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PRESS RELEASE

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TALLAHASSEE—April 24, 2024—Meeting in Tallahassee on April 19th in closed session, the Florida Commission on Ethics took action on 37 matters, Chair Ashley Lukis announced today. four of those matters were probable cause hearings. A finding of probable cause is not a determination that a violation has occurred. Such a determination is made only after a full evidentiary hearing on the allegations.

The Commission considered a complaint filed against Collier County School Board member **KELLY EVON LICHTER**. Probable cause was found to believe she violated Florida's Constitution and financial disclosure law by filing an inaccurate 2017 Form 6. However, the Commission elected to take no further action on the allegation due to the particular circumstances of the matter. No probable cause was found on an

allegation that she failed to timely file her 2018 Form 6F, Final Statement of Financial Interests.

No probable cause was found to believe Delray Beach Planning and Zoning Board Vice Chairman **CHRISTOPHER DAVEY** misused his position when he threatened to disclose an alleged conflicting business relationship held by a candidate for City Commission, if the candidate did not suspend his candidacy.

The Commission considered a complaint filed against Fernandina Beach Planning Advisory Board Member **NICK GILLETTE**. Probable cause was found to believe he failed to follow voting conflict disclosure requirements after abstaining from a vote. However, the Commission elected to take no further action on the allegation due to the particular circumstances of the matter. No probable cause was found on an allegation that he had a conflicting employment relationship that created a continuing conflict of interest.

The Commission considered a complaint filed against Hernando County School Board Member **BRIAN FRANCIS HAWKINS**. No probable cause was found to believe he violated Florida's Constitution and financial disclosure laws by filing an inaccurate 2022 Form 6.

The Commission reviewed 33 complaints for legal sufficiency. These reviews are limited to questions of jurisdiction and determinations as to whether the contents of the complaint are adequate to allege a violation of the Code of Ethics or other laws within the Commission's jurisdiction. As no factual investigation precedes the reviews, the Commission's conclusions do not reflect on the accuracy of the allegations made in these complaints. The Commission dismissed the following complaints for lack of legal

sufficiency; **JOHN MEISEL**, West Villages Improvements District Board of Supervisors member; **VICTORIA COLANGELO-BRUCE**, Winter Springs City Commissioner; **ANN BELYEA**, Cory Lake Isles Community Development District Board of Directors Supervisor; **KELLY LICHTER**, President of the Board of Directors of Mason Classical Academy; **ASHLEY STATHATOS**, High Springs City Manager; **KENDRAH WILKERSON**, Havana Town Manager; **LARRY COOK**, Mayor of Bonifay; **THOMAS BUCKLEY**, West Villages Improvement District Supervisor; **JOHN LUCZYNSKI**, West Villages Improvement District Supervisor; **CHRISTINE MASNEY**, West Villages Improvement District Supervisor; **STEVEN LEWIS**, West Villages Improvement District Supervisor; **DAVID ALFIN**, Mayor of Palm Coast; **JOHN HUGH "BUDDY" DYER**, Mayor of Orlando; **MAYANNE DOWNS**, Orlando City Attorney; **SANTIAGO AVILA**, Mayor of Deltona; **EDWARD DANKO**, Deputy Mayor of Palm Coast; **KEITH PEARSON**, Chair of the St. Lucie County Republican Party; **SHERRY BURROUGHS**, Indian River Mosquito Control District Executive Director; **KENNETH BROWN**, Hillsborough County School Security Officer; **KATHLEEN BECKMAN**, City of Clearwater Councilmember; **LORRAINE KOSS**, City of Cocoa Councilmember; **TOMMY DOYLE**, Lee County Supervisor of Elections, **MAYBETTY BONACHEA**, Lee County Supervisor of Elections employee, **ZIM PADGETT**, Otter Creek Vice-Mayor and Town Councilmember; **KEN BURKE**, Pinellas County Clerk of the Circuit Court & Comptroller; **WILLIAM (BILL) BARNETT**, Mayor of Naples; **JENNIFER SITLOH**, Pinellas County Deputy Sheriff; **EUGENE PANICCIA**, Pinellas County Deputy Sheriff; **ANTHONY DEFILLIPO**, Mayor of North Miami Beach; **PHYLLIS SMITH**, City of North Miami Beach Commissioner; **FORTUNA SMUKLER**, City of North Miami Beach

Commissioner; **JAY CHERNOFF**, City of North Miami Beach Commissioner; and **BRANDON ARRINGTON**, Osceola County Commissioner.

PUBLIC SESSION

During its public session meeting, the Commission took final action and adopted a Joint Stipulation, prior to a finding of probable cause, between Village of Islamorada Councilman **HENRY ROSENTHAL** and the Commission Advocate. The Commission voted to enter a final order finding Mr. Rosenthal abused his position to obtain a disproportionate benefit and misused his position when he manipulated the process for required zoning changes on a property he purchased, so he could open a dinner theater. A total civil penalty of \$2,500 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission adopted a settlement agreement, prior to a consideration of probable cause between Milton City Councilmember **MICHAEL CUSACK** and the Commission Advocate. The agreement finds Mr. Cusack disclosed confidential information obtained by virtue of his public position to a City Manager candidate during contract negotiation. A civil penalty of \$1,500 will be recommended for imposition by the Governor.

In a complaint filed against **JOSEPH B. PINDER, III**, Islamorada Village Council member, the Commission found no probable cause to believe Mr. Pinder violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit and misused his position to create and post a campaign video to the Village's social media account. The complaint was considered during public session because Mr. Pinder waived confidentiality.

Contact the Commission's office to obtain rulings on appeals of automatic fines assessed for late submission of financial disclosure reports submitted by public officers and employees. (Item VII on the April 19 meeting agenda, posted on the Commission's website.)

The Florida Commission on Ethics is an independent nine-member commission formed in 1974 to review complaints filed under the statutory Code of Ethics and to answer questions from public officials about potential conflicts of interest through its issuance of advisory opinions.

If the Ethics Commission believes a violation of the law may have occurred, it may decide to hold a public hearing. If it concludes a violation has been committed, it may recommend civil penalties including removal from office or employment and fines up to \$10,000 per violation.¹

¹ Conduct occurring after May 11, 2023, will be subject to a recommended civil penalty of up to \$20,000. [Ch. 2023-49, Laws of Florida.]