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PRESS RELEASE

For Immediate Release
January 28, 2026

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TALLAHASSEE—January 28—Meeting in Tallahassee on January 23 in closed session, the Florida Commission on Ethics took action on 129 matters, Chair Jon M. Philipson announced today. Twenty-one 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 **MELISSA CASTRO**, Coral Gables Commissioner. Probable cause was found to believe Ms. Castro had a conflicting contractual relationship that created a continuing or frequently recurring conflict between her private interests and the performance of her public duties when her private business, a company that provided expedited permit assistance, continued to pull permits in the city after her election.

The Commission considered seven allegations in a complaint filed against **MARK COOPER**, former Lake St. Charles Community Development District Property Manager. Three allegations concerned a concrete walkway poured from Mr. Cooper's driveway to the front door, with unused concrete from a district walking trail project. Probable cause was found that he violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit and misused his position regarding the allegation. No probable cause was found to believe that he accepted the concrete walkway when he knew or should have known that it was given to influence him. The other four allegations related to Mr. Cooper entering into a consultant agreement with the district while continuing to be employed by the district. Probable cause was found that he misused his public position, violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit regarding the contract, and that he had a prohibited business relationship and a conflicting contractual relationship that created a continuing or frequently recurring conflict between his private interests and public duties by virtue of the consulting agreement.

The Commission considered a complaint filed against **TONYA SCHUMACHER**, Coquina Water Control District (CWCD) Supervisor. Probable cause was found to believe Ms. Schumacher had a conflicting contractual relationship with a security company that was also doing business with the CWCD.

No probable cause was found on an allegation that **HOWARD ENTMAN**, Marshall Creek Community Development District (MCCDD) Chairman, abused his position to obtain a disproportionate benefit or misused his position when he sent an email to a MCCDD-maintained resident distribution list that reflected his personal views as a resident.

The Commission found no probable cause to believe that **ALAN CANFIELD**, Lee County Sheriff's Office (LCSO) Commander, violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit and misused his position when he spoke against the installation of speed bumps before a Laguna Lakes Board of Directors meeting. Allegations that he used his LCSO cell phone to send emails and provided his LCSO business card during the speed bump dispute were also dismissed with a finding of no probable cause.

The Commission considered a complaint filed against Venetian Isles Community Development District Supervisor **MARY ANN DELGADO**. No probable cause was found on allegations she failed to accurately complete the primary sources of income section on her 2020, 2021, and 2022 Form 1 disclosures.

The Commission considered two related complaints filed against **CESAR GOYETCHE** and **BADIA STRACHAN**, Concorde Estates Community Development District (CDD) Board of Supervisors Members. No probable cause was found to believe that Ms. Strachan and Mr. Goyetche abused their positions to obtain a disproportionate benefit or misused their positions to exempt property from non-ad valorem taxes.

The Commission also held a probable cause hearing on another Concorde Estates Community Development District (CDD) Board of Supervisors Member, **VICTOR CRUZ**. No probable cause was found to believe he was doing business with his agency or that he had a conflicting employment or contractual relationship regarding checks he received from the CDD in his individual capacity that exceeded the amount he was authorized to receive as a Supervisor. An allegation that his son was hired by the CDD in violation of the anti-nepotism law also was dismissed with a finding of no probable cause.

The Commission considered a complaint filed against Sanford City Commissioner **SHEENA RENA BRITTON**. Probable cause was found on allegations that Ms. Britton failed to timely file her 2019 and 2023 Form 1 disclosures. However, the Commission elected to take no further action on the allegations due to the particular circumstances of the matter. In addition, an allegation that she failed to complete required ethics training for calendar year 2023 resulted in a finding of no probable cause.

The Commission considered a complaint filed against **RACHEL F. WEEKS**, Bronson Town Council Member. No probable cause was found to believe that Ms. Weeks had a voting conflict when she voted not to renew a contract with a private company managing the Town's planning, zoning, and permitting services. The Commission also found no probable cause to believe Ms. Weeks abused her position to obtain a disproportionate benefit or misused her position by participating in the vote.

The Commission found no probable cause to believe St. Lucie County Commissioner **CATHY TOWNSEND** had a conflicting employment or contractual relationship when her non-profit organization entered into a grant agreement with the County.

The Commission found probable cause to believe Fellsmere Water Control District Manager **MARK MATHES** misused his position to change voting procedures without telling the Landowners.

The Commission considered a complaint filed against **FABIAN BASABE**, a Member of the Florida House of Representatives. No probable cause was found on an allegation that he misused his position regarding a staffer.

The Commission found no probable cause to believe that **BOWDOIN G. HUTCHINSON**, Director of Water and Wastewater Systems for the Fort Pierce Utilities Authority, violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit or misused his position regarding allegations that he conducted personal business during work hours.

In a complaint filed against **DALE L. MARTIN**, Flagler Beach City Manager, the Commission found no probable cause to believe he misused his position or used information gained by his official position, which was not available to the general public, regarding the sale of a city-owned golf course.

No probable cause was found on an allegation that **DARRIN MOSSING**, District Manager for the Villages of Westport Community Development District, misused his position regarding contracts for security services.

The Commission considered a complaint filed against Polk County Building Inspector **HERMAN BLOM**. No probable cause was found on allegations that he misused his position by signing off on property inspections he should not have passed.

The Commission found probable cause to believe that **RANDAL ANDREWS**, Bradford County Zoning Director, violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit and misused his position when he used his County-issued email to correspond with prospective buyers of a property he owned.

No probable cause was found on an allegation that **WILLIAM BRASWELL**, Polk County Commissioner, abused his position to obtain a disproportionate benefit or misused his position when he posted an advertisement for his commercial blueberry farm on his social media account.

A self-initiated investigation – required by statute – to determine if **TIM ALCORN**, Suwanee County School Board Member, willfully failed to file his 2022 and 2023 Form 6 disclosures, resulted in a finding of probable cause. However, the Commission elected to take no further action on the allegation due to the particular circumstances of the matter.

A referral by the State Attorney for the Seventh Judicial Circuit, Harold Pryor, regarding City of Pembroke Pines Commissioner and Teacher at Charles W. Flanagan High School, **JAY SCHWARTZ**, was dismissed as legally insufficient.

The Commission reviewed 107 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, and are based on personal knowledge or information other than hearsay. 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: **GWENDOLYN J. LAFFERTY**, City of Bunnell Planning, Zoning, and Appeals Board; three complaints against **BEVERLY NASH**, City of Quincy Mayor; **SCOTT STEWART**, Brevard County Sheriff's Office Deputy; **STEPHEN COLWELL**, Deltona City Commissioner; **MARITZA AVILA-VAZQUEZ**, Deltona City Commissioner; **NICK LULLI**, Deltona City Commissioner; **EMILY BRANN**, Leon County Sheriff's Office Domestic Violence Investigator; **DIANE GULLET**, Former Marion County Public Schools Superintendent; **CLAUDE BRUCE**, Leon County Building Inspector; **JIMMY BURRY**, Leesburg City Commissioner; **BOB DANIELS**, Sewall's Point Town Manager; **MEGAN MOSCOSO**, Brevard County Communications Coordinator and City of

Titusville Councilwoman; **KATHRYN “KATIE” DELANEY**, Brevard County Commissioner; **DARRELL C. THOMPSON**, Long Lake Ranch Community Development District Supervisor; **DAVID JOSEPH BIECK**, Fort Walton Beach Police Officer; **TAYLOR YARKOSKY**, Florida State Representative for District 25; **JENNIFER BRAMLEY**, Dunedin City Manager; **BRANDON PATTY**, St. Johns County Clerk of Courts and Comptroller; **CHRISTINE MALLATT**, Heritage Landing Community Development District Vice Chair; **APRIL BIEGLER**, Official Records and Courts Supervisor for the Eighteenth Judicial Circuit; **ALYSA L. JOHNSTON**, Palm Coast Acting City Manager; **DEAN L. WALTERS**, Harbor Bay Community Development District Supervisor and Secretary; **CYNTHIA MCINTYRE**, Cory Lake Isles Community Development District Supervisor; **DAYNA WILLIAMS**, Alachua City Commissioner; **JILL BURNS**, Eden Hills Community Development District Manager; five complaints against **DANIEL LEVENTRY**, Harbor Bay Community Development District Supervisor; **DALE “DOC” DOUGHERTY**, Deltona City Manager; **BETTY ERHARD**, Brooksville City Council Member; **GEORGE JACOB THOMAS**, Fort White Mayor; **TOM SCHLICK**, University of Florida Director of Grounds, Facilities, and Services; **ROY SIEGER**, Flagler Executive Airport Director; **MARK CARUSO**, Winter Springs City Commissioner; **CATHY TOWNSEND**, St. Lucie County Commissioner; two complaints against **TIMOTHY NARGI**, Harbor Bay Community Development District Member of the Board of Supervisors; **LORESSA M. FELIX**, Miami-Dade Commission on Ethics General Counsel and Deputy Director; **BRENDA D. FORMAN**, Broward County Clerk of Courts; **VICTOR COLOMBO**, Harrison Ranch Community Development District Supervisor and Manatee County Sheriff’s Office Crossing Guard Supervisor; **NICK NESTA**, Apopka City Commissioner; **SEAN WILCOX**, Coquina Water Control District Board Member;

STACI MARIE DIRENZO, Broward County Assistant State Attorney; **MICHELLE POIRIER, ED (EDDIE) HARRIS** and **DANIEL (DAN) SUMNER**, Florida Department of Agriculture and Consumer Services Division of Agricultural Environmental Services Inspectors; **JAMES WESLEY**, Florida Department of Agriculture and Consumer Services Division of Agricultural Environmental Services Supervisor; **WILTON SIMPSON**, Florida Commissioner of Agriculture; **KATHY MEARS**, Florida Assistant Commissioner of Agriculture; **JOSE GILL**, Florida Department of Agriculture and Consumer Services Apiary Inspector for Region I; four complaints against **DARRIN MOSSING**, Villages of Westport Community Development District Manager; **BARBARA KING**, South Bay City Commissioner; **DENISE O'CONNELL**, Monroe County Property Appraiser Executive Assistant; **JARED JETER**, Fort Walton Beach City Councilman; **DEAN BRITT**, Quarry Community Development District Chairperson; **LUZ NELLY VELASQUEZ**, Surfside Town Commissioner; **MARK BLUMSTEIN**, Surfside Town Manager; **RICK WILSON**, Polk County Commission Chairman; **JAMES NEWLON**, Casselberry City Manager; **JORGE E. ROSERO**, Village of Biscayne Park Acting Police Chief; **ART GONZALEZ**, Village of Biscayne Park Commissioner; **ANN COFFIN**, Florida Department of Revenue Child Support Program Director; **JOE HALMAN, JR.**, Polk County Deputy County Manager; **KEVIN GAGNE**, Eagle Pointe Community Development District Chair; two complaints against **AUDREY FESIK**, Pompano Beach City Commissioner; **CRYSTAL BRYANT**, Avon Park Housing Authority Vice-Chair; **BERNIECE TAYLOR**, Avon Park City Council; two complaints against **GREGORY TONY**, Broward County Sheriff; **EDWIN FERGUSON**, Palm Beach County School Board Member; **HOWELL (TRIP) LANCASTER, III**, Fanning Springs Mayor; **ERIC HINSON** and **ALONZETTA SIMPKINS**, Gadsden County Commissioners; **REGINALD**

JAMES, Gadsden County Interim County Administrator; **ROOSEVELT MORRIS**, Gadsden County Interim Assistant County Administrator and Building Manager; **ARTHUR CZYSZCZON**, Treasure Island City Commissioner; **DAVID SUAREZ**, Miami Beach City Commissioner; **MICHAEL PORATH**, Welaka Chief of Police; **WILLIAM VOSE**, Orange County Commissioner; **MICHAEL HARRIS**, Lee County School District Assistant Director of Professional Standards; **ROBERT DODIG**, Lee County School District General Counsel; **RICHARD D. CHESS**, Fort Pierce City Manager; **AMY JO CARROLL**, Groveland City Council Member; **KAREN WOODSON**, Fort Myers Beach Town Council Member; **JOHN R. KING**, Fort Myers Beach Town Council Member; **JAMES GLEASON**, Lake Helen City Administrator; **ANDREW CONNORS**, Titusville Mayor; **ANDREA KEEZER**, Williams Elementary School Principal; **SHAWN MCCAIG**, Lakeshore Ranch Community Development District Supervisor; **NAZLY CARDONA**, Pembroke Park Town Building Department employee; **CAROL J. BREECE**, Broward County Inspector General; **MUSFIKA KASHEM**, Pembroke Park Vice Mayor; **OCEA WYNN**, City of Tampa Administrator of Neighborhood and Community Affairs; **CHARLOTTE JOYCE**, Duval County School Board Member; **DONALD L. EDENFIELD**, Jackson County Sheriff; **CHRISTOPHER BOYCE**, Lake County Compliance & Monitoring Specialist; **CHRIS DZADOVSKY**, candidate for Fort Pierce City Commission District 2; **CURTIS JOHNSON, JR.**, Fort Pierce City Commissioner; and **JUANITA BRUNSON**, Quincy Interim City Clerk.

PUBLIC SESSION

During its public session meeting, the Commission took final action and adopted the Joint Stipulation entered into between former Boca Raton Mayor, **SUSAN HAYNIE**, and the Commission Advocate. The Commission found Ms. Haynie filed inaccurate 2012 and 2013 Form 1 disclosures. A civil penalty of \$1,000 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission adopted a settlement agreement between the Commission Advocate and Lake Worth Beach City Commissioner, **REINALDO DIAZ**. The agreement finds that Mr. Diaz violated the law by failing to timely file his 2023 Form 1, Statement of Financial Interests. A civil penalty of \$500 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission dismissed a Petition for Costs & Attorney Fees filed by the former Interim City Manager for the City of Palatka, **JONATHAN GRIFFITH**, against Rufus Borom, the Complainant in a previously dismissed complaint filed against him. The petition was dismissed because it failed to substantively allege that Mr. Borom made any material allegations in the complaint that he knew to be false, or that he filed the complaint with reckless disregard for the truth.

The Commission voted to grant the Advocate's Motion to Dismiss a complaint filed against **TERENCE DAVIS**, former Riviera Beach City Council and Commissioner for the City's Redevelopment Agency.

The Commission adopted a formal opinion concluding that a County Commissioner's use of official resources, such as County-provided letterhead, to endorse a candidate would violate Section 112.313(6), Florida Statutes. However, according to the opinion, a County Commissioner may endorse a candidate using self-

created letterhead that identifies them as a County Commissioner, provided no official resources are utilized, and the letter clearly stated that the endorsement represents their private opinion and not an official position of the government entity.

The Commission also adopted an opinion finding that a public officer may accept a prize won through participation in a raffle where consideration is exchanged for the chance at winning and where the facts support that the prize was not donated with the intent to influence an official act. Where equal or greater consideration is paid for the chance at winning in a raffle, the prize will not be considered a gift.

A formal opinion adopted by the Commission concluded that the post-public employment provisions of the Code of Ethics would prohibit a Department of Corrections employee from performing work for a private company, in connection with the company's contract with the Department of Corrections, for a period of two years after leaving her public position.

The Commission adopted an opinion providing general guidance to the Secretary of the Department of Corrections regarding future employment options. The opinion indicates that the Secretary is subject to multiple post-employment restrictions that may limit private-sector work, including bans on representing businesses before the Department of Corrections, lobbying certain entities, and working on contracts he was involved in or oversaw. Whether they apply in a specific case depends on the facts of the proposed employment and related contracts, in which case, further guidance from the Commission was recommended.

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 \$20,000 per violation.