

**BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS**

COMMISSION ON ETHICS
DATE RECEIVED
JUL 24 2008

In re: Scott Brannon,

Respondent.

Complaint No. 07-197

JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER

Respondent, Scott Brannon, and the Advocate for the Florida Commission on Ethics enter into this Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled Complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

STIPULATED FINDINGS OF FACT

1. Respondent served as a member of the Freeport City Commission from 2000 until 2004 and has served as a member of the Walton County Board of County Commissioners since 2004 and as such is subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.
2. On October 1, 2007, a sworn Complaint was filed with the Commission on Ethics alleging that Respondent violated the Code of Ethics.
3. Pursuant to Section 112.322, Florida Statutes, the Executive Director of the Commission on Ethics found that the Complaint was legally sufficient and on November 19, 2007, ordered a preliminary investigation of the Complaint for a probable cause determination of whether Respondent had violated the Code of Ethics. The Report of Investigation was released on May 20, 2008.

4. The allegations are:

Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, and Section 112.3144, Florida Statutes, by failing to properly complete his CE Form 6, Full and Public Disclosure of Financial Interests, for calendar years 2003 and 2005 and failing to timely file and properly complete his CE Form 6 for calendar year 2006.

5. On June 23, 2008, the Advocate filed his Advocate's Recommendation in this case recommending that the Commission on Ethics find probable cause that Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, and Section 112.3144, Florida Statutes.

6. Respondent and the Advocate enter into this Joint Stipulation of Fact, Law, and Recommended Order following the filing of the Advocate's Recommendation, but prior to a determination by the Commission as to probable cause.

7. Respondent agrees with the analysis and conclusions of the Advocate's Recommendation and admits the facts as set forth in the Report of Investigation, which are incorporated herein by reference.

8. Respondent has filed CE Form 6X's, Amendments to Full and Public Disclosures of Financial Interests, correcting the deficiencies in his CE Form 6's for calendar years 2003, 2005, and 2006. Respondent has also paid a \$150 fine on March 15, 2008, for his late filing of his 2006 Form 6.

STIPULATED CONCLUSIONS OF LAW

9. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

10. The Commission on Ethics has jurisdiction over the Complaint as filed in this proceeding and over Respondent.

11. Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, and Section 112.3144, Florida Statutes, by failing to properly complete his CE Form 6, Full and Public Disclosure of Financial Interests, for calendar years 2003 and 2005 and failing to timely file and properly complete his CE Form 6 for calendar year 2006.

12. Respondent admits the allegation as set forth in paragraph four (4) of the Stipulated Findings of Fact, above.

STIPULATED RECOMMENDED ORDER

13. The Advocate accepts Respondent's admission in this proceeding.

14. The Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings in this cause.

15. Therefore, the parties request and the Advocate recommends that:

(a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties;

(b) The Commission on Ethics enter a Final Order and Public Report finding that Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, and Section 112.3144, Florida Statutes, and recommending a civil penalty of \$300 dollars.

FURTHER STIPULATIONS

16. Respondent and the Advocate stipulate and covenant that they have freely and voluntarily entered into this Joint Stipulation of Fact, Law, and Recommended Order with full knowledge and understanding of its contents. Respondent and the Advocate further stipulate and covenant that this Joint Stipulation constitutes the full agreement of the parties and that there are


no oral or written understandings between the parties other than those contained in this Stipulation of Fact, Law, and Recommended Order.

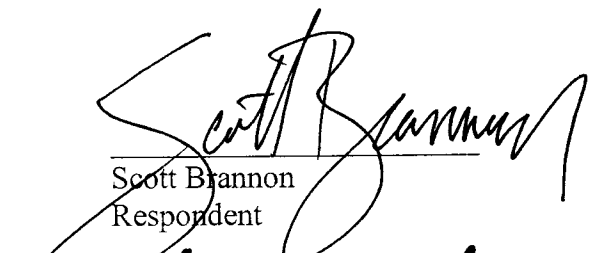

17. Respondent and the Advocate stipulate and covenant that, in consideration of the provisions of this Joint Stipulation of Fact, Law, and Recommended Order, Respondent and the Advocate accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

18. Respondent and the Advocate stipulate that this Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this document shall be of no purpose and effect and shall not be deemed an admission by the Respondent.

19. Effective upon approval of this Joint Stipulation of Fact, Law, and Recommended Order by the Commission on Ethics, Respondent waives all time, notice, hearing rights, requirements, and entitlements, as to all subsequent hearings in this proceeding. By his signature hereto, Respondent waives any and all confidentiality with respect to these proceedings.

Signed, dated and entered into this 15th day of July, 2008.


James H. Peterson, III
Advocate for the Florida
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Scott Brannon
Respondent

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