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PRESS RELEASE

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TALLAHASSEE—June 10—Meeting in Tallahassee on June 5 in closed session, the Florida Commission on Ethics took action on 110 matters, Chair Jon M. Philipson announced today. Eleven 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.

No probable cause was found on an allegation that **TIMOTHY NARGI**, as a Supervisor for the Harbor Bay Community Development District (CDD), misused his position to direct CDD service contracts, without following the proper bidding process, to companies represented by a friend.

The Commission found no probable cause to believe that **DAN CURRY**, Walton County Commissioner, violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit or misused his position to benefit himself or another

person when he contacted the County Code Enforcement Department directly regarding a personal code compliance concern.

The Commission considered a complaint against Fort Pierce City Commissioner **ARNOLD GAINES**. The Commission found no probable cause on four allegations. The allegations were that he misused his position, had a conflicting contractual relationship, had a voting conflict, and violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit when he voted on a consent agenda item that included distribution of the City's Law Enforcement Trust Fund money to a non-profit organization where he occasionally served as its Registered Agent.

The Commission found no probable cause to believe that **JOHN ALYN MURDOCH**, Alachua County Veteran Services Advisory Board Member and Gainesville Fire Safety Board of Adjustments Member, misrepresented his military service or a decoration, medal title, honor, awarded qualification, or military occupational specialty from the Armed Forces of the United States for the purpose of material gain.

No probable cause was found on allegations that **RONALD E. MITCHELL**, Lakeshore Ranch Community Development District Supervisor, misused his position in his handling of complaints against a fellow board member and friend. An allegation that Mr. Mitchell used or disclosed any information that was not available to members of the general public was also dismissed with a finding of no probable cause.

The Commission found no probable cause to believe that **JOSEPH "JOE" MORGANELLI**, former Montverde Town Council Member, misused his position or violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit by attempting to solicit a fellow council member's vote for Vice Mayor by

threatening or otherwise bringing up permitting issues and other private capacity conduct.

The Commission considered a complaint against former Town of Welaka Mayor **JAMIE WATTS**. The Commission found probable cause to believe that Mr. Watts misused his position and violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit by sexually harassing an employee. No probable cause was found that he misused his position and violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit by using the Town debit card to spend public funds on dining and alcohol while traveling for town business.

The Commission considered three related complaints filed against **DEVONTA KNIGHT**, City of Quincy Commissioner, **BEVERLY NASH**, City of Quincy Mayor, and **LANE STEPHENS**, City of Quincy Mayor pro tem. No probable cause was found to believe that Mr. Knight, Dr. Nash, or Mr. Stephens misused their positions to hire a new City Manager who was Mr. Knight's great-uncle.

Probable cause was found to believe that **JOSH DAVENPORT**, Esto Town Councilman, held public employment as the Interim Town Manager while simultaneously holding office as a member of the Esto Town Council. Allegations that Mr. Davenport misused his position, or violated the constitutional amendment prohibiting abuse of office for a disproportionate benefit to obtain the Interim Town Manager position, or served as a public officer while accepting employment from his public agency, were dismissed with a finding of no probable cause.

The Commission determined the public interest would not be served by further proceedings and dismissed allegations against **GEORGE MIKITARIAN**, President and CEO of the Parrish Medical Center.

A referral by the Florida Department of Law Enforcement regarding City of New Port Richey City Manager, **DEBBIE MANNS**, was dismissed as legally insufficient.

The Commission reviewed 97 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 whether the allegations 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: **SETH ALDAY**, Chattahoochee Police Department Lieutenant; **MICHAEL RUDMAN**, Oak Creek CDD Board Member; **THOMAS BAKKEDAHL**, 19th Judicial Circuit State Attorney; **ADRIAN SEGURA**, Miami-Dade County Fire Rescue Chief Fire Officer; **KENNY MILLER**, Hardee County Commissioner; **MICHAEL TIMPANO**, Sanford Police Department Lieutenant; **JANET PALMER**, Port St. Lucie Police Department Detective; **ANTHONY ENRIQUEZ**, Hillsborough County Sheriff's Office Deputy; **CHAD CHRONISTER**, Hillsborough County Sheriff; **KEVIN COWPER**, New Smyrna Beach City Manager; **DANNY ROBINS**, Volusia County Council member; **JAKE JOHANSSON**, Volusia County Councilman; **KELLI MARKS**, City of Orange City Mayor; **JOHN HOLLOWAY**, Lee County Undersheriff; **THOMAS "TOM" BENTON**, Harrison Ranch CDD Vice Chair; **VICTOR COLOMBO**, Harrison Ranch CDD Assistant Secretary; **JENNIFER TUCKER**, Astatula Town Clerk; two complaints against **VANESSA OLIVER**, Member of the Florida House of Representatives; **DIEDRE LEAKS**, Office of the Governor, Notary coordinator; **ASHLYNN MARQUEZ**, Washington County Commissioner; **LUIS FIGUEREDO**, Dania Beach Assistant City

Attorney; **WILLIAM KOON**, Town of Fort White Town Councilman; **SHANNON METTY**, Jefferson County Manager; five complaints against **DAN CURRY**, Walton County Commissioner; three complaints against **PAUL LARINO**, Montverde Town Manager; **MERLENE RAMNON**, Florida Department of Health Community Health Director; **ROGER MILTON**, Quincy City Manager; **JIM BARNARD**, City of Avon Park Deputy Mayor; **REGGIE GAFFNEY, JR.**, Jacksonville City Councilman; **JUANITA BRUNSON**, Quincy City Clerk; **MIKE STEIGERWALD**, Kissimmee City Manager; **CHARLES BROADWAY**, Kissimmee Chief of Police; two complaints against **AMIE LYNN CALIA**, State of Florida Notary Public; two complaints against **DAWN FONSECA**, State of Florida Notary Public; **MIKE HARRISON**, Gulf County Sheriff; **CHRISTOPHER BUCHANAN**, Gulf County Sheriff's Office Chief Deputy; **SHANE FERRELL**, Gulf County Sheriff's Office Lieutenant; **CHARLES BENNETT BOLLINGER, III**, 14th Judicial Circuit Assistant State Attorney; **JACK HILLIGOSS**, City of Lake Wales Mayor; **RACHEL SNOW**, Lake County Code Enforcement Officer; **GLEN GUZMAN**, Lake County Code Enforcement Director; **MICHAEL JOSEPH**, City of North Miami Beach Mayor; fifteen complaints against **MICHAEL KOHLER**, Escambia County Commissioner; **MICHAEL J. CHITWOOD**, Volusia County Sheriff; **KENT KUMMERFELDT**, Palm Beach County Sheriff's Office Detective; **MEGAN KUMMERFELDT**, Palm Beach County Sheriff's Office Deputy; **CHARLOTTE WILLEBY**, Gadsden County Deputy Clerk of Court; **THERESA PONTIERI**, City of Palm Coast Vice Mayor/County Commission candidate; **MICHAEL LANE STEPHENS**, Quincy Mayor Pro Tem; **JOE JOHNSON**, Walton County Zoning Board of Adjustments Chairman; **JOSEPH MOLSEN**, Cypress Shadows Community Development District Board Member; **JENNIFER COLEY**, New College of Florida Chief of Police; **KEVIN C.**

KARNES, Lee County Clerk of Courts and Comptroller; **CARMINE MARCENO**, Lee County Sheriff; **BETTY RESCH**, Lake Worth Beach Mayor; **NICHOLAS (NICK) NESTA**, Apopka City Councilmember; **NEIL COMBEE**, Polk County Property Appraiser; **AMANDA BROWN**, Bradford County Executive Assistant in the County Manager's office; **SCOTT KORNEGAY**, Bradford County Manager; **SHAWN HICKS**, Monroe County Code Compliance Inspector; **RUBEN COLÓN**, Volusia County School Board Chair; **JASON JEWELL**, Florida Board of Governors Chief Academic Officer and Vice Chancellor of Strategic Initiatives; **WILLIAM C. LONG**, Assistant State Attorney with the State Attorney's Office of the Nineteenth Judicial Circuit; **JUAN JOSE ALIAGA**, Cory Lakes Community Development District Board of Supervisors; **ROBERT S. FITE**, Bowling Green Mayor and City Commissioner; **RICHARD CHESS**, Fort Pierce City Manager; **GREG MATOVINA**, Nassau County Affordable Housing Advisory Committee member; **EVAN RONALD "RON" CUTSINGER**, Sarasota County Commissioner; **MELISSA LOCKHART**, Punta Gorda City Councilmember; **RICHARD RAMSAY**, Monroe County Sheriff; **DANIEL J. ALFONSO**, Davie City Councilmember; **CHRISTOPHER CONSTANCE**, Charlotte County Commissioner; **REBECCA BAYS**, Citrus County Commissioner; and **NICK CHURILL**, Pensacola State College Police Department Sergeant.

PUBLIC SESSION

During its public session meeting, the Commission took final action and adopted the Joint Stipulation entered into between the Bradford County Zoning Director and Land Development Regulations Administrator, **RANDAL ANDREWS**, and the Commission Advocate. The Commission found Mr. Andrews 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. A civil penalty of \$1,000 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission dismissed a complaint against **JOHN KINSEY**, a member of the Board of Supervisors for the Twin Creek North Community Development District and a member of the Board of Supervisors for Creekside at Twin Creeks Community Development District, for lack of jurisdiction.

A complaint filed against **JANETTE MARTINEZ**, , was dismissed for failure to constitute a legally sufficient complaint. As no factual investigation preceded the review, the Commission's conclusion does not reflect on the accuracy of the allegations made in the complaint. The complaint was considered during public session because Ms. Martinez waived confidentiality.

The Commission dismissed a Petition for Costs & Attorney Fees filed by **DARRELL C. THOMPSON**, Supervisor on the Long Lake Ranch Community Development District, against **GEORGE E. SMITH**, the complainant in a previously dismissed complaint filed against him. The petition was dismissed because it was not sufficient to state a claim for costs and fees under the statute.

The Commission adopted a formal opinion concluding that a Recreation District Board Chair may not serve on the Management Committee of an LLC that actively does business with the District, even if the position is unpaid.

The Commission also adopted an opinion finding that a teacher may sell a product developed through his LLC to his School District without violating Florida's

ethics laws, provided he has no official role in procuring, evaluating, or approving the product and keeps his private business activities separate from his public employment. The opinion also states that donating the product to the district or any school within it would not violate the Code of Ethics

A formal opinion adopted by the Commission concluded that a member of the Key West Bight Management District Board may continue to own a business that leases a marina slip managed by the District without creating a prohibited conflict of interest. The opinion also finds that the member may discuss and vote on matters related to the City continuing to receive a discount on its lease of marina land from the State because any potential financial impact on the member's business is too remote and speculative to constitute a voting conflict.

During its public session meeting, the Commission took action on appeals of automatic fines assessed for late submission of financial disclosure reports submitted by public officers and employees. Contact the Commission's office to obtain rulings (Item IX. on the June 5 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 \$20,000 per violation.