with the financial disclosure compliance numbers for the current filing year.

## **ADJOURNMENT**

With no further items on the agenda, the Public Session adjourned at 10:03 a.m.

Respectfully submitted,

Approved:

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Diana Westberry, *Secretary*

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John Grant, *Chair*

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Date