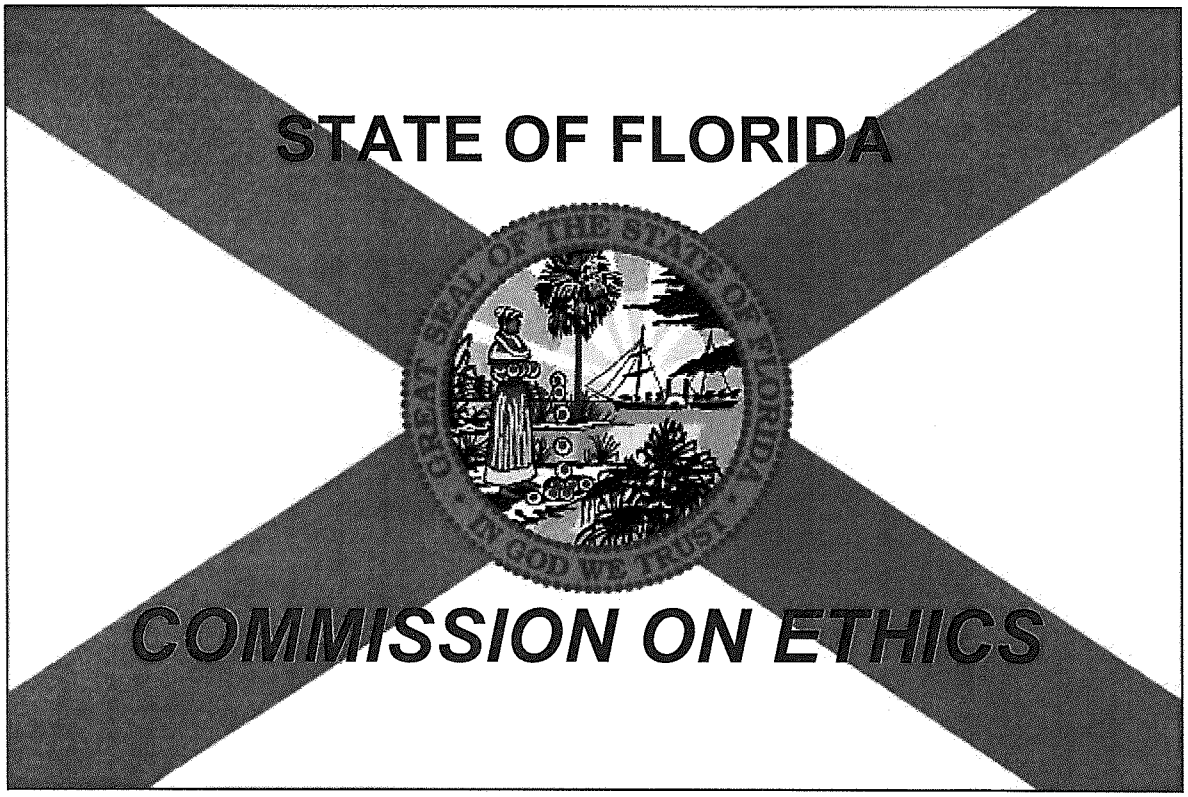
REPORT OF INVESTIGATION



Complaint Number 20-120

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: RANDALL MERRITT
County Commissioner
Wakulla County
Crawfordville, Florida

COMPLAINT NO.: 20-120
Exhibits A through D

INVESTIGATED BY: Robert G. Malone

Distribution: Commission on Ethics
Respondent
Advocate
File

Releasing Authority: C. Christopher Anderson, III by [illegible]
C. Christopher Anderson, III
Executive Director

June 10, 2021
Date

* * * *

REPORT OF INVESTIGATION
COMPLAINT NO. 20-120

(1) Ms. Meaghan Allen of Crawfordville, alleges Randall Merritt, while serving as a Wakulla County Commissioner, voted on October 3, 2016, on a measure, which inured to his special private gain or loss, or to the special private gain or loss of a principal by whom he had been retained as an engineer. The Complainant further alleges the Respondent failed to accurately disclose on his 2017 and 2018 CE Form 6, "Full and Public Disclosure of Financial Interests," income generated from the sale of real property.

(2) The Executive Director of the Commission on Ethics noted that based upon the information provided in the complaint, the above-referenced allegations were sufficient to warrant a preliminary investigation to determine whether the Respondent's actions violated Article II, Section 8, Florida Constitution (Ethics in Government), and Sections 112.3144, Florida Statutes (Full and Public Disclosure of Financial Interests) and 112.3143(3)(a), Florida Statutes (Voting Conflicts).

Voting Conflict Allegation

(3) The Complainant alleges the Respondent voted during the October 3, 2016 Wakulla County Commission meeting to approve the Final Plat for Phase II of the subdivision named, "The Gardens of Saralan." The Complainant alleges the Respondent is a licensed engineer and has performed engineering inspections for Pafford Properties & Construction, LLC, the owner/developer of The Gardens of Saralan, both before and after the vote in question. The Complainant alleges the Respondent's business association with Pafford Properties & Construction created a voting conflict for the Respondent, but the Respondent failed to disclose his business association at the time of the vote and he did not abstain from voting.

(4) The minutes of the October 3, 2016 Wakulla County Commission meeting confirm the Respondent participated in a unanimous vote of the Commission to approve the Final Plat for Phase II of The Gardens of Saralan. The minutes further reflect County Attorney Heather Espinosa advised Commission members prior to the vote that all County Code and Florida Statute requirements had been met and the Final Plat should be approved by the County Commission.

(5) The Respondent, who was interviewed via Zoom with his attorney Mark Herron present, advised he has served as a Wakulla County Commissioner since 2010. He stated he is self-employed as a licensed Civil Engineer and has been involved in the profession since 2007. The Respondent noted his business completes engineering inspections and documentation required prior to the issuance of a building permit for new construction single-family homes. He acknowledged that currently and during all times relevant to this investigation, Pafford Properties & Construction has been a client of his business. Commissioner Merritt said he has no written contract with Pafford Properties & Construction and completes inspections for properties owned by the company when he is requested to do so through email contact with representatives of the company. He stated that, at the time of the October 3, 2016 vote, Pafford Properties & Construction owned all of the lots located in

Phase II of The Gardens of Saralan subdivision. The Respondent said he bills the company a flat fee of approximately $200 to $230 per residence inspected. He added that, between 2015 and 2018, he completed the engineering for 101 homes in The Gardens of Saralan, with 43 of the engineering jobs involving homes located in Phase II of the subdivision. The Respondent estimated he completed approximately 40 to 50 inspections for Pafford Properties & Construction during 2016, the year the vote to approve the Final Plat occurred. He noted his company completed a total of 2,597 engineering jobs from 2015 through 2018 for various clients.

(6) The Respondent does not specifically recall the October 3, 2016 vote to approve the Final Plat of The Gardens of Saralan, but he acknowledged he voted, stating that he votes on all Final Plat approvals. He said he did not ask for legal advice on whether he would have a voting conflict concerning this particular vote. However, he recalled he talked in general terms to Wakulla County Attorney Encinosa when he was first elected to the County Commission about the work he performed in his private capacity, and she told him she did not believe his occupation would present a conflict of interest for him. He added that he also asked for an opinion from the Commission on Ethics sometime between 2012 through 2014, and was warned in a written response that he should abstain from any votes involving property in which his company was involved. He recalled he contacted the Commission on Ethics by telephone and spoke to an attorney, whose name he does not recall, to clarify issues in the written response and was told that he most likely did not have a voting conflict, but, to be cautious, he should abstain from voting. With respect to the October 3, 2016, vote Commissioner Merritt said he was confident he did not have a voting conflict when voting on the Final Plat approval in question because these types of votes are procedural and are never controversial. He stated he also believes the vote was not a conflict because his company's profit from the engineering work performed is only a small percentage of the overall cost of building a residence, and he "does not have enough skin in the game" for it to be a voting conflict. The Respondent said if he abstained from the vote in question, he would be required to abstain from voting on every Final Plat approval in the County because every residential construction contractor in the County utilizes his company's services. He further noted he has abstained on votes in which he believes he had a greater stake. He cited as an example, his abstention from the vote to rezone property he sold to Mr. Pafford where the sale of the property was contingent on the rezoning of the property.

(7) Commission on Ethics records reflect that on January 6, 2015, the Respondent emailed the Commission on Ethics requesting a formal opinion on whether he would have a voting conflict when voting on land use changes. He specifically mentioned in his correspondence that his inquiry involved Final Plat approvals and an upcoming vote concerning a Final Plat approval. Because of time constraints, an informal written opinion was given to the Respondent on January 14, 2015, by then-General Counsel Chris Anderson. Mr. Anderson stated in the analysis that it appeared the Respondent would not have a voting conflict as long as the subdivision owner/developer was not a client of his and he had not submitted proposals to perform services regarding the subdivision. On January 14, 2015, Mr. Anderson wrote two emails to the Respondent relative to a telephone conversation he had with Commissioner Merritt. In the first email, Mr. Anderson advised the Respondent that clients are persons or entities who have a relationship with you or your firm at the time of the vote on a measure and

that past clients, or possible future clients, do not trigger the voting conflict law. In his second email, Mr. Anderson noted that if the upcoming subdivision vote is such that, if approved, would likely result in business for the Respondent's company based upon his work history with the owner/developer of the subdivision, then he should consider the vote as presenting him with a voting conflict, even if no negotiation for services has occurred. Copies of the Respondent's request for an opinion, emails, and the written informal opinion are appended as composite Exhibit A.

(8) Wakulla County Attorney Encinosa stated by telephone that she spoke with the Respondent when he was first elected to office about possible conflicts of interest due to his profession, but she does not recall any specifics of their conversation. She does not recall the Respondent having asked her for advice concerning the vote in question. However, Ms. Encinosa noted she usually directs County Commissioners to contact the Commission on Ethics staff if they have any ethical concerns and may have done so concerning his inquiry to the Commission on Ethics in January 2015. She stated it is her understanding that the Respondent's employment involves him performing engineering jobs on individual residences and he is not involved in performing the engineering on the plat for the entire development of a subdivision.

(9) Department of State, Division of Corporations records reflect that Michael E. Pafford is the sole officer of Pafford Properties & Construction, LLC.

(10) Repeated attempts to contact Mr. Pafford were unsuccessful.

Financial Disclosure Allegation

(11) The Complainant alleges the Respondent sold 28 acres of property located on Doctor Martin Luther King Jr Road, Crawfordville, in April 2018, to Mr. Mike Pafford for $540,000, but he listed only $197,085 as income from the sale of his property in "Part D – Income" on his 2018 CE Form 6 (appended as Exhibit B). The Complainant added that, based on the date the disclosure form was submitted, the Respondent should have listed the income from this sale of property on his 2017 CE Form 6 (appended as Exhibit C).

(12) Wakulla County records reflect the Respondent sold 28.36 acres of timberland property on Doctor Martin Luther King Jr Road to Pafford Properties & Construction, LLC, on April 18, 2018, for $540,000.

(13) The Respondent's 2018 CE Form 6 (page B3 of Exhibit B), filed on July 1, 2019, reflects the Respondent listed income on the disclosure form as "Sale of Land," to "Mike Pafford," for an amount of $197,085. The attachment provided by the Respondent in conjunction with the filing (page B3 of Exhibit B) further discloses an address of "285 Tiger Hammock Road, 32327," for Mr. Pafford The Florida Department of State, Division of Corporations, documentation indicates the corporate address of Pafford Properties & Construction, LLC, is 285 Tiger Hammock Road, Crawfordville, Fl., 32327.

(14) The Respondent confirmed he sold property located on Doctor Martin Luther King Jr Road to Mr. Pafford for $540,000. He advised the income listed on his 2018 CE Form 6 as "Sale of Land," refers to the property he sold to Mr. Pafford for $540,000 on April 18, 2018. He explained that he listed income of only $197,085 because this is the amount of capital gains income his accountant calculated for income tax purposes relative to the sale of the property. The Respondent noted he completed the 2018 CE Form 6 without obtaining any advice on how to list the income from the sale of the property. He stated he read the instructions for the disclosure form and took approximately 30 minutes to complete the form.

(15) The Respondent acknowledged the income he reported for the sale of the Doctor Martin Luther King Jr Road property was incorrect because he failed to include income from an Internal Revenue Code "1031 exchange" when he purchased property on Lonnie Raker Lane, Crawfordville, on April 19, 2018, with the proceeds from the sale of the property to Mr. Pafford. He maintains this was an oversight on his part and he filed a CE Form 6X, "Amendment To Full And Public Disclosure Of Financial Interests," (appended as Exhibit D) on March 3, 2021. The amended disclosure form changed the amount of income earned from the sale of the property from $197,085 to $317,085, which the Respondent claims was his "gain" from the sale. The Respondent also changed the name of the purchaser from "Mike Pafford," to "Pafford Properties & Construction, LLC."

(16) The instructions for the 2018 CE Form 6 note in pertinent part, "'Income' means the same as 'gross income' for federal income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples of income include: compensation for services, gross income from business, gains from property dealings, ..." The instructions further state, "If more than $1,000 of income was gained from the sale of property, then you should list as a source of income the name of the purchaser, the purchaser's address, and the amount of gain from the sale." Based on the date of the sale, April 18, 2018, the correct financial disclosure reporting year to list the income from the sale of property to Pafford Properties & Construction was 2018.

END OF REPORT OF PRELIMINARY INVESTIGATION

EXHIBIT A

EXHIBIT A

Anderson, Chris

From: Anderson, Chris
Sent: Wednesday, January 07, 2015 10:15 AM
To: Doss, Virlindia
Subject: RE: Wakulla County Commissioner

Virlindia,
Called Mr. Merritt; he is fine with the informal route.
Chris

From: Doss, Virlindia
Sent: Wednesday, January 07, 2015 9:09 AM
To: Anderson, Chris
Subject: FW: Wakulla County Commissioner

Chris, he's asked for a formal opinion, but I don't know that we can get that done in time for him—he has a vote on Feb. 20. If it's possible to do an informal, he may be willing to go that way, so I logged it as an informal. I think more information will be needed. Would you give him a call and see if you think it can go informal, and if that would be acceptable to him? If I need to change it to formal, let me know. Thanks!

From: rmerritt@comcast.net [mailto:rmerritt@comcast.net]
Sent: Tuesday, January 06, 2015 2:56 PM
To: Doss, Virlindia
Subject: Wakulla County Commissioner

Please find enclosed.
Thanks,

Randy Merritt, PE
97 Lonnie Raker Lane
Crawfordville, Fla 32327
850-251-8860
Specializing in Residential Engineering

A1

Ms. Doss,

My name is Randy Merritt and I am a county commissioner in Wakulla County. My primary occupation is as a licensed civil engineer. Most of the work that I do is providing engineering documentation to contractors and homeowner that are constructing homes or other structures. There are several engineers in the Tallahassee area and at least one other engineer that I know of in Wakulla County that offer the same services. In order to avoid future issues, I would like an opinion on whether or not it is a conflict of interest when I vote on potential land use changes. For example, if I vote on a zoning change or final plat approval, some citizens have expressed concern due to the fact that I may receive more engineering work due to the increased devolvement that the land use change potentially could generate.

Specifically, there is a vote scheduled on February 2, 2015 to consider final plat approval for an approximately 40 lot subdivision in Wakulla County, and I request a formal opinion as to whether or not it would be conflict of interest for me to vote on the issue. Your opinion on this specific matter should be applicable to other future votes on land use issues, unless of course there is a direct benefit to myself.

Please feel free to contact me if you have any questions.

Thank you,

Randy Merritt
850-251-8860
rmerritt@comcast.net

Linda McKee Robison
Chair
Stanley M. Weston
Vice Chair
Michelle Anchors
Matthew F. Carlucci
Michael Cox
I. Martin Ford
Tom Freeman
Wiley Horton
Susan Horovitz Maurer

State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

325 John Knox Road
Building E, Suite 200
Tallahassee, Florida 32303

"A Public Office is a Public Trust"

Virlindia Doss
Executive Director

C. Christopher Anderson, III
General Counsel/
Deputy Executive Director

(850) 488-7864 Phone
(850) 488-3077 (FAX)
www.ethics.state.fl.us

January 14, 2015

The Honorable Randy Merritt
Board of County Commissioners
Wakulla County
Via Email
rmerritt@comcast.net

Re: Your inquiry received by email on January 6, 2015

Dear Commissioner Merritt:

You write that your primary occupation is that of a licensed civil engineer, that most of the work that you do is providing engineering documentation to contractors and homeowners constructing homes or other structures, and that there are several engineers in the Tallahassee area (and at least one other engineer that you know of in Wakulla County) that offer the same type of services as you offer. You inquire as to whether you will be presented with a voting conflict regarding land-use change measures (votes) of the Board of County Commissioners. Specifically, you state that a vote is scheduled for February 2, 2015, to consider final plat approval for a subdivision of approximately 40 lots.

Section 112.3143(3)(a), Florida Statutes, is the portion of the voting conflicts law applicable to local, elective public officers (e.g., county commissioners).[1] It applies when a vote (measure) would inure to the *special private gain or loss* of the public officer, to that of his client/employer/company, to that of his relative, or to that of certain other persons or entities connected to him as set forth in the statute. As to whether there is special private gain or loss flowing from a given measure, the statute, following longstanding reasoning of decisions of the Commission on Ethics, now provides that a factor to be considered is "[t]he degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or

[1] To view the statute, go to www.ethics.state.fl.us, go to Ethics Laws, go to Part III of Chapter 112, and go to the particular statute. If one is presented with a voting conflict, he must use and follow the instructions on CE Form 8B, also available on the website.

harm to the public officer . . . [and] . . . the nature or degree of the economic benefit or harm . . . ." See Section 112.3143(1)(d), Florida Statutes.

Under precedent of the Commission on Ethics, it appears that you will not be presented with a voting conflict regarding the subdivision plat approval, provided that the plat approval applicant (subdivision owner/developer) is not a client of you or your firm (on any matter, whether related to the subdivision or not), is not your relative, and is not in any other relationship to you as listed in Section 112.3143(3)(a), provided that you have not submitted proposals to perform services regarding the subdivision, provided that you have not begun any negotiations or had any contact with the developer, applicant, owner, contractor, lot owners, or similar persons or entities with interests in the subdivision in regard to performing services regarding the subdivision, and provided that you or your firm did not prepare the plat for the subdivision or otherwise perform work regarding the subdivision. See, among others, CEO 89-45, CEO 07-7 (note 5), CEO 11-18, and CEO 78-85.[2]

Please email me back to let me know that you received this response. And, please telephone me if you have any questions.

Sincerely,

C. Christopher Anderson III

C. Christopher Anderson, III
General Counsel/Deputy Executive Director

[2] To view a CEO, go to the Commission's website, go to Research, go to Advisory Opinions, go to the year, and go to the particular numbered opinion.

Anderson, Chris

From: Anderson, Chris
Sent: Wednesday, January 14, 2015 11:23 AM
To: rmerritt@comcast.net
Subject: FW: ethics inquiry
Attachments: Merritt011415.pdf

Commissioner Merritt,
Thank you for your telephone call regarding who would be a client of you or your firm. Under precedent of the Commission on Ethics, clients, for purposes of F.S. 112.3143 (the voting conflicts law), are persons or entities who have a relationship with you or your firm at the time of the vote on a measure; past clients, or possible future clients, do not trigger the voting conflicts law. See, for example, CEO 09-9. Therefore, it would be prudent for you to consider persons or entities whom you or your firm currently are working for, or who have not fully paid or otherwise not fully ended their relationship with you or your firm, as well as persons or entities who have engaged you or your firm to perform services, to be "clients" of you or your firm.
Chris Anderson
C. Christopher Anderson, III
General Counsel and Deputy Executive Director
Florida Commission on Ethics
(850) 488-7864

From: Anderson, Chris
Sent: Wednesday, January 14, 2015 10:43 AM
To: 'rmerritt@comcast.net'
Subject: ethics inquiry

A5

Anderson, Chris

From: Anderson, Chris
Sent: Wednesday, January 14, 2015 3:21 PM
To: rmerritt@comcast.net
Subject: further followup

Commissioner Merritt,
You telephoned and I responded by email regarding who is your "client" for purposes of the voting conflicts law. In reflecting further, since Section 112.3143, Florida Statutes, has as a factor the degree to which there is uncertainty as to whether a vote (measure) would cause gain or loss to the public officer (you), if the upcoming situation concerning the subdivision vote is such that if it is approved you likely will get business regarding the subdivision, based upon your work history or course of dealing with the applicant/developer/owner of the subdivision, contractors, homeowners, lot owners in the subdivision, or others with rights or interests regarding the subdivision, you should consider the vote as presenting you with a voting conflict, even if you have not had negotiations or contact as to your or your firm's provision of services regarding the subdivision. That is, this email is a further clarification of the response sent to you earlier today—a clarification that may make it more likely that you will be required to declare, abstain from voting, and timely file CE Form 8B (printable from the Commission on Ethics' website) regarding the February subdivision vote. As always, please telephone me if you have further questions.
Chris Anderson
C. Christopher Anderson, III
General Counsel and Deputy Executive Director
Florida Commission on Ethics
(850) 488-7864

A 6

EXHIBIT B

EXHIBIT B

FORM 6 FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTERESTS 2018

FOR OFFICE USE ONLY:
FLORIDA
COMMISSION ON ETHICS
JUL 01 2019
RECEIVED

********AUTO**ALL FOR AADC 323 T3 P1 51 343
Randall W. Merritt
County Commissioner, District II
Wakulla County
Elected Constitutional Officer
PO Box 1263
Crawfordville, FL 32326-1263

PROCESSED

ID Code

ID No. 236598

Conf. Code

Merritt, Randall W.

CHECK IF THIS IS A FILING BY A CANDIDATE ☐

PART A -- NET WORTH

Please enter the value of your net worth as of December 31, 2018 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of 6-6, 20 19 was $ 1,336,716.

PART B -- ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds $1,000. This category includes any of the following, if not held for investment purposes: jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use, whether owned or leased.

The aggregate value of my household goods and personal effects (described above) is $ 160,000

ASSETS INDIVIDUALLY VALUED AT OVER $1,000:

DESCRIPTION OF ASSET (specific description is required - see instructions p.4)	VALUE OF ASSET
See Attached	

PART C -- LIABILITIES

LIABILITIES IN EXCESS OF $1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
Mr. Cooper Mortgage 97 Lonnie Raker Ln	166,566

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

(Continued on reverse side)

B1

PART D -- INCOME

Identify each separate source and amount of income which exceeded $1,000 during the year, including secondary sources of income. Or attach a complete copy of your 2018 federal income tax return, including all W2s, schedules, and attachments. Please redact any social security or account numbers before attaching your returns, as the law requires these documents be posted to the Commission's website.

☐ I elect to file a copy of my 2018 federal income tax return and all W2's, schedules, and attachments.
[If you check this box and attach a copy of your 2018 tax return, you need not complete the remainder of Part D.]

PRIMARY SOURCES OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING $1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
	See Attached	

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person--see instructions on page 5]:

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART E -- INTERESTS IN SPECIFIED BUSINESSES [Instructions on page 6]

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2	BUSINESS ENTITY # 3
NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

PART F - TRAINING

For officers required to complete annual ethics training pursuant to section 112.3142, F.S.

☑ **I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.**

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

SIGNATURE OF REPORTING OFFICIAL OR CANDIDATE

STATE OF FLORIDA
COUNTY OF Wakulla

Sworn to (or affirmed) and subscribed before me this 24th day of June, 2019 by Randy Merritt.

(Signature of Notary Public--State of Florida)

Ashley Savary
(Print, Type, or Stamp Commissioned Name of Notary Public)

ASHLEY DODSON SAVARY NOTARY PUBLIC STATE OF FLORIDA My Comm. Expires February 12, 2022 No. GG 184946

Personally Known ✓ OR Produced Identification _____

Type of Identification Produced _____

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, _____, prepared the CE Form 6 in accordance with Art. II, Sec. 8, Florida Constitution, Section 112.3144, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

Signature _____ Date _____

Preparation of this form by a CPA or attorney does not relieve the filer of the responsibility to sign the form under oath.

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ☒

ASSETS

Residence	97 Lonnie Raker Lane, 32327	$450,000
FRS		$44,750
First Franklin Finical Stock Account	2528 Barrington Cir, Suite 1, 32308	$544,278
First Franklin Finical IRA	2528 Barrington Cir, Suite 1, 32308	$161,070
Flowers Food Stock	1919 Flowers Circle, 31757	$10,184
Two Lots In Lake Ellen Estates	Lake Ellen Estates Unit 1, Lots 49, 50	$6,000
Bank Balance – Centennial Bank	2932 Crawfordville Hwy, 32327	$10,000
20 Acres on Lonnie Raker Lane	Wilson Estates, Lot 2	$117,000

INCOME

Self Employed Engineer	97 Lonnie Raker Lane, 32327	$121,965
Wakulla County	3056 Crawfordville Hwy, 32327	$28,691
Sale of Land	Mike Pafford	
	285 Tiger Hammock Road, 32327	$197,085
TD Ameritrade Inc.	P.O. Box 2577	
	Omaha, NE 68103-2577	$9,091

EXHIBIT C

EXHIBIT C

FORM 6 — FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTERESTS — 2017

FOR OFFICE USE ONLY:

PROCESSED

ID Code

ID No. 236598

Conf. Code

Merritt, Randall W.

*******AUTO**ALL FOR AADC 323 T3 P1 52 367
Randall W. Merritt
County Commissioner, District II
Wakulla County
Elected Constitutional Officer
PO Box 1263
Crawfordville, FL 32326-1263

2018 JUN 19 P 2:50

CHECK IF THIS IS A FILING BY A CANDIDATE ☐

PART A -- NET WORTH

Please enter the value of your net worth as of December 31, 2017 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of 6-18, 20 18 was $ 1,192,190.

PART B -- ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds $1,000. This category includes any of the following, if not held for investment purposes: jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use, whether owned or leased.

The aggregate value of my household goods and personal effects (described above) is $ 130,000

ASSETS INDIVIDUALLY VALUED AT OVER $1,000:

DESCRIPTION OF ASSET (specific description is required - see instructions p.4)	VALUE OF ASSET
See Attached	1,261,070

PART C -- LIABILITIES

LIABILITIES IN EXCESS OF $1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
Mr. Cooper Home Mortgage P.O. Box 650783, 75265	178,000
Suntrust Home Equity Loan 3575 Blairstone Rd, 32301	18,800
Wells Fargo Bank PO Box 71118, 28272	2,080

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

(Continued on reverse side)

C1

PART D -- INCOME

Identify each separate source and amount of income which exceeded $1,000 during the year, including secondary sources of income. Or attach a complete copy of your 2017 federal income tax return, including all W2s, schedules, and attachments. Please redact any social security or account numbers before attaching your returns, as the law requires these documents be posted to the Commission's website.

☐ I elect to file a copy of my 2017 federal income tax return and all W2's, schedules, and attachments.
[If you check this box and attach a copy of your 2017 tax return, you need not complete the remainder of Part D.]

PRIMARY SOURCES OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING $1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
Self employed engineer	97 Lonnie Raker Ln 32327	76,077
Wakulla County		27,892

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person--see instructions on page 5]:

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART E -- INTERESTS IN SPECIFIED BUSINESSES [Instructions on page 6]

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2	BUSINESS ENTITY # 3
NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

PART F - TRAINING

For officers required to complete annual ethics training pursuant to section 112.3142, F.S.

☑ **I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.**

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

SIGNATURE OF REPORTING OFFICIAL OR CANDIDATE

STATE OF FLORIDA
COUNTY OF Wakulla

Sworn to (or affirmed) and subscribed before me this 19th day of June, 20 18 by Randall Merritt

Shelby Boykin
(Signature of Notary Public--State of Florida)

Shelby Boykin
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known X OR Produced Identification _____

Type of Identification Produced _____

SHELBY BOYKIN NOTARY My Comm. Expires April 9, 2020 No. FF 976220 STATE OF FLORIDA PUBLIC

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, _____, prepared the CE Form 6 in accordance with Art. II, Sec. 8, Florida Constitution, Section 112.3144, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

Signature _____ Date _____

Preparation of this form by a CPA or attorney does not relieve the filer of the responsibility to sign the form under oath.

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ☑

Residence	97 Lonnie Raker Lane, 32327	$400,000
FRS		$41,500
First Franklin Finical Stock Account	2528 Barrington Cir, Suite 1, 32308	$528,000
First Franklin Finical IRA	2528 Barrington Cir, Suite 1, 32308	$151,000
Flowers Food Stock	1919 Flowers Circle, 31757	$9000
Two Lots In Lake Ellen Estates	Lake Ellen Estates Unit 1, Lots 49, 50	$6000
Bank Balance – Sun Trust Bank	3575 Blairstone Road, 32301	$3170
Bank Balance – TLFCU	2655 Crawfordville Hwy, 32327	$3700
Bank Balance – Centennial Bank	2932 Crawfordville Hwy, 32327	$1700
20 Acres on Lonnie Raker Lane	Wilson Estates, Lot 2	$117,000

EXHIBIT D

EXHIBIT D

Processed 236598

FORM 6X AMENDMENT TO FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTERESTS

FLORIDA COMMISSION ON ETHICS
MAR 03 2021
RECEIVED

LAST NAME - FIRST NAME - MIDDLE NAME (same as on original Form 6):

Merritt Randall W.

MAILING ADDRESS:

Post Office Box 1263

CITY: Crawfordville ZIP: 32326 COUNTY: Wakulla

◆ THIS FORM AMENDS THE (Choose one)

☑ FORM 6 I FILED FOR THE YEAR: 2018
(Use a separate Form 6X for each Form 6 you are amending.)

☐ FORM 6F I FILED FOR THE PERIOD
January 1, _____ THROUGH _____
(Must be between January 1 of the last year in which you held public office or employment and the last date you held that office or employment.)

◆ DURING THAT YEAR, I HELD, OR WAS A CANDIDATE FOR, THE POSITION OF: County Commissioner

◆ WITH THIS GOVERNMENTAL AGENCY: Wakulla County

PART A -- NET WORTH

[Instructions on page 3] If your reported net worth will change because of this amendment, please enter the corrected value of your net worth as of the date used on the original Form 6 or 6F you are seeking to amend, together with that date:

My net worth as of _____, 20 ____ was $ _____.

PART B -- ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS (Instructions on page 3):
If you are amending the value originally reported for household goods and personal effects, please enter the amended value below:

The aggregate value of my household goods and personal effects as of the above date was $ _____

ASSETS INDIVIDUALLY VALUED AT OVER $1,000:

DESCRIPTION OF ASSET	VALUE OF ASSET

PART C -- LIABILITIES

LIABILITIES IN EXCESS OF $1,000 (Instructions on page 4):

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILIT

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILIT

PART D -- INCOME

If you are filing an amended copy of your federal income tax return, including all W2's, schedules, and attachments, please check here: ☐

PRIMARY SOURCES OF INCOME (Instructions on page 4):

NAME OF SOURCE OF INCOME EXCEEDING $1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
See attached		

(Continued on reverse side)

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person--see instructions on page 5]:

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART E — INTERESTS IN SPECIFIED BUSINESSES [Instructions on page 5]

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY		
ADDRESS OF BUSINESS ENTITY		
PRINCIPAL BUSINESS ACTIVITY		
POSITION HELD WITH ENTITY		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS		
NATURE OF MY OWNERSHIP INTEREST		

PART F - TRAINING

This section applies only to officers required to complete annual ethics training pursuant to section 112.3142, F.S. [See Instructions p. 6]

☐ **I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.**

PART G — EXPLANATION OF CHANGES

See attached.

IF ANY OF PARTS A THROUGH G ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ☑

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this formand any attachments hereto is true, accurate,and complete.

SIGNATURE OF REPORTING OFFICIAL OR CANDIDATE

STATE OF FLORIDA
COUNTY OF Wakulla

Sworn to (or affirmed) and subscribed before me by means of

☑ physical presence or ☐ online notarization, this 26 day of Feb, 2021 by Randy Merritt

(Signature of Notary Public--State of Florida)

SHANNON K LARSON
Commission # HH 045162
Expires January 21, 2025
Bonded Thru Budget Notary Services

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ *OR* Produced Identification ✓

Type of Identification Produced DL

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, _____, prepared the CE Form 6X in accordance with Art. II, Sec. 8, Florida Constitution, Section 112.3144, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

Signature _____ Date _____

Preparation of this form by a CPA or attorney does not relieve the filer of the responsibility to sign the form under oa

INSTRUCTIONS FOR COMPLETING and FILING FORM 6X:

PARTS A through F:
Use these sections of the form to report the new information you believe should have been reported on your original Form 6 or 6F, continuing on a separate sheet if necessary. **Instructions for individual sections are found on pages 3-5, attached.**

PART G:
Use this section of the form to explain the changes in your original Form 6 or 6F.

OATH:
All information on this form should be submitted under oath.

WHERE TO FILE:
If you are amending a Form 6 you filed as a candidate, file the Form 6 at the office where you filed your qualifying papers. All other perso should file Form 6X with the Commission on Ethics, P.O. Drawer 1570 Tallahassee, FL 32317-5709; physical address: 325 John Knox Roa Building E, Suite 200, Tallahassee, Florida 32303..

Originals are required. Photocopies, faxed copies and emailed copies will not be accepted.

Part D – Income

Delete:

Sale of Land – Mike Pafford 285 Tiger Hammock Road, Crawfordville, FL 32327	$197,085

Insert:

Sale of Land – Pafford Properties & Construction, LLC 507 East Ivan Road, Crawfordville, FL 32327	$317,085

Part G – Explanation of Changes

This amendment to Part D deletes the listing of income received from the sale of property to Mike Pafford. The sale to Pafford Properties & Construction, LLC, which is owned by Mike Pafford, was completed on April 18, 2018. The amendment reflects the sale to Pafford Properties & Construction, LLC.

The instructions require that each source of income in excess of $1,000 received during 2018 be included in Part D. The instructions also provide that If more than $1,000 of income was gained from the sale of property, then you should list as a source of income the name of the purchaser and the **amount of gain from the sale**.[1] The amendment reflects gains from property dealings as defined by the IRS, to include gains used for an IRC 1031 exchange.

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[1] "Income" means the same as "gross income" for federal income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples of income include: compensation for services, gross income from business, **gains from property dealings**, interest, rents, dividends, pensions, IRA distributions, distributive share of partnership gross income, and alimony, but not child support. Where income is derived from a business activity you should report the income to you, as calculated for income tax purposes, rather than the income to the business