

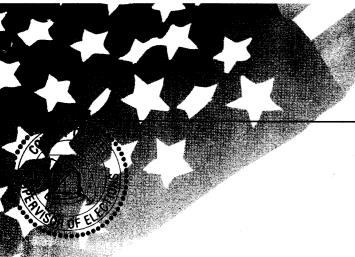
LEE COUNTY SUPERVISOR OF ELECTIONS P O BOX 2545, FORT MYERS, FLORIDA 33902

PHONE: 239-533-6303

INVOICE



W OI LUN	INVOICE	9111		C	٥٥	
BILLED TO:				DATE:	07	6/05
SEAN O'CONNELL		SPECIAL II	NSTRUCTI	ONS:		
110 DANLEY DRIVE						
FORT MYERS, FL 33907						
	,	PAYMENT	DUE BY		08	/05/05
DESCRI	PTION	QTY.	UNI	T PRICE	TOTAL A	MOUNT
COPIES		26	\$	0.15	\$	3.90
STAFF TIME		0.50		20.00	\$	10.00
	8/11/05					
Make checks payable to: SUF	PERVISOR OF ELECTIONS	3		SUB-TOTAL:	\$	13.90
Mail To: Rae Scott -Fiscal (Officer		PC	STAGE AND		
Lee County Super	visor of Elections			DLING FEES:		
P O Box 2545		ľ		TOTAL		
Fort Myers, Florida	33902		AMOU	NT DUE:	\$	13.90



Sharon L. Harrington Supervisor of Elections Lee County

CONSTITUTIONAL COMPLEX
P.O. BOX 2545
FORT MYERS, FLORIDA 33902
(239) 339-6300
FAX (239) 339-6310
www.leeelections.com

July 6, 2005

Sean O'Connell 110 Danley Drive Fort Myers FL 33907

Subject:

Records Request

Florida Commission on Ethics Financial Disclosure Appeal No. 04-356

Dear Mr. O'Connell:

We have received and processed your recent records/research request to the extent of the availability of the records in our possession.

Requested and provided:

- Copies of the list of names submitted, by the Supervisor of Elections, to the Florida Commission on Ethics, of each individual who was required to and had not filed his/her Form 1 Statement of Financial Interests for 2003. The 2003 list is the most recent list. The list for 2004 will not be available until November 1, 2005. You may request the 2004 list at that time.
- Copies of emails, letters, and/or requests for research regarding you, where the Florida Commission on Ethics made such requests and our office responded.
- Copies of emails, letters, and/or requests for research regarding each individual who was required to and had not filed his/her Form 1 Statement of Financial Interests for 2003. The communications provided **pertain only to those individuals** for which the Florida Commission on Ethics has made a research request based on No. 1 above.

We are not able to provide:

The names of persons that received the delinquency notice by certified mail, from our office, and were subject to the automatic penalty and those persons who did not receive the delinquency notice by certified mail from our office and were still subject to the penalty.

The Florida Commission on Ethics, determines from the list submitted by our office (see No. 1 above), after investigating (see No. 3 above), which individuals received the delinquency notice by certified mail from our office and were still subject to the automatic penalty; and those persons who did not receive the certified mail from our office and were still subject to the penalty.

This information is only available from the Florida Commission on Ethics.

Page 2 July 6, 2005 Sean O'Connell

Subject:

Records Request

Florida Commission on Ethics Financial Disclosure Appeal No. 04-356

The cost of your records/research request:

Basic copy 26 @ \$.15 \$ 3.90

Candidates' Files/Demographic/Historical/Public Records Request/Statistical Research

 Staff time (0-30 minutes)
 \$ 10.00
 \$10.00

 Staff time (30-60 minutes)
 \$ 20.00

(\$13.90)

TOTAL DUE TO SUPERVISOR OF ELECTIONS

If I can be of further assistance, please contact me at 239-533-6304.

Sincerely,

Bernie R. Feliciano
Qualifying Officer

Enclosures

239

To Bernie Feliciano From Sean O'Connell

Re: State of Florida Commission on Ethics "Financial Disclosure Penalty Appeal No. 04-356"

Thank you for your help in this regard. Pursuant to our conversation please provide me with the following;

1. Copies of the list of names supplied by the supervisor of elections to the commission on ethics of persons who had not filed their financial disclosure forms for including the most recent list and the preceding list and the list that included me.

2. Copies of the request from the commission on ethics regarding me and copies of your response.

3. Copies of other requests from the commission on ethics from the previously requested list (see #1) of persons who had not filed the financial disclosure form(s) both for persons who received the certified notice sent by your office and for those that had not received the certified notice from your office.

thank you again for your help in this regard, I hope that this matter can be resolved. I've included a copy of Ms. William's most recent communication where-in in paragraph 2, she interprets the statute as not requiring receipt of the certified mail sent by your office, In light of that position please provide the following:

X 4. The names of persons that received the centried mail from your boffice and were subject to the automatic penalty and those persons who did not receive the certified mail from your office and were still subject to the penalty. NO

As to the first paragraph of Ms William's letter, Ned Hale made no appearance on my behalf in this case and notices of appearance and notices of withdrawal are for civil maters and do not apply. If I have asked for any copies of records that are not public information please let me know the specific record.

Once again thank you. I understand that there is a charge for these copies, please just let me know the amount or if I need to make a deposit first.

SUPERVISION 29 PM 3: 3 SUPERVISION OF ELECTION
939-0377

privided

To Bernie Feliciano From Sean O'Connell

Re: State of Florida Commission on Ethics "Financial Disclosure Penalty Appeal No. 04-356"

Thank you for your help in this regard. Pursuant to our conversation please provide me with the following;

1. Copies of the list of names supplied by the supervisor of elections to the commission on ethics of persons who had not filed their financial disclosure forms for including the most recent list and the preceding list and the list that included me.

2. Copies of the request from the commission on ethics regarding me and copies of your response.

3. Copies of other requests from the commission on ethics from the previously requested list (see #1) of persons who had not filed the financial disclosure form(s) both for persons who received the certified notice sent by your office and for those that had not received the certified notice from your office.

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X 4. The names of persons that received the certified mail from your office and were subject to the automatic penalty and those persons who did not receive the certified mail from your office and were still subject to the penalty. NO

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202

SUPERVISOR OF ELECTIONS
SUPERVISOR OF ELECTIONS
939-0377

priviled

STATE OF FLORIDA COMMISSION ON ETHICS P. O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709

COMPLAINT



1.	PERSON BRINGING COMPLAINT:					
	Jame: Telephone Number:					
	Address:					
	City: Count	ty: Zip Code:				
2.	PERSON AGAINST WHOM COMPLAINT IS BROUG	энт:				
f	(Current or former public officer, public employee, of for each person you wish to complain against):	candidate, or lobbyist) (Please use one complaint form				
	Name:	Telephone Number:				
	Address:					
	City: Coun	ty: Zip Code:				
	Title of office or position held or sought:					
3.	STATEMENT OF FACTS:					
	providing a detailed description of the facts and the dates and the names and addresses of persons who particular provision of Article II, Section 8, Florida Chapter 112, Florida Statutes (the Code of Ethics	ne reverse side of this form or on additional sheets, the actions of the person named above. Include relevant from you believe may be witnesses. If you believe that a Constitution (the Sunshine Amendment) or of Part III, for Public Officers and Employees) has been violated, that copies of lengthy documents; if they are relevant to not submit video tapes or audio tapes.				
4.	OATH:	STATE OF FLORIDA COUNTY OF				
	I, the person bringing this complaint, do depose on oath or affirmation and say that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my	Sworn to (or affirmed) and subscribed beforme this day of				
	knowledge and belief.	(Signature of Notary Public - State of Florida)				
	SIGNATURE OF COMPLAINANT FORM 50 — EFF. 1/2000	(Print, Type, or Stamp Commissioned Name of Notary Public) Personally Known OR Produced Identification Type of Identification Produced:				

RULES OF THE

FLORIDA COMMISSION ON ETHICS

CHAPTER 34-8

DISCLOSURE OF FINANCIAL INTERESTS

PART I (PURSUANT	FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTERESTS TO ART. II, SEC. 8, FLA. CONST.)
<u>34-8.001</u>	General.
<u>34-8.002</u>	General Rule for Filing Full and Public Disclosure of Financial Interests.
<u>34-8.003</u>	Persons Required to File Full and Public Disclosure.
<u>34-8.004</u>	Disclosure of Net Worth, Assets and Liabilities.
<u>34-8.005</u>	Disclosure of Sources and Amounts of Income.
<u>34-8.006</u>	Income Valuation.
34-8.007	Choosing to File Copy of Income Tax Return.
34-8.008	Final Filing.
<u>34-8.009</u>	Amended Filing.
34-8.010 Officers, Can	A Guide to the Sunshine Amendment and Code of Ethics for Public didates and Employees. (Repealed)
<u>34-8.011</u>	Penalties for Late Filing.
<u>34-8.015</u>	Appeal of Statutory Fines: Hearings, Unusual Circumstances.
PART II	STATEMENT OF FINANCIAL INTERESTS (PURSUANT TO SEC. 112.3145, FLA. STAT.)
34-8.202	General Rules for Filing a Statement of Financial Interests.
34-8.208	Final Filing.
34-8.209	Amended Filing.

- <u>34-8.210</u> Penalties for Late Filing.
- 34-8.215 Appeal of Statutory Fines: Hearings, Unusual Circumstances.

PART I FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTERESTS (PURSUANT TO ART. II, SEC. 8, FLA. CONST.)

34-8.001 General.

The Commission on Ethics has the responsibility pursuant to Article II, Section 8(i)1, Florida Constitution, to prescribe forms for disclosure of income sources and amounts and the rules under which such forms are to be filed, which rules shall include disclosure of secondary sources of income. In addition, the Commission is authorized by Section 112.3147, Florida Statutes, to prescribe forms required for use in making the disclosures required by Article II, Section 8, Florida Constitution, and by Section 112.322(9), Florida Statutes, to adopt rules interpreting the disclosures established by Article II, Section 8, Florida Constitution.

The forms for full and public disclosure shall be prescribed in accordance with the rules of this chapter and adopted by reference in Chapter 34-7, F.A.C.

Specific Authority Art. II, Section 8, Fla. Const., 112.3144, 112.3147, 112.322(9), FS.

Law Implemented Art. II, Section 8, Fla. Const., 112.3144, FS.

History--New 4-7-77, Formerly 34-8.01, Amended 8-7-94, 11-7-01.

34-8.002 General Rule for Filing Full and Public Disclosure of Financial Interests.

(1) Every person who holds an office specified in Rule 34-8.003, F.A.C., must file full and public disclosure of his or her financial interests with the Commission by July 1 of each year during which he or she is in office, and every person who held an office specified in Rule 34-8.003, F.A.C., on December 31st of a year must file full and public disclosure of his or her financial interests with the Commission by July 1 of the following year. Full and public disclosure of financial interests means filing a sworn statement showing net worth, assets and liabilities on the form prescribed by the Commission, CE Form 6, adopted by reference in Rule 34-7.010(1)(c), Florida Administrative Code, together with either a copy of the person's most recent federal income tax return, including all attachments, or the completed income disclosure portion of CE Form 6. A candidate for an elective office specified in Rule 34-8.003 or otherwise specified by law must file this information prior to or at the time he or she qualifies as a candidate.

- (2) Except for disclosures filed as part of a candidate's qualifying papers, full and public disclosure under this rule must be filed no later than 5:00 p.m. on the due date. However, any disclosure that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company which bears a date on or before the due date, shall also be proof of mailing in a timely manner.
- (3) If the due date prescribed in the Constitution or by statute falls on a Saturday, Sunday, or legal holiday designated in Section 110.117, F.S., then the due date shall be extended to the next day which is not a Saturday, Sunday, or legal holiday designated in Section 110.117, F.S.

Specific Authority Art. II, Section 8, Fla. Const., 112.3144, 112.3147, 112.322(9), FS.

Law Implemented Art. II, Section 8, Fla. Const., 112.3144, FS.

History--New 4-7-77, Amended 10-3-84, Formerly 34-8.02, Amended 8-7-94, 7-2-00, 11-07-01.

34-8.003 Persons Required to File Full and Public Disclosure.

The following officers and candidates have been specified by Article II, Section 8, Florida Constitution, to file full and public disclosure:

- (1) All elected constitutional officers and all candidates for elected constitutional offices, which offices include the Governor; the Lieutenant Governor; the members of the Cabinet; the members of the Legislature; the Justices of the Supreme Court; the Judges of the District Courts of Appeal, Circuit Courts and County Courts; State Attorneys; Public Defenders; Clerks of the Circuit Courts; Sheriffs; County Tax Collectors, Property Appraisers and Supervisors of Elections; County Commissioners; all elective offices in a chartered county government, the duties of which office consist of performing the duties of any of the above constitutional offices; Superintendents of Schools if elected; and members of District School Boards.
- (2) Each person holding statewide elective office who is not elected to one of the offices listed above in Rule 34-8.003(1).
- (3) Such other public officers, candidates, and employees as are required by law to file full and public disclosure.

Specific Authority Art. II, Section 8(h) Fla. Const., 112.322(10), FS.

Law Implemented Art. II, Section 8(a), (h) Fla. Const., 112.3144, FS.

History--New 4-7-77, Amended 9-21-77, 10-3-84, Formerly 34-8.03, Amended 8-7-94.

34-8.004 Disclosure of Net Worth, Assets and Liabilities.

The Commission shall prescribe a part of CE Form 6 for disclosure of net worth, assets and liabilities which satisfies the financial interest requirements of Article II, Section 8 of the Florida Constitution, as amended by Part III, Chapter 112, Florida Statutes. Such form shall provide space for the specific identification and value of each asset which exceeds \$1,000 in value and for the name and address of the creditor for each liability which exceeds \$1,000 in amount and its amount, and shall require a statement of the value of the reporting person's net worth as of December 31st of the preceding year or a more current date. The form shall provide for the officer's or candidate's oath verifying the information contained in the completed form. The form for disclosure of net worth, assets and liabilities prescribed pursuant to this rule shall be used by any officer, employee, or candidate required to file full and public disclosure of his financial interests pursuant to Article II, Section 8 of the Florida Constitution.

Specific Authority Art. II, Section 8(h), Fla. Const., 112.322(10), FS.

Law Implemented Art. II, Section 8(a), (h), Fla. Const., 112.3144 and 112.312, FS.

History--New 4-7-77, Amended 10-3-84, Formerly 34-8.04, Amended 8-7-94.

34-8.005 Disclosure of Sources and Amounts of Income.

The Commission shall prescribe as part of CE Form 6 provisions for the disclosure of sources and amounts of income and for the disclosure of secondary sources of income as required by Article II, Section 8(a) and (h) of the Florida Constitution.

- (1) The form for disclosure of income sources shall provide for the disclosure of the name and address of each source of income which exceeds \$1,000 received by the officer or candidate or by any person for the officer's or candidate's benefit and use during the previous tax year. The form also shall provide for disclosure of the amount of income received from each source and shall provide for the officer's or candidate's oath verifying the information contained in the completed form.
- (2) A "secondary source of income" shall mean any one customer, client or other source of income which provides in excess of 10% of the total income of a business entity, as shown on that business entity's most recently filed income tax return, during the previous tax year in which a person subject to full and public disclosure of financial interests own in excess of five percent (5%) of the business entity's total assets or capital stock and from which such person derived in excess of \$1,000 income during the previous tax year.
- (3) The form for disclosure of secondary sources of income shall provide for the officer's or candidate's oath verifying the information contained in the completed form.

Specific Authority Art. II, Section 8(h), Fla. Const., 112.322(10), FS.

Law Implemented Art. II, Section 8(a) and (h), Fla. Const.

History--New 4-7-77, Formerly 34-8.05.

34-8.006 Income Valuation.

The method of determining one's income for purposes of disclosure under this chapter shall be in accordance with this rule.

- (1) A reporting official choosing to file his most recent federal income tax return shall prepare such return pursuant to the Internal Revenue Code of 1954, Title 26, United States Code, as amended.
- (2) Reporting officials choosing to file a sworn statement disclosing all sources and amounts of income in excess of \$1,000 shall follow federal income tax principles pursuant to the Internal Revenue Code of 1954, Title 26, United States Code, as amended.

Specific Authority Art. II, Section 8(h), Fla. Const., 112.322(10), FS.

Law Implemented Art. II, Section 8(a) and (h), Fla. Const.

History--New 5-17-77, Formerly 34-8.06.

34-8.007 Choosing to File Copy of Income Tax Return.

- (1) A reporting official who chooses to file a copy of his or her most recent income tax return with the CE Form 6 shall include copies of all schedules and forms that were included with or attached to the official's return when it was filed with the I.R.S.
- (2) If a reporting official has filed a copy of his or her most recent federal income tax return with the Commission on Ethics in lieu of disclosing his sources of income pursuant to this chapter and that return is amended voluntarily, adjusted through I.R.S. examination or altered in any other way, the official shall file with the Commission a copy of such amended, adjusted or altered return following its filing with the I.R.S., using the form prescribed in Rule 34-8.009.

Specific Authority Art. II, Section 8, Fla. Const., 112.3144, 112.322(9), FS.

Law Implemented Art. II, Section 8, Fla. Const.

History--New 5-17-77, Formerly 34-8.07, Amended 8-7-94, 7-2-00, 11-07-01.

34-8.008 Final Filing.

- (1) Each person who is required to file full and public disclosure of financial interests shall, within 60 days of leaving his or her public position, file with the Commission a final disclosure statement covering the period between January 1 of the year in which the person leaves and his or her last day in the position, unless he or she takes another position within that 60-day period which requires full and public disclosure. The final filing shall be on the form prescribed by the Commission, CE Form 6F, adopted by reference in Rule 34-7.010, F.A.C.
- (2) If the due date prescribed for a final filing falls on a Saturday, Sunday, or legal holiday designated in Section 110.117, F.S., then the due date shall be extended to the next day which is not a Saturday, Sunday, or legal holiday designated in Section 110.117, F.S.

Specific Authority 112.3144, 112.3147, 112.322(9), F.S.

Law Implemented 112.3144(5), F.S.

History--New 11-07-01.

34-8.009 Amended Filing.

- (1) A person may amend his or her full and public disclosure of financial interests to add to or modify the information reported on the form as originally filed at any time after filing the disclosure form. The amended filing shall be filed with the same office where the original form was filed and shall be on the form prescribed by the Commission, CE Form 6X, adopted by reference in Rule 34-7.010, F.A.C.
- (2) If the amendment is the subject of a complaint filed against the reporting person, the Commission shall consider the timing of the amendment as a mitigating factor, as provided in Section 112.3144, F.S.

Specific Authority 112.3144(6), 112.3147, 112.322(9), F.S.

Law Implemented 112.3144(6), F.S.

History--New 11-07-01.

34-8.010 A Guide to the Sunshine Amendment and Code of Ethics for Public Officers, Candidates and Employees.

Specific Authority 120.53(1)(b) FS.

Law Implemented 120.53(1)(b), 112.3143, 112.3145, 112.3147, 112.320, 112.322(2)(a), 112.324 FS.

History--New 4-11-76, Amended 2-23-77, Repealed 9-21-77, Formerly 34-8.10.

34-8.011 Penalties for Late Filing.

- (1) Upon determining that a CE Form 6 has been filed after the due date or that the maximum fine has accrued, Commission staff shall send a notice by U.S. Mail notifying the delinquent person of the failure to timely file, of the amount of the payment due for the accrued fine, and of the person's right to appeal or dispute the fine as provided in Rule 34-8.015.
- (2) The fine shall be \$25 per day for each late day, up to a maximum of \$1,500. Commission staff shall determine the amount of the fine due based upon the earliest of the following:
 - (a) When the CE Form 6 is actually received by the Commission;
 - (b) When the CE Form 6 is postmarked;
 - (c) When the certificate of mailing is dated; or
 - (d) When the receipt from an established courier company is dated.
- (3) The fine must be paid within 30 days after the notice of payment due is transmitted, unless appeal is made to the Commission as provided in Rule 34-8.015. Commission staff shall deposit all fine moneys into the General Revenue Fund.
- (4) Fines which are not waived pursuant to Rule 34-8.015, F.A.C., by final order of the Commission and which remain unpaid more than 60 days after the notice of payment due is transmitted or which remain unpaid more than 60 days after the Commission renders a final order on the appeal will be referred to the Department of Banking and Finance for collection.

Specific Authority 112.3144, 112.322(9), FS.

Law Implemented 112.3144, FS.

History--New 11-07-01.

34-8.015 Appeal of Statutory Fines: Hearings, Unusual Circumstances.

(1) A person who chooses to appeal or dispute a fine imposed in accordance with Section 112.3144, Florida Statutes, shall file with the Commission a notice of appeal within 30 days of the date the notice of payment due is transmitted, setting out with specificity the unusual circumstances surrounding the failure to file by the due date. The notice of appeal may be accompanied by any documentation or evidence supporting the claim, but must be received by the Commission no later than 30 days after the date the notice of payment due is transmitted.

- (2) Failure to timely file a notice of appeal as described herein shall constitute a waiver of any such entitlement. A final order of waiver shall be promptly entered by the chair of the Commission without the necessity of any further action being taken by the Commission.
- (3) A person who seeks a hearing before the Commission shall include in the notice of appeal a separate request for hearing. If no request for hearing is included in the notice of appeal, the Commission's determination shall be based on the notice and any supporting information and shall be final agency action. If a separate request for hearing is included in the notice, notice of hearing shall be provided and the Commission's determination after hearing shall be final agency action. Failure to appear in accordance with the notice of hearing shall constitute a waiver of such entitlement, and the Commission shall dispose of the case on the written record before it.
- (4) "Unusual circumstances" means uncommon, rare or sudden events over which the reporting individual had no control and which directly result in the failure to act in accordance with the filing requirements. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirements shall be deemed not to constitute unusual circumstances.

Specific Authority 112.3144, 112.322(9), FS.

Law Implemented 112.3144, FS.

History--New 11-07-01.

PART II STATEMENT OF FINANCIAL INTERESTS (PURSUANT TO SEC. 112.3145, FLA. STAT.)

34-8.202 General Rules for Filing a Statement of Financial Interests.

- (1) A person who was a local officer as defined in Section 112.3145, F.S., on December 31st of a year must file by July 1 of the following year a statement of financial interests on the form prescribed by the Commission, CE Form 1, adopted by reference in Rule 34-7.010, F.A.C., with the supervisor of elections in the county where he or she permanently resides, or, if the person does not permanently reside in Florida, with the supervisor of elections in the county of his or her agency's headquarters.
- (2) A person who was a state officer or a specified state employee as defined in Section 112.3145, F.S., on December 31st of a year must file with the Commission by July 1 of the following year a statement of financial interests on the form prescribed by the Commission, CE Form 1, adopted by reference in Rule 34-7.010, F.A.C.

- (3) A person who assumes a public position defined in Section 112.3145, F.S., as a state officer, specified state employee, or local officer must file within 30 days of taking that position a statement of financial interests on the form prescribed by the Commission, CE Form 1, adopted by reference in Rule 34-7.010, F.A.C., provided that any person whose appointment is subject to confirmation by the Senate shall file prior to confirmation hearings or within 30 days from the date of appointment, whichever comes first. The disclosure statement of a state officer or specified state employee must be filed with the Commission. The disclosure statement of a local officer must be filed with the supervisor of elections in the county where he or she permanently resides, or, if the person does not permanently reside in Florida, with the supervisor of elections in the county of his or her agency's headquarters.
- (4) Disclosure forms filed under (1) or (2), above, must be filed no later than 5:00 p.m. on the due date. However, any disclosure that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company which bears a date on or before the due date, shall also be proof of mailing in a timely manner.
- (5) If the due date prescribed by statute for a filing under (1), (2), or (3), above, falls on a Saturday, Sunday, or legal holiday designated in Section 110.117, F.S., then the due date shall be extended to the next day which is not a Saturday, Sunday, or legal holiday designated in Section 110.117, F.S.
- (6) A candidate for an elective state or local office specified in Section 112.3145, Florida Statutes, must file with the officer before whom he or she qualifies a statement of financial interests on the form prescribed by the Commission, CE Form 1, adopted by reference in Rule 34-7.010, F.A.C., together with and at the same time he or she files qualifying papers as a candidate.

Specific Authority 112.3145, 112.3147, 112.322(9), FS.

Law Implemented 112.3145, FS.

History--New 11-07-01.

34-8.208 Final Filing.

(1) Each person who is required to file a statement of financial interests (CE Form 1) shall, within 60 days of leaving his or her public position, file a final statement covering the period between January 1 of the year in which the person leaves and his or her last day in the position, unless he or she takes another position within that 60 day period which requires filing either a statement of financial interests or full and public disclosure covering that disclosure period.

- (2) The final filing shall be on the form prescribed by the Commission, CE Form 1F, adopted by reference in Rule 34-7.010, F.A.C.
- (3) The final statement of financial interests of a state officer or specified state employee shall be filed with the Commission. The final statement of a local officer shall be filed with the supervisor of elections in the county where he or she permanently resides, or, if the person does not permanently reside in Florida, with the supervisor of elections in the county of his or her agency's headquarters.
- (4) If the due date for a final filing falls on a Saturday, Sunday, or legal holiday designated in Section 110.117, F.S., then the due date shall be extended to the next day which is not a Saturday, Sunday, or legal holiday designated in Section 110.117, F.S.

Specific Authority 112.3147, 112.322(9), F.S.

Law Implemented 112.3145(2)(b), F.S.

History--New 11-07-01.

34-8.209 Amended Filing.

- (1) A person may amend his or her statement of financial interests to add to or modify the information reported on the form as originally filed at any time after filing the disclosure form. The amended statement shall be filed with the same office where the original form was filed and shall be made on the form prescribed by the Commission, CE Form 1X, adopted by reference in Rule 34-7.010, F.A.C.
- (2) If the amendment is the subject of a complaint filed against the reporting person, the Commission shall consider the timing of the amendment as a mitigating factor, as provided in Section 112.3145, F.S.

Specific Authority 112.3145(9), 112.3147, 112.322(9), F.S.

Law Implemented 112.3145(9), F.S.

History--New 11-07-01.

34-8.210 Penalties for Late Filing.

(1) Upon determining that a CE Form 1 has been filed after the due date or that the maximum fine has accrued, Commission staff shall send a notice by U.S. Mail notifying the delinquent person of the failure to timely file, of the amount of the payment due for the accrued fine, and of the person's right to appeal or dispute the fine as provided in Rule 34-8.015.

- (2) The fine shall be \$25 per day for each late day, up to a maximum of \$1,500. Commission staff shall determine the amount of the fine due based upon the earliest of the following:
 - (a) When the CE Form 1 is actually received by the Commission;
 - (b) When the CE Form 1 is postmarked;
 - (c) When the certificate of mailing is dated; or
 - (d) When the receipt from an established courier company is dated.
- (3) The fine must be paid within 30 days after the notice of payment due is transmitted, unless appeal is made to the Commission as provided in Rule 34-8.015. Commission staff shall deposit all fine moneys into the General Revenue Fund.
- (4) Fines which are not waived pursuant to Rule 34-8.215, F.A.C., by final order of the Commission and which remain unpaid more than 60 days after the notice of payment due is transmitted or which remain unpaid more than 60 days after the Commission renders a final order on the appeal will be referred to the Department of Banking and Finance for collection.

Specific Authority 112.3145(6)(f), 112.322(9), FS.

Law Implemented 112.3145, FS.

History--New 11-07-01.

34-8.215 Appeal of Statutory Fines: Hearings, Unusual Circumstances.

- (1) A person who chooses to appeal or dispute a fine imposed in accordance with Section 112.3145, Florida Statutes, shall file with the Commission a notice of appeal within 30 days of the date the notice of payment due is transmitted, setting out with specificity the unusual circumstances surrounding the failure to file by the due date. The notice of appeal may be accompanied by any documentation or evidence supporting the claim, but must be received by the Commission no later than 30 days after the date the notice of payment due is transmitted.
- (2) Failure to timely file a notice of appeal as described herein shall constitute a waiver of any such entitlement. A final order of waiver shall be promptly entered by the chair of the Commission without the necessity of any further action being taken by the Commission.
- (3) A person desiring a hearing before the Commission shall include in the notice of appeal a separate request for hearing. If no request for hearing is included in the notice of appeal, the Commission's determination shall be based on the notice and any

supporting information and shall be final agency action. If a separate request for hearing is included in the notice, notice of hearing shall be provided and the Commission's determination after hearing shall be final agency action. Failure to appear in accordance with the notice of hearing shall constitute a waiver of such entitlement, and the Commission shall dispose of the case on the written record before it.

(4) "Unusual circumstances" means uncommon, rare or sudden events over which the reporting individual had no control and which directly result in the failure to act in accordance with the filing requirements. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirements shall be deemed not to constitute unusual circumstances.

Specific Authority 112.3145(6)(f), 112.322(9), FS.

Law Implemented 112.3145, FS.

History--New 11-07-01.

Lee County Florida Commission on Ethics ncial Disclosure Notification Sy



Financial Disclosure Notification System Delinquency Certification (2004)

This is a list of all delinquent Lee County filers. The date indicated in the "Form Receipt Date" column is the date the form was received in this office. Any filers with no date indicated have not filed.

200	70		Les Coulty	CIEROIA	Lawrence	8128/		28
7 6	4×	ruichashig Agent	Cape Coral		andry	24997	9/22/04	27
i k	16		Lee County	ľ	inski	53564 V		26
i k	**		Lee County	L				25
, E	46		Lee County	lie	Johnson	83593		24
Lee	46		Lee County	Patrick	V Hayhurst	83592 V		23
Lee	46	Commissioner	Lehigh Acres Fire & Rescue Dst.	Steven		69620 V		22
Ęę	46		Fort Myers Housing Authority, City Of	Johnathan	U Gray	53057 v		21
Lee	46		Lee County, School District Of	Robert	V Géorge	70908		20
Lee	46	Assistant Secretary	Miromar Lakes CDD	Michael	Elgin	84110 🗸		19
Lee	46		Fort Myers	Tom	Economou	19830		18
Lee	46		Lee County	Keith	L Denning	83585		17
Lee	46		Fort Myers	Stephen	Cunningham	66970	_	16
Lee	46	Assistant Secretary	Heritage Palms CDD	Joseph	\sim	71696 🗸		15
Lee	46		Fort Myers	Melissa l	Creasy	55024		14
Lee	46		Fort Myers	Gordon	Colson	85522 🗸		13
Lee	46		Lee County	Jill	Ofark	36748		12
Lee	46	Local Planning Agency	Fort Myers Beach	Anita	Qereceda	80561	10/15/04	11
Lee	46		Lee County	Ray	Carlson	64432		10
Lee	46		Lee County, School District Of	Carl	Byrnside	6848		9
Lee	46		Lee County Housing Authority	Shirley	Burns	67577	9/11/04	8
E E E	46		Lee County Housing Authority	Shirley	Burns	71036	9/11/04	7
Lee	46	Chairman	Heritage Palms CDD	Constantine	∨ Benetis	64985 🕨	9/3/04	6
Lee	46	Chairman	Stoneybrook CDD	Constantine	Benetis	64995 🗸	9/3/04	5
Ę	46	Assistant Secretary	Heritage Harbour South Community Development Dst.	Constantine	Benetis	83327 V	9/3/04	4
Lee	46		Lee County	Mike	Bell	81322		3
Lee	46		Fort Myers Shores Fire & Rescue Svce.		Anderson	4729 V		2
Lee	46	Chairman	CFM Community Development District		Alderman	81031	9/9/04	1
County	Filing County	Title	Organization	First Name	Last Name	ID	Form Receipt Date	Record Number

http://busing.athion.otata_fl.iis/financial_disclosure/RIDOweh/SOE/results_all_cert.acn

8

nni.	Cascades Estero Community Development	y Development Cascades Sales Center
Port Autho	Lee County Port Authority	Port Authority
		Chair
Lee County	,	,
rings Fire C	Bonita Springs Fire C & R Dist.	rings Fire C & R Dist. Trustee Pension Board
Lee County	y	y
Lee County	Y	y
Fort Myers		

36 Records Listed

appears above or on the attached list: Sharon L. Harrington, the Supervisor of Elections of Lee County, hereby certify that each person whose ID number, name, agency, and position

- (1) was sent a notice of the July 1, 2004 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2004;
- (2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2004;
- (3) was sent a delinquency notice by certified mail not later than July 31, 2004 advising him or her of the grace period in effect until September 1, 2004; and of the penalties that could be imposed as provided in Section 112,3145(6)(c), Florida Statutes; and
- (4) did not file a Form 1, Statement of Financial Interests, until the date shown or, had not filed a Form 1, Statement of Financial Interests by October 31, 2004; and
- (5) that the date of filing shown is based upon the earliest of the following:
- (a) when the Form 1 was actually received by my office;
- (b) when the Form 1 was postmarked;
- (c) when the certificate of mailing (if any) was dated; or (d) when the receipt (if any) from an established conrier company was dated.

SUPERVISOR OF ELECTIONS
By: Bernie R. Feliciano, Qualifying Officer

Lee County Supervisor of Elections Office

Bernie Feliciano

From:

"Bernie Feliciano" <bfeliciano@leeelections.com>

To:

"BONNIE WILLIAMS" < WILLIAMS.BONNIE@leg.state.fl.us>

Sent:

Wednesday, June 08, 2005 9:09 AM

Subject:

Fw: Sean O'Connell

Hey Bonnie,

I was supposed to send this to you and sent it to myself instead.

Bernie Feliciano Qualifying Officer Lee County Elections Office bfeliciano@leeelections.com 239-533-6304 Direct 239-533-6300 Main 239-533-6310 Facsimile Visit Our Website At: www.leeelections.com ---- Original Message -----From: Bernie Feliciano

To: Bernie Feliciano

Sent: Wednesday, May 25, 2005 5:47 PM

Subject: Re: Sean O'Connell

Hi Bonnie,

Mr. O'Connell was in my office today. He provided me with copies or letters that he mailed to our Board of County Commissioners where he set forth a resignation date from the Page Park Neighborhood Association District of July 21, 2004.

He completed a Form 1F FINAL for the time period he served on the board (01-01-04 through 07-21-04) and has filed this form with our office on 05-26-05. His name currently appears on our list of filers for this year, however, the resignation date on the letter he submitted to the Lee County BOCC is July 21, 2004.

His name should not appear on our list of filers. Please advise.

Bernie Feliciano Qualifying Officer Lee County Elections Office bfeliciano@leeelections.com 239-533-6304 Direct 239-533-6300 Main 239-533-6310 Facsimile Visit Our Website At: www.leeelections.com

---- Original Message -----From: Bernie Feliciano To: WILLIAMS.BONNIE

Sent: Thursday, May 05, 2005 4:46 PM

Subject: Re: Sean O'Connell

Hi Bonnie.

Mr. O'Connell's certified mail return receipt was not received by our office, however, the mail piece was returned to our office. The original mail piece was mailed to Sean O'Connell at 110 Danley Dr, Fort Myers FL 33907 on 07-31-04. This is also his voter registration address of record since 1992.

It was returned as UNCLAIMED on 08-25-04. The post office made left 3 notices for Mr. O'connell on 08-12, 08-16, and 08-19.

The returned mail piece that was again mailed via standard mail to Mr. O'Connell's address of record on 08-25-04. I will fax you a copy of the envelope shortly.

Bernie Feliciano Qualifying Officer Lee County Elections Office 239-339-6304 direct 239-339-6300 main 239-339-6310 facsimile bfeliciano@leeelections.com

---- Original Message ----From: WILLIAMS.BONNIE

To: Bernie Feliciano

Sent: Thursday, May 05, 2005 4:21 PM

Subject: Sean O'Connell

Hi, Bernie:

Mr. Sean O'Connell tells me that he has spoken with you and learned that you received back neither a return receipt nor a returned envelope related to his certified notice last summer to file disclosure. Is that true?

Bonnie

Bernie Feliciano

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"Bernie Feliciano" <bfeliciano@leeelections.com>

To:

"BONNIE WILLIAMS" < WILLIAMS.BONNIE@leg.state.fl.us>

Sent:

Wednesday, May 25, 2005 5:51 PM

Subject:

Sean O'Connell

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Bernie Feliciano

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Bonnie

Street, Apt. No.; or PO Box No. City, State, ZiP+ 4 Sent To Restricted Delivery Fee (Endorsement Require-1) Return Receipt Fee (Endorsement Required) Total Postage & Fo U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided) Certified Fee Postage m Fort Myers FL 33907 110 Danley Drive Sean O'Connell D m et was NoT

S Form 3800, January 2001



87.44 0360 0000

SUPERVISOR OF ELECTIONS IN THE WELLINGER / FILE P O BOX 2545 FORT SYERS FL 33902-2545

HARTEN U.S. POSTAGE

STREET / NOTES

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SUPERVISOR OF ELECTIONS 2004 AUG 25 PM 1: 07

Remarced 8-25-04

O'CONNELL, SEAN D 110 DANLEY DR FORT MYERS FL 33907

84-014534

110 Danley Drive Fort Myers FL 33907

JNCLAIMED

SUPPRISOR OF ELECTIONS

Sean O'Connell

SOUN AND S2 PM 2: 55

BECEINED

Bernie Feliciano

From:

"DOSS.VIRLINDIA" < DOSS.VIRLINDIA@leg.state.fl.us>

To:

"Bernie Feliciano" <bfeliciano@leeelections.com>

Sent:

Tuesday, May 03, 2005 3:56 PM

Subject:

FW: Financial Disclosure Appeal --Robert M. George

Never mind! I've just been handed the fax. You are too fast. Thanks again!

From: DOSS.VIRLINDIA

Sent: Tuesday, May 03, 2005 3:54 PM

To: 'Bernie Feliciano'

Subject: RE: Financial Disclosure Appeal --Robert M. George

Thank you. Can you please fax me a copy of the envelope bearing the unclaimed stamp? Thanks.

From: Bernie Feliciano [mailto:bfeliciano@leeelections.com]

Sent: Tuesday, May 03, 2005 3:52 PM

To: DOSS.VIRLINDIA

Subject: Re: Financial Disclosure Appeal -- Robert M. George

Virlindia.

Mr. George's delinquent notice was mailed, to him, on July 31, 2004. Our records indicate that Mr. George DID NOT claim his notice at the post office and that the notice, by certified mail was mailed to Robert Michael George at 1415 Sandra Drive, Fort Myers FL 33901 which has been his address of record since he registered to vote in Lee County in 1996.

His original delinquent notice was returned to our office as UNCLAIMED on August 25, 2004 and said notice was remailed via standard mail on August 25, 2004 to Mr. George's address of record.

Bernie Feliciano
Qualifying Officer
Lee County Elections Office
239-339-6304 direct
239-339-6300 main
239-339-6310 facsimile
bfeliciano@leeelections.com

---- Original Message ----- From: DOSS.VIRLINDIA

To: <u>bfeliciano@leeelections.com</u>
Sent: Thursday, April 28, 2005 2:51 PM

Subject: Financial Disclosure Appeal -- Robert M. George

Attention Bernie Feliciano

Dear Mrs. Feliciano:

I have been assigned the above-referenced appeal of fines assessed against Robert M. George for failure to timely file his 2003 Form 1 as an employee of the Lee County School District.

Can you advise whether Mr. George signed the certified mail receipt which accompanied the delinquency notice? And would you please fax me a copy of the signed receipt or the unclaimed or returned envelope?

Thank you so much for your help.

Sincerely,

Virlindia Doss 850/488-7864 (phone) 850/488-3077 (fax)

Bernie Feliciano

From:

"TAYLOR.SHIRLEY" <TAYLOR.SHIRLEY@leg.state.fl.us>

To:

"Bernie Feliciano" <bfeliciano@leeelections.com>

Sent:

Tuesday, March 01, 2005 4:40 PM

Subject:

RE: JONATHAN GRAY

Thanks,

From: Bernie Feliciano [mailto:bfeliciano@leeelections.com]

Sent: Tuesday, March 01, 2005 3:42 PM

To: TAYLOR.SHIRLEY Subject: JONATHAN GRAY

Shirley,

We did not received a signed receipt on Jonathan Gray's delinquent notice. The notice was returned on 08-12-04 as undeliverable.

The notice was remailed via standard USPS on 08-12-04 to the address on his voter registration record at the time:

4412 Birmingham Street Fort Myers FL 33905

That mailing was not returned by the post office, however, our records indicate that Mr. Gray was removed from Lee County voter registration records on 01-11-2005 because we received information that he was registered to vote in Prince William County, Virginia.

Bernie Feliciano Qualifying Officer Lee County Elections Office 239-339-6304 direct 239-339-6300 main 239-339-6310 facsimile bfeliciano@leeelections.com

---- Original Message ---From: TAYLOR.SHIRLEY
To: Bernie Feliciano

Sent: Tuesday, March 01, 2005 9:36 AM

3/1/05

HI Bernie:

Another appeal. I need to obtain copy of certified mail receipt for Johnathan Gray, Fort Myers Housing Authority.

Thanks, Shirley

SHIRLEY A. TAYLOR PROGRAM MANAGER FLORIDA COMMISSION ON ETHICS POST OFFICE DRAWER 15709 TALLAHASSEE, FL 32317-5709 (850) 488-7864 1-800-262-8824

FORM 1 F

FINAL STATEMENT OF FINANCIAL INTEREST

2004

(TO BE FILED WITHIN 60 DAYS OF LEAV	ING PUBLIC OFFICE OFFICE OFFICE (MENT)
LAST NAME — FIRST NAME — MIDDLE NAME: 84-014534 O'CONNELL, SEAN D 110 DANLEY DR FORT MYERS FL 33907 —	NAME OF REPORTING PERSON'S AGENCY: PAGE PACK NDC CHECK ONE OF THE FOLLOWING (see "Who Must File" on page 3): LOCAL OFFICER STATE OFFICER SPECIFIED STATE EMPLOYEE LIST OFFICE OR POSITION HELD: MUMBLE MUMBLE LIST OFFICE OR POSITION HELD:
DISCLOSURE PERIOD: THIS STATEMENT REFLECTS MY FINANCIAL INTERESTS FOR THE PERIOD OFFICE OR EMPLOYMENT DESCRIBED ABOVE, WHICH DATE WAS MANNER OF CALCULATING REPORTABLE INTERESTS: THE LEGISLATURE ALLOWS FILEDS THE OPTION OF LISING REPORTING	THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES CH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for
PART B SECONDARY SOURCES OF INCOME [Major sources of income SOUR ADDREST OF INCOME MAJOR SOURCES OF INCOME [Major customers, or name of NAME OF MAJOR SOURCES OF BUSINESS ENTITY OF BUSINESS' INCOME	CE'S DESCRIPTION OF THE SOURCE'S
PART C REAL PROPERTY [Land, buildings owned by the reporting p	FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2. INSTRUCTIONS on who must file this form and how to fill it out begin on page 3 of this packet. OTHER FORMS you may need to file are described on page 6.

PART D — INTANGIBLE PERSONAL PROP		NOVETUS OR OR OR OR OF LATEO	
TYPE OF INTANGIBLE	IRA/Easton	WY KONAK	
		- 10 · 10 · 10 · 10 · 10 · 10 · 10 · 10	
PART E — LIABILITIES [Major debts] NAME OF CREDITOR	1 / ADDRE&S	OF CREDITOR	
Bank america	Cost mirers th	_ 239	
Dura VVIII Co	1		
PART F — INTERESTS IN SPECIFIED BUS	INESSES [Ownership or positions in certain types of	businesses	
	SS ENTITY # 1 BUSINESS ENTITY #		
NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY	N		
PRINCIPAL BUSINESS	1/1		
ACTIVITY POSITION HELD	-H		
WITH ENTITY I OWN MORE THAN A 5%	-		
INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			
IF ANY OF PARTS A THROUGH I	F ARE CONTINUED ON A SEPARATE SHE	ET, PLEASE CHECK HERE	
		/	
SIGNATURE:	DATES	SIGNED: 05/2/2/05	
		06/01/02	
		/	
	FILING INSTRUCTIONS:		
		:	
WHAT TO FILE:	WHERE TO FILE:	NOTE:	
After completing all parts of this form on pages 1 and 2, including signing and dating it,	Local officers: file with the Supervisor of Elections of the county in which you perma-	If you are leaving office or employment during the first half of the year, you may not	
send back only the first sheet for filing (you need	nently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county	have filed Form 1 for the previous calendar year. In that case, this is not the last form	
not return any of the instruction pages).	where your agency has its headquarters.)	you will file, even though the Form 1F cov-	
WHEN TO FILE: At the end of office or employment each local officer, state officer, and specified state	State officers or specified state employ- ees: file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709.	ers the final portion of your term of office or employment. You will be required to file Form 1 for the provious calendar year by	
employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office	To determine what category your position	July 1 of this pearl	
or employment, unless you take another posi-	falls under, see the "Who Must File" Instructions on page 3.	K	
tion within the 60-day period that requires you to file financial disclosure on Form 1 or Form		日日等夏子日	
6.		日 雪岭 号 日	

CE FORM 1 F - Eff. 1/2004

FORM 1		STATEM	IENT OF		2003
Please print or type your name, mailing address, agency name, and position be		FINANCIAL	INTERES	STS	
LAST NAME FIRST NAME MIDI	OLE NAM	- ·	ein t	OR OFFICE	1AR -4 AM 10: 23
MAILING ADDRESS :	324		PIN I		VISOR OF ELECTIONS
110 DANLEY					
FINTERS FA	~2.5	907	7-	l ID	Code
CITY:	ZIP		. C		
NAME OF ACENOV.				IDI	No.
NAME OF AGENCY:				Cor	nf. Code
NAME OF OFFICE OR POSITION H	ELD OR S	SOUGHT :		P. F	Req. Code
CHECK IF CANDIDATE OR		NEW EMPLOYEE OR APPOIN	NTEE		
A FISCAL YEAR. PLEASE STATE B DECEMBER 31, 20 MANNER OF CALCULATING REPO	ELOW WH 03 RTABLE 1	IAL INTERESTS FOR THE PI TETHER THIS STATEMENT IS OR SPECIFY NTERESTS:	S FOR THE PRECEDING 'TAX YEAR IF OTHER T	TAX YEAR ENTHAN THE CAL	ENDAR YEAR: 12 31 64
REQUIRES FEWER CALCULATION instructions for further details). PLEA COMPARATIVE (PERCENTA)	S, OR US SE STATE	SING COMPARATIVE THRES EBELOW WHETHER THIS ST	HOLDS, WHICH ARE UTATEMENT REFLECTS F	SUALLY BASE THER (check	•
				DOLLAR	VALUE THRESHOLDS
PART A PRIMARY SOURCES OF NAME OF SOURCE OF INCOME	INCOME	sou	he reporting person] RCE'S PRESS		SCRIPTION OF THE SOURCE'S RINCIPAL BUSINESS ACTIVITY
NEND HOLDINGS	<u>CTJ</u>	7000x 6	2087	PROF	PERTY MEMT
		FT MIPRI	FLA 33	704	3
					·
PART B SECONDARY SOURCES NAME OF BUSINESS ENTITY	NAM	ME [Major customers, clients, E OF MAJOR SOURCES BUSINESS' INCOME	and other sources of inco ADDRESS OF SOURC	3	ses owned by the reporting person] PRINCIPAL BUSINESS ACTIVITY OF SOURCE
GARY SMOON			ENTRADA F	JUE	WOOD FLOORS
WOOD FLOOR			FORTHER F	A 339	١,
, , , , , , , , , , , , , , , , , , , ,					
PART C REAL PROPERTY [Land,	buildings	owned by the reporting person	n]	and w	IG INSTRUCTIONS for when here to file this form are locat- the bottom of page 2.
					RUCTIONS on who must file orm and how to fill it out begin ge 3.
					ER FORMS you may need to e described on page 6.

PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc.] TYPE OF INTANGIBLE BUSINESS ENTITY TO WHICH THE PROPERTY RELATES						
STOCKS	T.		SAIL			
PART E — LIABILITIES [Major debts] NAME OF CREDITOR ADDRESS OF CREDITOR						
RAW AMERICA FOR MYERS TOLA						
1910101111						
PART F — INTERESTS IN SPECI	FIED BUSINESSES [Ownership or	positions in certain types of businesses]				
	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2	BUSINESS ENTITY # 3			
NAME OF BUSINESS ENTITY	NA					
ADDRESS OF BUSINESS ENTITY	V					
PRINCIPAL BUSINESS ACTIVITY						
POSITION HELD WITH ENTITY						
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS						
NATURE OF MY OWNERSHIP INTEREST						
IF ANY OF PARTS A THROUGH F ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE						
SIGNATURE (required):	30a	DATE SIGNED	(required): //3//05			
	<u>FILING</u>	INSTRUCTIONS:				
WHAT TO FILE:	WHERE TO	O FILE: WH	EN TO FILE:			

After completing all parts of this form, including signing and dating it, send back only the first sheet (pages 1 and 2) for filing.

NOTE:

MULTIPLE FILING UNNECESSARY:

Generally, a person who has filed Form 1 for a calendar or fiscal year is not required to file a second Form 1 for the same year. However, a candidate who previously filed Form 1 because of another public position must at least file a copy of his or her original Form 1 when qualifying.

If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location.

Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.)

State officers or specified state employees file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709.

Candidates file this form together with their qualifying papers.

To determine what category your position falls under, see the "Who Must File" Instructions on page 3.

Initially, each local officer/employee, state officer, and specified state employee must file within 30 days of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

Candidates for publicly-elected local office must file at the same time they file their qualifying papers.

Thereafter, local officers/employees, state officers, and specified state employees are required to file by July 1st following each calendar year in which they hold their positions

Finally, at the end of office or employment, each local officer/employee, state officer, and specified state employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office or employment.

Bernie Feliciano

From: "Bernie Feliciano" <bfeliciano@leeelections.com>

To: "BONNIE WILLIAMS" < WILLIAMS.BONNIE@leg.state.fl.us>

Sent: Wednesday, May 25, 2005 5:51 PM

Subject: Sean O'Connell

Subject: Re: Sean O'Connell

Hi Bonnie,



Mr. O'Connell was in my office today. He provided me with copies or letters that he mailed to our Board of County Commissioners where he set forth a resignation date from the Page Park Neighborhood Association District of July 21, 2004.

He completed a Form 1F FINAL for the time period he served on the board (01-01-04 through 07-21-04) and has filed this form with our office on 05-26-05. His name currently appears on our list of filers for this year, however, the resignation date on the letter he submitted to the Lee County BOCC is July 21, 2004.

His name should not appear on our list of filers. Please advise.

Bernie Feliciano Qualifying Officer Lee County Elections Office bfeliciano@leeelections.com 239-533-6304 Direct 239-533-6300 Main 239-533-6310 Facsimile Visit Our Website At: www.leeelections.com

----- Original Message -----From: Bernie Feliciano To: WILLIAMS BONNIE

Sent: Thursday, May 05, 2005 4:46 PM

Subject: Re: Sean O'Connell

Hi Bonnie,

Mr. O'Connell's certified mail return receipt was not received by our office, however, the mail piece was returned to our office. The original mail piece was mailed to Sean O'Connell at 110 Danley Dr, Fort Myers FL 33907 on 07-31-04. This is also his voter registration address of record since 1992.

It was returned as UNCLAIMED on 08-25-04. The post office made left 3 notices for Mr. O'connell on 08-12, 08-16, and 08-19.

The returned mail piece that was again mailed via standard mail to Mr. O'Connell's address of record on 08-25-04. I will fax you a copy of the envelope shortly.

Bernie Feliciano Qualifying Officer Lee County Elections Office 239-339-6304 direct 239-339-6300 main 239-339-6310 facsimile bfeliciano@leeelections.com

---- Original Message ----From: <u>WILLIAMS.BONNIE</u>

To: Bernie Feliciano
Sent: Thursday, May 05, 2005 4:21 PM
Subject: Sean O'Connell

Hi, Bernie:

Mr. Sean O'Connell tells me that he has spoken with you and learned that you received back neither a return receipt nor a returned envelope related to his certified notice last summer to file disclosure. Is that true?

Bonnie



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 652-7930

VIA CERTIFIED MAIL: 70022030000213454937

Bob Janes District One

October 8, 2004

Douglas R. St. Cerny District Two

Ray Judah District Three Mr. Sean O'Connell
110 Danley Drive, Suite 1

Andrew W. Coy District Four Fort Myers, Florida 33907

John E. Albion District Five Dear Mr. O'Connell:

Donald D. Stilwell County Manager

James G. Yaeger County Attorney

Diana M. Parker County Hearing Examiner This is in response to your letters dated September 1, 2004 and September 27, 2004 addressed to Commissioner St. Cerny.

Specifically, in your letter dated September 1, 2004, you requested an explanation as to why this Department got involved in the affairs of the Page Park Community Club meetings. You referenced the Neighborhood District Committee (NDC) meeting that I attended on March 10,2004 in Page Park and I addressed this matter with the NDC. My attendance at this meeting was a result of your telephone call on February 9, 2004 to John Bizelli, Planner with the Department of Human Services, informing him the County Attorney's Office was doing a "discovery investigation" in regards to the conveyance of Lots 6, 7, 8 and 12 to the Page Park Community Club.

This Department received a letter from the County Attorney's office dated January 26, 2004, which needed additional clarification and information. From the period of February 1998 until January 2001, this Department did work with the Page Park Community Club in an effort to establish supportive affordable housing in Page Park. Since this issue was being referenced in the information you provided to the County Attorney's office, this Department responded accordingly.

Additionally, I was requested to attend the NDC meeting by the Chair and address the issue of the land transaction. The transaction involved both the Page Park Community Club and the Neighborhood District Committee of which many of the members are on both. In accordance with Public Records law to refrain from comment is not an option.

Further, when the land was transferred on February 23, 1999, resolution number 99-02-43, states, "Whereas, Page Park Community Club, Inc. has formally made application to the Board of County Commissioners for the donation of certain Lee County real property for use as said organization not-for-profit deems appropriate." On January 28, 2000, the Page Park Community Club agreed to donate the land to the Department of Human Services for the supportive Housing Program. This action was needed in order for the Department to prepare an application for grant funding. In January 2001, the Department was notified that the grant was not awarded. The Page Park Community Club withdrew their offer to donate the land to the Department and it was ultimately sold. The original transfer of the property from the County to the Page Park Community Club did not stipulate a reversion clause.

Mr. Sean McConnell October 8, 2004 Page 2

The assessed valuation on each of the lots transferred is under \$15,000. Currently, being zoned residential would most likely prohibit a sale of the lots for \$150,000.

Please be advised that on March 12, 2004 information was sent to you regarding this matter via Certified Mail. It was returned to this department unclaimed.

I hope this answers your questions.

Sincerelx.

Karen B. Hawes, Director

Department of Human Services

C: Commissioner St.Cerny, District #2

Donald Stilwell, County Manager, County Administration Holly Schwartz, Assistant County Manager, County Administration Roger Mercado, Program Manager, Neighborhood Building

John Bizelli, Planner, Neighborhood Building

S:\NB\Np\Neighborhood Districts\PAGEPRK\O Connell letter.doc

September 27th 2004

Commissioner Doug St. Cerny
Lee County Board of County Commissioners

Dear Commissioner St.Cerny,

Thank you for your letter of Sept. 23. I appreciate your understanding of the severity of this issue. I do not want to inconvenience you or Ms Hawes with a special meeting, nor is it nesassary. A simple written response from Ms Hawes specific to the questions I raised would be sufficient, and I would be able to share her response with our group.

Ms. Hawes can mail her response to me at the address you have on file and also provide you a copy.

Thank you for your attention in this regard. Further I did receive a call form someone, the caller did not identify themselves and simple referenced your office and left your phone number. I have reviewed a copy of tape containing that message and there was nothing regarding the meeting that you have arranged.

Respectfully yours,

Sean O'Connell,

110 Danley Drive, Suite 1

Fort Myers, Florida 33907



JARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 335-2227

3ob Janes District One

Douglas R. St. Cerny District Two

Ray Judah District Three

Andrew W. Coy District Four

John E. Albion District Five

September 23, 2004

Donald D. Stilwell

County Manager

James G. Yaeger County Attorney

Diana M. Parker County Hearing Examiner

Mr. Sean O'Connell 110 Danley Drive, Suite 1 Fort Myers, FL 33907

Dear Mr. O'Connell:

Thank you for your correspondence of September 1st, received in my office on September 13th.

My assistant called and left a message on the answering machine at 939-0377 that I have arranged a meeting for you to come see me on Tuesday, October 26th at 4:15 p.m. Karen Hawes and Roger Mercado will also attend.

Please call my office at 335-2227 and let me know if you will attend. Thank you very much for your interest.

Sincerely

Vice Chairman

Sept 1st 2004

Commissioner Doug St Cerny
Lee County Board of County Commissioners

Dear Commissioner StCerny,

On July 21st of this year I sent you a letter setting forth my resignation form the post which you appointed me to namely the Page Park Neighborhood Development Committee. I outlined in that letter as the reason for my resignation, the improper behavior of the Dept. of Human Services and their costing the taxpayers of Lee County \$150,000.00.

I asked in that letter if you could prevail upon Linda Hawes of the Dept. of Human Services to explain the authority upon which she relied upon to interfere with a matter that was totally under the Page Park Community Club, a not for profit organization.

Since I had not heard anything from you, hurricane Charley not withstanding, I contacted your office and was told by your assistant the she only had a "vague recollection" of my letter. It would not be in the best interest of the citizens of Lee County that evidence that a County dept. cost the taxpayers \$150,000.00 through their failures, warrants only a "vague recollection."

We here in Page Park are in the process of formulating a community plan for the future of the Park, a plan that will cost the taxpayers of Lee County more money, and as such it is imperative that we have a clear explanation for Ms. Hawes, and I hope that you will be able to secure one for us.

I have attached another copy of my July 21st letter for you.

Respectfully yours,

Sean O'Connell,

110 Danley Drive, Suite 1

Fort Myers, Florida 33907

Commissioner Doug St Cerny
Lee County Board of County Commissioners

Dear Commissioner StCerny,

Thank you again for appointing me to the Page Park
Neighborhood Development Committee, (NDC). It had been my
intention to be part of this committee for the betterment of Page
Park. I have been active in the Park for over twenty five years and
am personally responsible for the expenditure of over a quarter of a
million dollars on improving properties in the Park, not including the
acquisition costs. Further I have been responsible for the majority of
new buildings being constructed in the Park and currently have
another underway.

Unfortunately given the conduct of the Dept. of Human Services and it's involvement with the Page Park NDC, I strongly want to remove my name from any association with those groups.

This stems from my inquires into the sale of tax payers land given to the Page Park Community Club, (separate and distinct from the NDC) by the Board of County Commissioners for, as represented by the Club, humanitarian uses, that didn't include selling the property. My inquire was why this land was sold by Page Park Community Club president Seymour Rouche to a local Realtor and

Appraiser's value, without the benefit of an appraisal, without the benefit of listing the property for sale, and without soliciting and excepting bids, and without following the stipulations imposed upon the sale by the members. Stu Silver paid \$30,000.00 for the property and has now made the property available for one hundred fifty thousand, (\$150,000.00). Attached is a copy of my letter to the board of the Page Park Community Club.

The board didn't follow the stipulations imposed on the sale by the members when the vote to approve the sale was made and I felt that since the Park is in the earlier stages of a community plan, then to enlist the impute and support of all the property owners, the property owners will have to be completely confident that the board of the Club will act to the letter of any vote for any proposed plan and or stipulations imposed by the property owners.

I have never received any written response to my letter.

Shortly after the letter was sent to the president of the Page Park Community Club, Seymour Rouche, a meeting of the Neighborhood Development Committee (NDC) was held. These two are separate and distinct groups and it was the Club that made application for the taxpayers land and it was the Club that took title to the land and it was the Club that sold the land. The NDC's name does not appear anywhere in any of these transactions. For some

reason my letter to the board of the Club was addressed at the NDC meeting.

The minutes show that Karen Hawes, of the Dept. of Human Services, addressed my inquire at that meeting. This is totally improper and very unsettling, first because the NDC and Dept. of Human services had nothing to do with the subject matter and the inquires in my letter, secondly the NDC is a small select appointed group and the members of the Club that voted on the sale and added the stipulations regarding the sale, are not part of nor where they present at the NDC meeting, and thirdly even if asked by the board members of the Club, the Dept. of Human services has no authority, nor position to be addressing Club activities and should have informed the Club immediately and refrained from involving themselves.

The minutes of the NDC meeting show that in response to my letter to the Club's board, Karen Hawes concluded "due diligence on the part of Page Park Community Club leadership."

Certainly Ms. Hawes was not speaking of the issues that I raised in my inquire to the board of the Club, namely the failure of the board to follow the stipulations imposed on the sale by the members and the failure of the board to follow any common sense steps to fulfill their fiduciary responsibilities.

Further Karen Hawes has no authority nor position to be making judgment calls on the activities of the Club leadership nor of requests from it's members. This conclusion put forth by Ms. Hawes is now being used by Seymour Rouche to refuse to address the issues I raised in my inquire. (see attached letter dtd April 26th and copy of Club President Seymour Rouche's response dated April 30th.)

Ms. Hawes needs to immediately correct that misunderstanding in writing, of her authority to comment on Club activates and the specific questions I asked of the Club's board. Certainly she did not conclude that the Club's board failure to follow the stipulations placed on the sale of the land by vote of the Club members was "due diligence". Certainly she did not conclude that the Club's board rendering a legal opinion regarding deed restrictions, without the benefit of an opinion from an attorney was "due diligence". Certainly she did not conclude that the sale of the land without the benefit of an appraisal was "due diligence". Certainly she did not conclude that the sale of the property in house with out the benefit of a Realtor representing the seller or listing the property for sale, and not taking any bids or offers was "due diligence".

This was the subject matter of my letter to the Club's board and I believe she clearly has no authority nor position to address any of those issues, and again even if asked by the Club's board the Dept. of Human Services should have refrained from comment. I would ask you if you could prevail upon her to clearly setforth in

writing her authority or lack there of, over the Club's activities with specific reference to my inquires.

I believe this involvement by Ms Hawes is because of the fact when the Club was not able to fulfill it's represented purpose of usage of the land it received from the taxpayers, it donated the land to the Dept. of Human services (county). The Dept. never secured title for the taxpayers and many months later the Club allegedly rescinded its donation of the land back to the County, and sold the land. That failure to secure title of the land in the County's name, cost the taxpayers monies and if the buyer/Realtor is correct, a total of \$150.000.00, if the Dept. of Human Services could not use the land some other dept. could have, or the County Lands dept. could have sold the property and secured the monies for the taxpayers. It would be my recommendation that all lands that any Dept. may be donated or able to get, or in the possession of, be handled by the County Lands dept. I have had experience with the rank and file employees of the County Lands dept. and have found them to be very diligent in doing what is fiduciarily responsible and in the best interest of the taxpayer, and I'm sure in this case that they would have secured the title of the land (that was formerly the taxpayers) immediately, and the taxpayers could have benefited from the \$150,000.00.

In regards to our Community Club, that very board is now making application before the Lee County Board of Commissioners, for more assets of the Lee County taxpayers, namely \$25,000.00 for a

community plan. The previous conveyance of taxpayers assets, namely the land appears to have resulted in a loss of \$120,000.00. Lee Coleman, VP of the Club's board is making diligent efforts to enact a procedural plan for the board to follow in the future, and I believe that the success of any such plan is contingent on the written explanation by Ms. Hawes of the basis of her concluding "due diligence on the part of Page Park Community Club leadership," and under what authority she was acting.

I am not aware of any reason why the Dept. of Human services never secured title of the property for the taxpayers, or why other County dept. were not involved and most importantly why County Lands was not involved, but if the Realtors calculations are correct than the taxpayers have lost out on \$150,000.00. If you should secure a response to these questions from the Dept. of Human services please forward me a copy.

Respectfully yours,

Sean O'Connell,

110 Danley Drive, Suite 1

Fort Myers, Florida 33907

850-488-3077 ATTN: BONNIE WILLIAMS

Bernie Feliciano

From:

"Bernie Feliciano" <bfeliciano@leeelections.com>

To:

"WILLIAMS.BONNIE" < WILLIAMS.BONNIE@leg.state.fl.us>

Sent:

Thursday, May 05, 2005 4:46 PM

Subject:

Re: Sean O'Connell

Hi Bonnie.

Mr. O'Connell's certified mail return receipt was not received by our office, however, the mail piece was returned to our office. The original mail piece was mailed to Sean O'Connell at 110 Danley Dr, Fort Myers FL 33907 on 07-31-04. This is also his voter registration address of record since 1992.

It was returned as UNCLAIMED on 08-25-04. The post office made left 3 notices for Mr. O'connell on 08-12, 08-16, and 08-19.

The returned mail piece that was again mailed via standard mail to Mr. O'Connell's address of record on 08-25-04. I will fax you a copy of the envelope shortly.

Bernie Feliciano Qualifying Officer Lee County Elections Office 239-339-6304 direct 239-339-6300 main 239-339-6310 facsimile bfeliciano@leeelections.com

---- Original Message ----From: WILLIAMS.BONNIE To: Bernie Feliciano

Sent: Thursday, May 05, 2005 4:21 PM

Subject: Sean O'Connell

Hi, Bernie:

Mr. Sean O'Connell tells me that he has spoken with you and learned that you received back neither a return receipt nor a returned envelope related to his certified notice last summer to file disclosure. Is that true?

Bonnie



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FORT SYERS FL 33902-2545

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Remarcea 5-25-04

110 Danley Drive Fort Myers FL 33907

SUPERVISOR OF ELECTIONS

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O'CONNELL, SEAN D 110 DANLEY DR FORT MYERS FL 33907

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SUPERVISOR OF SEEDINGHS

Sean O'Connell

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BECEINED





To: Ron Miller
Lee County
Dept. of Human Services
83 Pondella Rd. Suite 1
Fort Myers, Florida 33903

From; Sean O'Connell 110 Danley 1 Fort Myers Fl. 33907

RE: Sale of over aprox 1.5 acers of Page Park Association land to Stuart Silver Realtor/ Stuart Silver Trustee of the Forth and Center land Trust for \$30,000.00

12-45-24-01-00000.0060

12-45-24-01-00000.0070

12-45-24-01-00000.007A

12-45-24-01-00000.0080

12-45-24-01-00000.008A

Dear Mr. miller,

On February 21st, Lee Coleman, of the Page Park Association Board, and the NDC Board of Page Park, and I had a conversation about my letter to Association and NDC president Seymour Rouche, dated February 18th.

In our conversation Lee Coleman said that you orchestrated the acquisition of the above referenced parcels for the Association. Further he said that in response to the members vote that the County Attorney handle the sale, that you orchestrated the sale of the property to Stu Silver and that in response to the members vote that there be some type of deed restrictions regarding the use of the property, that it was you that informed the Board that they had no legal footing for such restrictions and that it was you that informed the Board that the only avenue open to the residents of the park pursuant to their stipulation for deed restrictions was to speak out at any variance or zoning change requested by the new owner.

Please send me any notes, communications, letters, or records of phone calls for the above referenced property sale that you might have.

Sincerely,

Sean O'Connell